



AGENDA

COUNCIL

*meeting to be held on **Monday 22 July 2019 at 6:30 pm**
in the Council Chamber, 12 James Street, Salisbury*

Elected Members

Mayor G Aldridge

Cr M Blackmore, Cr L Braun, Cr B Brug, Cr C Buchanan, Cr A Duncan,
Cr K Grenfell, Cr N Henningsen, Cr D Hood, Cr P Jensen, Cr S Ouk,
Cr D Proleta, Cr S Reardon, Cr G Reynolds, Cr J Woodman

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.

Apologies:

Leave of Absence: Nil

ITEM 1: PUBLIC QUESTION TIME

ITEM 2: DEPUTATIONS / PRESENTATIONS

Page 7

- 2.1 Refusal of Deputation Request
- 2.2 Deputation - Waste/Rubbish Minimisation

ITEM 3: PETITIONS

No Petitions have been received.

ITEM 4: CONFIRMATION OF MINUTES

Page 9

- 24 June 2019 Council Minutes
- 24 June 2019 Confidential Council Minutes

ITEM 5: COMMITTEE REPORTS

5.1 Policy and Planning Committee: 15 July 2019
Cr C Buchanan (Chair)

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- 1.0.1 Future Reports for the Policy and Planning Committee
- 1.0.2 Minutes of the Tourism and Visitor Sub Committee meeting held on Tuesday 9 July 2019:
 - TVSC1 Future Reports for the Tourism and Visitor Sub Committee
 - TVSC2 Topics for consideration by the Sub Committee
- 1.1.1 Salisbury Plays at Bridgestone Reserve
- 1.1.2 City of Salisbury Ability Inclusion Strategic Plan
- 1.3.1 Salisbury Car Parking - Sexton Carpark
- 1.5.1 The John Street Improvement Plan - Proposed Early Wins
- 1.7.1 City Plan Review

5.2 Works and Services Committee: 15 July 2019
Cr S Reardon (Chair)

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- 2.0.1 Future Reports for the Works and Services Committee
- 2.4.1 Terms of Reference for Asset Management Sub-Committee
- 2.5.1 Mawson Lakes Interchange Land - Community Land Revocation
- 2.6.1 Capital Works Report - June 2019
- 2.7.1 Traffic Safety Issues: Intersection of Waterloo Corner Road and Kensington Way at Burton
- W&S-OB1 Traffic Management Measures – Redhill Road, Ingle Farm

5.3 Resources and Governance Committee: 15 July 2019 *Page 59*

Cr D Proleta (Chair)

- 3.0.1 Future Reports for the Resources and Governance Committee
- 3.2.1 Council Assessment Panel - Elected Member Representations at Meetings
- 3.3.1 Abandoned Shopping Trolleys
- 3.6.1 Annual Report on Internal Reviews of Council decisions in the year ending 30 June 2019 under Section 270 of the Local Government Act 1999
- 3.6.2 Review of the Code of Practice - Access to Meetings and Documents
- 3.6.3 Review of Disposal of Land Policy
- 3.6.4 Review of Temporary Road Closures Policy
- 3.6.5 Local Government Association Annual General Meeting: 31/10/2019 - Proposed Items of Business and Voting Delegates
- 3.6.6 Summary Report for Attendance at Training and Development Activity - Cr Beau Brug
- 3.6.7 Local Government Finance Authority Annual General Meeting: 31 October 2019 - Council Representatives, Board Nominations and Notices of Motion

5.4 Audit Committee of Council: 9 July 2019 *Page 65*

Cr G Reynolds (Chair)

- 4.0.1 Future Reports for the Audit Committee of Council
- 4.0.2 Actions List
- 4.2.1 Bentley's Interim Report on Audit Findings
- 4.2.2 Asset Policy Review
- 4.2.3 Annual Report 2018/2019 - Internal Controls Framework and Audit Committee sections
- 4.2.4 Elected Member Risk Management Workshop
- 4.2.5 Risk Management and Internal Controls Activities
- 4.2.6 Update on Internal Audit Plan

5.5 Council Assessment Panel

No Council Assessment Panel meeting was held in June 2019.

5.6 Budget and Finance Committee: 15 July 2019 *Page 71*

Cr B Brug (Chair)

- 6.0.1 Future Reports for the Budget and Finance Committee
- 6.1.1 Council Finance Report – June 2019
- 6.1.2 Certification of the 2019 Annual Financial Statements
- 6.4.1 Proposed amendment to the NAWMA 2019/20 Service Agreement
- 6.6.1 Discretionary Rate Rebate Application – Adelaide Benevolent Society

5.7 Sport, Recreation and Grants Committee: 8 July 2019 Page 133

Cr A Duncan (Chair)

- 7.0.1 Future Reports for the Sport, Recreation and Grants Committee
 - 7.2.1 Youth Sponsorship Applications - June 2019
 - 7.2.3 Community Grants Program Applications for July 2019
 - 7.2.4 08/2019: The Royal Life Saving Society Australia, South Australia Branch Inc. - Community Grants Program Application
- SRG-OB1: Defibrillators for Local Clubs – SA Government Initiative

Committee decisions made under delegated authority – for Council information:

- 7.2.2 Minor Capital Works Grant Program – Northern Districts Cricket Club Application
- 7.2.5 10/29019: Greek Pensioners Society of Salisbury and Suburbs Inc. – Community Grants Program Application
- 7.2.6 11/2019: The Association of Australian Tertiary Students from Afghanistan Inc. – Community Grants Program Application
- 7.2.7 12/2019: Tyndale Christian School Inc. – Community Grants Program Application
- 7.2.8 13/2019: Valley View Tennis Club Inc. – Community Grants Program Application
- 7.2.9 14/2019: Punya Foundation Inc. – Community Grants Program Application
- 7.2.10 15/2019: Salisbury West Sports Club Inc. - Community Grants Program Application
- 7.2.11 16/2019: Mawson Lakes Golf Club Inc. – Community Grants Program Application

5.8 CEO Review Committee: 9 July 2019 Page 139

Mayor G Aldridge (Chair)

- 8.1.1 Future Reports for the CEO Review Committee
- 8.1.2 CEO Personal Evaluation System 2018/2019
- 8.1.3 Annual Review of CEO Total Remuneration 2018/2019

ITEM 6: GENERAL BUSINESS REPORTS Page 143

- 6.1 South Australia Productivity Commission – City of Salisbury submission

ITEM 7: MOTIONS ON NOTICE Page 149

- 7.1 Motion on Notice - Oval Lights for Local Sporting Clubs

ITEM 8: MAYOR'S DIARY

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ITEM 9: ELECTED MEMBER REPRESENTATION ACTIVITIES

ITEM 10: QUESTIONS WITHOUT NOTICE

ITEM 11: QUESTIONS ON NOTICE

Page 153

11.1 Question on Notice: Hire of Meeting Rooms in the Para Hills
Community Club

ITEM 12: OTHER BUSINESS / MOTIONS WITHOUT NOTICE

ITEM 13: CONFIDENTIAL ITEMS

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13.1 Works and Services – Confidential Recommendations
for Council Ratification:

2.9.1 Mawson Lakes Interchange

2.9.2 Acquisition of 67 and 69 Pratt Avenue, Pooraka

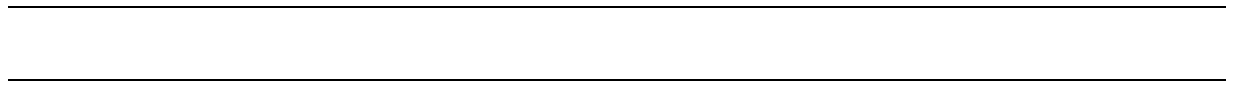
13.2 CEO Review Committee – Confidential Recommendations for Council
Ratification:

8.2.1 CEO Employment Agreement - (*Confidentiality
lapsed 24/07/2019, pursuant to resolution 0237 of
22/07/2019*)

CLOSE 13.3 Confidential CEO Update – Various Matters



John Harry
CHIEF EXECUTIVE OFFICER



ITEM 1: PUBLIC QUESTION TIME

ITEM 2: DEPUTATIONS / PRESENTATIONS

2.1 Refusal of Deputation Request

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

A request was received from Ms Sanju Lal to attend the 22 July 2019 Council meeting as a deputation in relation to a proposed land division in Para Vista.

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

11. Deputations

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

Given that this matter relates to a development application, the Mayor has determined to refuse the request to appear.

Notwithstanding that the applicant may present a deputation to Council, Council cannot determine this issue as they have no direct powers under the Act, and cannot direct a delegated party (staff member or Council Assessment Panel) on a planning decision.

Should an applicant disagree with a planning decision there are formal avenues for an applicant to appeal through the Environment Resources and Development Court.

In accordance with the Code of Practice for Meeting Procedures, Ms Lal has been informed of the outcome of the request and planning staff have been in contact with her to explain the process and options she has available to her.

2.2 Deputation - Waste/Rubbish Minimisation

Ms Gail Freeman will be in attendance at the 22 July 2019 Council meeting as a deputation in relation to waste/rubbish minimisation.

ITEM 3: PETITIONS

No Petitions have been received.

ITEM 4: CONFIRMATION OF MINUTES



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

24 JUNE 2019

MEMBERS PRESENT

Mayor G Aldridge
Cr M Blackmore
Cr L Braun
Cr B Brug
Cr C Buchanan
Cr A Duncan
Cr K Grenfell
Cr N Henningsen
Cr D Hood
Cr P Jensen
Cr S Ouk
Cr D Proleta
Cr S Reardon
Cr G Reynolds
Cr J Woodman (Deputy Mayor)

STAFF

Chief Executive Officer, Mr J Harry
General Manager Business Excellence, Mr C Mansueto
General Manager City Development, Mr T Sutcliffe
General Manager Community Development, Ms P Webb
General Manager City Infrastructure, Mr J Devine
Manager Governance, Mr M Petrovski
Governance Support Officer, Ms K Boyd

The meeting commenced at 6.30 pm.

OPENING PRAYER AND WELCOME

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

The Chief Executive Officer read the Opening Prayer.

The Mayor read the Kurna Acknowledgement.

APOLOGIES

Nil

LEAVE OF ABSENCE

Nil

ITEM 1: PUBLIC QUESTION TIME

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

ITEM 2: DEPUTATIONS

No Deputations were received.

ITEM 3: PETITIONS

No Petitions were received.

ITEM 4: CONFIRMATION OF MINUTES

Moved Cr K Grenfell
Seconded Cr B Brug

The Minutes of the Council Meeting held on 27 May 2019, be taken and read as confirmed.

**CARRIED
0192/2019**

Moved Cr L Braun
Seconded Cr M Blackmore

The Minutes of the Confidential Council Meeting held on 27 May 2019, be taken and read as confirmed.

**CARRIED
0193/2019**

Bring Forward Budget Related Items for Discussion

Moved Cr C Buchanan
Seconded Cr D Proleta

That the following budget related items on the Agenda be brought forward to be considered in the following order:

- Item 5.6 Budget and Finance Committee – Recommendation for Council Ratification:
 - 6.6.2 Rating Strategy 2019/20
- Item 7.3 Motion on Notice – Increase in Waste Levy
- Item 5.6 Budget and Finance Committee – Recommendations for Council Ratification:
 - 6.0.1 Future Reports for the Budget and Finance Committee
 - 6.4.1 Annual Plan Public Consultation Report
 - 6.6.1 Budget Update
 - 6.6.3 Globe Derby Community Club 2019/20 Separate Rate
- Item 6.1 Budget Status Report
- Item 6.2 Adoption of Annual Plan, Budget and Declaration of Rates
- Item 6.3 Declaration of Globe Derby Community Club Separate Rate
- Item 6.4 Declaration of Salisbury Business Association Separate Rate
- Item 6.5 Declaration of Adelaide and Mount Lofty Ranges Natural Resources Management (NRM) Board Separate Rate
- Item 6.6 Section 270 Review of a Council Decision – 25 March 2018 – Discretionary Rebate Application for Commercial Shops on Diment Road, Salisbury North, SA, 5108
- Item 6.7 2019/20 South Australian State Budget

**CARRIED
0194/2019**

6.6.2 Rating Strategy 2019/20

Moved Cr B Brug
Seconded Cr J Woodman

1. Information be received.
2. A rate increase based on 2.9% average increase in residential rates, and a 2.9% increase for Commercial and Industrial, and a 30% differential on vacant land, be endorsed as the basis for setting rates in 2019/20.

**CARRIED
0195/2019**

7.3 **Motion on Notice - Increase in Waste Levy**

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

Moved Cr C Buchanan

Seconded Cr P Jensen

That the City of Salisbury:

1. Publicly condemn the decision of the State Government to increase the Waste Levy by nearly 40% over the coming financial year.
2. Write to the Premier and the Treasurer requesting factual information regarding the Waste Levy to be provided to Council that confirms -
 - the total amount of money that is currently held by State Government as a result of collecting the Waste Levy,
 - the State Government's intentions for the use of the current Waste Levy funds,
 - the additional amount expected to be collected as a result of the dramatic increase of the Waste Levy, and
 - the State Government's intentions for the use of the additional funds that will be collected.
3. Insert a flyer with the first quarter rates notice for 2019/20 outlining the State Government's increase to the Waste Levy and NRM levy costs, and, for the second and third quarter rates notice reminders, print the LGA graphic of 40 percent increase to Waste Levy on the outside of envelopes.
4. Call on the LGA to articulate, on behalf of all Councils, our collective disappointment and anger with the lack of consultation with the sector by the State Government prior to making the decision.
5. Administration continue to work with NAWMA to find efficiencies in our waste services in an effort to minimise impact on our ratepayers.

With leave of the meeting and consent of the seconder Cr C Buchanan VARIED the MOTION as follows:

1. Publicly condemn the decision of the State Government to increase the Waste Levy by nearly 40% over the coming financial year.
2. Write to the Premier and the Treasurer requesting factual information regarding the Waste Levy to be provided to Council that confirms -
 - the total amount of money that is currently held by State Government as a result of collecting the Waste Levy,
 - the State Government's intentions for the use of the current Waste Levy funds,
 - the additional amount expected to be collected as a result of the dramatic increase of the Waste Levy, and
 - the State Government's intentions for the use of the additional funds that will be collected.

-
3. Insert a flyer with the first quarter rates notice for 2019/20 outlining the State Government's increase to the Waste Levy and NRM levy costs, and, for the second and third quarter rates notice reminders, print the LGA graphic of 40 percent increase to Waste Levy on the outside of envelopes.
 4. Call on the LGA to articulate, on behalf of all Councils, our collective disappointment and anger with the lack of consultation with the sector by the State Government prior to making the decision.
 5. Administration continue to work with NAWMA to find efficiencies in our waste services in an effort to minimise impact on our ratepayers.
 6. That a copy of all correspondence sent and received be provided to all Elected Members.

**CARRIED
0196/2019**

5.6 Budget and Finance Committee – Recommendations for Council Ratification

Moved Cr S Reardon
Seconded Cr M Blackmore

That Council adopt the recommendations of the Budget and Finance Committee meeting on 3 June 2019, contained in the report to Council (Item No. 5.6 on the agenda for the Council meeting held on 24 June 2019), and listed below, with the exception of

Item 6.6.2 Rating Strategy 2019/20

which was withdrawn and considered separately earlier in the meeting.

6.0.1 Future Reports for the Budget and Finance Committee

1. The information be received.

6.4.1 Annual Plan Public Consultation Report

1. Information be received and noted.
2. The draft responses to the 2019/20 Annual Plan and Budget consultation submissions as contained in Attachments 1, 2, 3 and 4 to this report (Item 6.4.1 Budget and Finance Committee, 03 June 2019) be endorsed.

6.6.1 Budget Update

1. The Consolidated Budget Summary and Proposed Budget Adjustments to the Consolidated Summary as contained in Attachments 1 and 2 to this report (Item 6.6.1 Budget and Finance Committee, 03 June 2019) be endorsed.

6.6.3 Globe Derby Community Club 2019/20 Separate Rate

1. The proposed separate rate of \$100 per share in common land, 63 shares in total, in the relevant area for the Globe Derby Community Club for 2019/20, be endorsed in principle, and a formal resolution be brought forward to the June 2019 Council meeting for adoption of the rate.

**CARRIED
0197/2019**

ITEM 6: GENERAL BUSINESS REPORTS

6.1 Budget Status Report

Moved Cr C Buchanan

Seconded Cr M Blackmore

1. Budget Summary – Direct Cost as contained in Attachment 3 to this report (Item No. 6.1, Council, 24/06/2019) be noted.
2. Infrastructure Budget Bids (4 year program) as contained in Attachment 4 to this report (Item No. 6.1, Council, 24/06/2019) be endorsed.
3. Plant, Furniture and Equipment Budget Bids (4 year program) as contained in Attachment 5 to this report (Item No. 6.1, Council, 24/06/2019) be endorsed.
4. Information Technology Budget Bids (4 year program) as contained in Attachment 6 to this report (Item No. 6.1, Council, 24/06/2019) be endorsed.
5. Operating Budget Bids as contained in Attachment 7 to this report (Item No. 6.1, Council, 24/06/2019) be endorsed.

**CARRIED
0198/2019**

6.2 Adoption of Annual Plan, Budget and Declaration of Rates

Moved Cr J Woodman

Seconded Cr B Brug

a. Adoption of Annual Plan

The 2019/20 Draft Annual Plan used for the purposes of public consultation be adopted as the 2019/20 Annual Plan in accordance with section 123 of the Local Government Act 1999 and regulation 6 of the Local Government (Financial Management) Regulations 2011, after adjusting for changes resolved by Council subsequent to the adoption of the draft annual plan on 23 April 2019 and incorporation of any other minor editorial changes or presentation improvements.

b. Approval of Estimates of Expenditure

The Estimates of Expenditure for the 2019/2020 financial year as they are prepared by the Council of the City of Salisbury and contained in Budget Summary – Direct Cost as contained in Attachment 1 to this report (Item No 6.2, Council, 24/06/2019) which provide for an expenditure of a total of \$163,705,574, and Loan Principal Repayments of \$1,978,341 are hereby approved by the Council.

c. Adoption of the Budgeted Financial Statements

The following budgeted financial statements in accordance with section 123 of the Local Government Act 1999 and regulation 7 of the Local Government (Financial Management) Regulations 2011 be adopted:

- Budgeted Statement of Comprehensive Income as contained in Attachment 1 to this report (Item No. 6.2, Council Meeting 24/06/2019)
- Budgeted Statement of Financial Position as contained in Attachment 2 to this report (Item No. 6.2, Council Meeting 24/06/2019)

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

Pursuant to section 167(2)(a) of the Local Government Act 1999 the Council for the 2019/2020 financial year adopt the Valuer General's Assessment of Capital Values of all rateable land constituting the area of the Council totalling \$21,401,928,848 which represents the sum of all separately owned and/or occupied rateable land set forth in the Assessment Record of the Council for the 2019/2020 financial year, and specifies the 24th day of June 2019 as the day upon which such adoption of such Valuations shall become the Valuations of the Council.

e. Minimum Rate

Pursuant to section 158 of the Local Government Act 1999 Council has determined that the sum of **\$1,016** shall be the minimum amount payable by way of general rates for the 2019/2020 financial year.

f. Declaration of Rate

The Council, for the financial year ending on 30 June 2020, having

- Adopted the Annual Plan
- Adopted estimates of expenditure of \$163,705,574, for the 2019/2020 financial year, AND
- Adopted Budgeted Financial Statements as contained in Attachments 1 and 2 to this report (Item No. 6.2, Council Meeting 24/06/2019) 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.
- Adopted its Valuation Assessments of \$21,401,928,848 for such year, AND
- Fixed a Minimum Amount Payable by way of Rates of **\$1,016**.

The Council pursuant to sections 152(1)(a), 153(1)(b) and 156(1)(a) of the Local Government Act 1999 declares Differential General Rates on land within its area for the financial year ending 30 June, 2020 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 **0.6486** 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 **0.5551** 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 **0.4270** cents in the dollar on the assessed capital value of such land.

g. Rebate to Cap Rate Increase – General

Pursuant to section 153(3) of the Local Government Act 1999 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 as contained in Attachment 3 to this report (Item No. 6.2, Council Meeting 24/06/2019)
- Budgeted Statement of Cash Flows as contained in Attachment 4 to this report (Item No. 6.2, Council Meeting 24/06/2019)
- Budgeted Statement of Changes in Equity as contained in Attachment 5 to this report (Item No. 6.2, Council Meeting 24/06/2019)
- Budgeted Uniform Presentation of Finances as contained in Attachment 6 to this report (Item No. 6.2, Council Meeting 24/06/2019)
- Budgeted Financial Indicators as contained in Attachment 7 to this report (Item No. 6.2, Council Meeting 24/06/2019)
- Budget Summary by Full Cost Attribution as contained in Attachment 8 to this report (Item No. 6.2, Council Meeting 24/06/2019)

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
0199/2019**

6.3 Declaration of Globe Derby Community Club Separate Rate

Moved Cr C Buchanan

Seconded Cr D Proleta

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 of 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 2020.

**CARRIED
0200/2019**

6.4 Declaration of Salisbury Business Association Separate Rate

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

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

Moved Cr L Braun

Seconded Cr K Grenfell

1. The request by the Salisbury Business Association for Council to raise a differential separate rate in the area delineated in the map as set out in Attachment 1 (Council, 24/6/19, Item No. GB4) 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 0.065384 cents in the dollar of the Capital Value of rateable land in that area with a local government code classified as Commercial Shop, Commercial Office, Commercial Other, Industrial Light and Industrial Other, be declared on that land for the year ending 30 June 2020.
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.

**CARRIED
0201/2019**

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

Cr G Reynolds voted IN FAVOUR of the MOTION.

Cr D Hood voted IN FAVOUR of the MOTION.

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

Moved Cr J Woodman

Seconded Cr S Ouk

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 \$2,038,150, declares for the year ending 30 June 2020 a separate rate of 0.009666 cents in the dollar on the capital valuation of all rateable properties within the area of the City of Salisbury.

**CARRIED
0202/2019**

**6.6 Section 270 Review of a Council Decision – 25 March 2018 -
Discretionary Rebate Application for Commercial Shops on Diment
Road, Salisbury North SA 5108**

Moved Cr G Reynolds
Seconded Cr L Braun

That Mr J Pegoli, owner of the Commercial Shops on Diment Road, be allowed to address the Council meeting.

**CARRIED
0203/2019**

Mr J Pegoli of Salisbury Heights addressed the meeting in support of the Discretionary Rebate Application for the Commercial Shops on Diment Road, Salisbury North.

Cr C Buchanan left the meeting at 7:36 pm.

Cr P Jensen left the meeting at 7:37 pm.

Cr C Buchanan returned to the meeting at 7:38 pm.

Cr P Jensen returned to the meeting at 7:39 pm.

Moved Cr C Buchanan
Seconded Cr S Ouk

That:

1. the report be received and noted;
2. the findings of the section 270 (of the *Local Government Act 1999*) review of the Council decision of 25 March 2018, regarding a discretionary rebate for the commercial properties at 116 Diment Road Salisbury North, be accepted;
3. no further action be taken in relation to the matter raised by the applicant for the section 270 review of the decision not to grant a discretionary rebate; and
4. the applicant for the section 270 review be advised within five days of the decision.

**CARRIED
0204/2019**

6.7 2019-20 South Australian State Budget

Moved Cr A Duncan

Seconded Cr C Buchanan

1. That this report be noted.
2. That Council write to The Premier, Treasurer, local MP Paula Luethen and all government Legislative Council members highlighting the lack of funding for the City of Salisbury as outlined in this report.
3. That Council also write to the State and Federal Government's asking that priority consideration and advocacy be given in the 2020/21 budgets to fund the essential transport growth infrastructure works across the East/West transport corridor of Salisbury, prioritising the Kings Rd widening, freight line relocation and removal of Kings Rd & Park Tce rail crossings.
4. That consideration be given to resourcing the development of persuasive business cases, backed by sustained advocacy, to ensure Council's infrastructure priorities are considered in the development of the 20 year State Infrastructure Strategy, transport network plan, business case completion on projects for assessment by infrastructure SA and the statement of capital intentions.

With leave of the meeting and consent of the seconder, Cr A Duncan VARIED the MOTION as follows:

1. That this report be noted.
2. That Council write to The Premier, Treasurer, local MP Paula Luethen and all government Legislative Council members highlighting the lack of funding for the City of Salisbury as outlined in this report.
3. That Council also write to the State and Federal Government's asking that priority consideration and advocacy be given in the 2020/21 budgets to fund the essential transport growth infrastructure works across the East/West transport corridor of Salisbury, prioritising the Kings Rd widening, freight line relocation and removal of Kings Rd & Park Tce rail crossings.
4. That consideration be given to resourcing the development of persuasive business cases, backed by sustained advocacy, to ensure Council's infrastructure priorities are considered in the development of the 20 year State Infrastructure Strategy, transport network plan, business case completion on projects for assessment by infrastructure SA and the statement of capital intentions.
5. That a copy of all correspondence sent and received be forwarded to all Elected Members.

**CARRIED
0205/2019**

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 8.05 pm.

The meeting reconvened at 8.14 pm.

ITEM 5: COMMITTEE REPORTS

5.1 Policy and Planning Committee – Recommendations for Council Ratification

Moved Cr J Woodman
Seconded Cr D Hood

That Council adopt the recommendations of the Policy and Planning Committee meeting on 17 June 2019, contained in the report to Council (Item No. 5.1 on the agenda for the Council meeting held on 24 June 2019), and listed below, with the exception of :

Item 1.3.1 Public Consultation on 'Civic Square' Renaming
Item 1.3.3 Salisbury Car Parking Scenarios Study

which were withdrawn to be considered separately:

1.0.1 Future Reports for the Policy and Planning Committee

1. The information be received.

1.1.1 Minutes of the Youth Council Sub Committee meeting held on Tuesday 11 June 2019

The information contained in the Tourism and Visitor Sub Committee Minutes of the meeting held on 11 June 2019 be received and noted and that the following recommendations contained therein be adopted by Council:

YC1 Future Reports for the Youth Council Sub Committee

1. The information be received.

YC2 Youth Council Membership

1. That the youth member application from Netra Dulal for the balance of a two year term until December 2020 be accepted.

YC3 Youth Council Project Teams Update

1. That the information be received and noted.

YC4 Youth Programs and Events Update June 2019

1. That the information be received and noted.

YC-OB1 Council Reporting Workshop for Youth Council Members

1. That a workshop be designed for Youth Council Members to gain a better understanding of how the structure of Council reports are written.

1.3.2 Salisbury Community Hub - Project and Construction Progress Report

1. That the report be received, and the current status of the Salisbury Community Hub project be noted.
2. That the items proposed in Attachment 1 be endorsed in relation to the display of permanent cultural historical items within the Salisbury Community Hub.
3. That staff will source suitable works for the balance of the rooms where the current collection does not contain works that suitably reflect the room name and/or are suitable for display be noted.

**CARRIED
0206/2019**

The meeting then proceeded to consider Items 1.3.1 and 1.3.3, which were withdrawn to be considered separately.

1.3.1 Public Consultation on 'Civic Square' Renaming

Cr S Reardon entered the meeting at 8.16 pm.

Cr P Jensen entered the meeting at 8.16 pm.

Cr M Blackmore entered the meeting at 8.16 pm.

Cr B Brug entered the meeting at 8.17 pm.

Moved Cr A Duncan

Seconded Cr D Proleta

1. That the information be received.
2. That pursuant to Section 219 (1) of the *Local Government Act 1999*, the Salisbury Civic Square to be named:
Salisbury Civic Plaza / Inparrinthe Kumangka (meeting together)
and that the necessary statutory notifications take place.
3. People who participated in the public consultation be advised of Council's decision, and this also be advised through the social media channels used for the consultation.

**CARRIED
0207/2019**

1.3.3 Salisbury Car Parking Scenarios Study

Moved Cr L Braun

Seconded Cr B Brug

1. That the report be received.
2. That time limit parking controls at Salisbury and Mawson Lakes Interchange surrounds continue to be monitored and managed to optimise efficient use of the available public parking areas.
3. That Council advocate to DPTI for improved train services such as express services and frequency to Parafield Station to enhance its patronage and optimise use of park and ride facilities.
4. That Council continue to advocate to DPTI on the need for and benefits of providing a mixed use development incorporating expanded parking provision in deck car parking for commuters at the Mawson Lakes Interchange site.
5. That usage of the untimed parking area at the Commercial Road Waterwheel area be monitored for consideration of the future need for expansion.
6. That market interest in the development of parking in conjunction with development on Council sites in Salisbury City Centre be explored as part of the forthcoming SCC Council land disposal strategy, and including consideration of options for provision of long term trader and employee parking to service Salisbury City Centre.
7. Subject to the outcomes of the SCC Council land disposal strategy, consideration be given by Council to proceed with investigation of deck parking options, either stand-alone or as part of a mixed use development, including the promotion of private investment into parking within Salisbury City Centre.
8. That the current exemption for small businesses in the Salisbury City Centre from car parking contributions under the Development Act be retained, with a further review in one year.
9. That permit parking within Salisbury City Centre and Mawson Lakes not be pursued at this time, other than for people with disabilities and similar high needs users.
10. That a further report be provided with an update on the status of actions in six months.

**CARRIED
0208/2019**

Further Motion: Salisbury Car Parking

Moved Cr C Buchanan
Seconded Cr D Hood

That as an immediate action, a report be prepared for consideration at the July 2019 Policy and Planning Committee meeting reviewing parking controls within the Sexton Car park (corner James and Church Streets) to include (but not be limited to) consideration of:

- Time limit parking controls to apply during weekday business hours only rather than 24/7
- A variation in time limits that apply across the car park to provide longer term parking options for patrons of the cinema and restaurants in Salisbury City Centre
- Options for long term parking or permit for City of Salisbury volunteers be considered and reported to the Policy and Planning Committee.

**CARRIED
0209/2019**

5.2 Works and Services Committee – Recommendations for Council Ratification

Moved Cr G Reynolds
Seconded Cr M Blackmore

1. That Council adopt the recommendations of the Works and Services Committee meeting on 17 June 2019, contained in the report to Council (Item No. 5.2 on the agenda for the Council meeting held on 24 June 2019), and listed below:

2.0.1 Future Reports for the Works and Services Committee

1. The information be received.

2.5.1 Minutes of the Strategic Property Development Sub Committee meeting held on Monday 17 June 2019

1. The information contained in the Strategic Property Development Sub Committee of the meeting held on 17 June 2019 be received and noted with respect to the following recommendations contained therein to be adopted by Council:

SPDSC1 Future Reports for the Strategic Property Development Sub Committee

1. The information be received.

**SPDSC2 Tranche 2 - Boardwalk at Greentree
Project Update Report**

1. That the report be received and the update on the project delivery status for Boardwalk at Greentree, Walpole Road Stage 3, be noted.

2.6.1 Capital Works Report – May 2019

1. Include the purchase and installation of load cells to heavy vehicles within PR22843 Plant and Fleet Replacement Program.
2. Construction of new footpaths and/or associated kerb ramps as set out in this report (Item No. 2.6.1 Works and Services Committee, 17 June 2019) be endorsed as program inclusions within the Council Funded Footpath Program and Kerb Ramp Construction / Upgrade Programs.
3. Approve the 2019/20 Road Reseal Program as set out in this report (Item 2.6.1, Works and Services Committee, 17 June 2019).

2.6.2 Maintenance Activities on Waterways – Service Levels

1. That the information be received.

**2.7.1 Options to alleviate localised street congestion
(Alice Crescent, Burton)**

That Council:

1. Include Alice Crescent on the listing of approved locations for parking on the verge.
2. Engage with the residents of Alice Crescent, Burton to advise them that they can park on the verge without penalty.
3. Continue to monitor traffic flow on Alice Crescent and assess the effectiveness if allowing verge policy in 12 months' time.

**CARRIED
0210/2019**

5.3 Resources and Governance Committee – Recommendations for Council Ratification

Moved Cr J Woodman
Seconded Cr D Hood

That Council adopt the recommendations of the Resources and Governance Committee meeting on 17 June 2019, contained in the report to Council (Item No. 5.3 on the agenda for the Council meeting held on 24 June 2019), and listed below:

3.0.1 Future Reports for the Resources and Governance Committee

1. The information be received.

3.4.1 Nominations Sought for a Local Government ex-officio member on the Board of the Australia Day Council of South Australia

1. Cr N Henningsen be nominated as an ex-officio member on the Board of the Australia Day Council of South Australia.

3.6.1 Local Government Act Order Making Policy

1. The Information be received.
2. The Local Government Act Order Making Policy as set out in Attachment 1 to this report (Resources and Governance Committee 17/06/19 Item No. 3.6.1) be endorsed.

3.6.2 Annual Review of Delegations

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

Revocations

- a. Hereby revokes its previous delegations to the Chief Executive Officer, effective from 8 July 2019, of those powers and functions under the following:
 - i. Burial and Cremation Act 2013 and Burial and Cremation Regulations 2014
 - ii. Community Titles Act 1996
 - iii. Development Act 1993 and Development Regulations 1993/2008
 - iv. Dog and Cat Management Act 1995
 - v. Electronic Conveyancing National Law (South Australia) Act 2013
 - vi. Environment Protection Act 1993 and Environment Protection (Waste to Resources) Policy 2010
 - vii. Expiation of Offences Act 1996 (with effect from 30 April 2018)
 - viii. Fences Act 1975

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- ix. Fire and Emergency Services Act 2005 and Fire and Emergency Services Regulations 2005
 - x. Food Act 2001
 - xi. Freedom of Information Act 1991
 - xii. Heavy Vehicle National Law (South Australia) Act 2013
 - xiii. Land Acquisition Act 1969 and Land Acquisition Regulations 2004
 - xiv. Land and Business (Sale and Conveyancing) Act 1994
 - xv. Liquor Licensing Act 1997
 - xvi. Local Government Act 1999
 - xvii. Local Nuisance and Litter Control Act 2016 and Local Nuisance and Litter Control Regulations 2017
 - xviii. Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005 and Natural Resources Management (Transitional Provisions – Levies) Regulations 2005
 - xix. Planning, Development and Infrastructure Act 2016
 - xx. Real Property Act 1886
 - xxi. Roads (Opening and Closing) Act 1991
 - xxii. Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014
 - xxiii. Safe Drinking Water Act 2011
 - xxiv. South Australian Public Health Act 2011 along with the South Australian Public Health (Legionella) Regulations 2013 and the South Australian Public Health (Wastewater) Regulations 2013
 - xxv. Strata Titles Act 1988
 - xxvi. Supported Residential Facilities Act 1992
 - xxvii. Unclaimed Goods Act 1987
 - xxviii. Water Industry Act 2012 and Water Industry Regulations 2012
 - xxix. Work Health and Safety Act 2012
 - b. Hereby revokes its previous delegations to its Development Assessment Panel, effective from 8 July 2019, under the Development Act 1993 and Development Regulations 2008.

Delegations made under Local Government Act 1999

3. In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the following Acts and specified in the proposed Instruments of Delegation contained in Attachments 1-28 (each of which is individually identified as indicated below) are hereby delegated from 9 July 2019 to the person occupying the office of Chief Executive Officer subject to the conditions and or limitations specified within the Delegations Register:
 - i. Burial and Cremations Act 2013 and Burial and Cremation Regulations 2014 (Attachment 1)
 - ii. Community Titles Act 1996 (Attachment 2)
 - iii. Dog & Cat Management Act 1995 (Attachment 3)
 - iv. Electricity Act 1996 and Electricity (Principles of Vegetation Clearance) Regulations 2010 (Attachment 4)
 - v. Electronic Conveyancing National Law (South Australia) Act 2013 (Attachment 5)
 - vi. Environment Protection Act 1993 and Environment Protection (Waste to Resources) Policy 2010 (Attachment 6)
 - vii. Expiation of Offences Act 1996 (with effect from 30 April 2018) (Attachment 7)
 - viii. Fences Act 1975 (Attachment 8)
 - ix. Fines Enforcement and Debt Recovery Act 2017 (Attachment 9)
 - x. Fire and Emergency Services Act 2005 and Fire and Emergency Services Regulations 2005 (Attachment 10)
 - xi. Freedom of Information Act 1991 (Attachment 11)
 - xii. Gas Act 1997 (Attachment 12)
 - xiii. Land Acquisition Act 1969 and Land Acquisition Regulations 2004 (Attachment 13)
 - xiv. Land and Business (Sale and Conveyancing) Act 1994 (Attachment 14)
 - xv. Liquor Licensing Act 1997 (Attachment 15)
 - xvi. Local Government Act 1999 (Attachment 16)
 - xvii. Local Nuisance and Litter Control Act 2016 and Local Nuisance and Litter Control Regulations 2017 (Attachment 17)
 - xviii. Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005 and Natural Resources

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- Management (Transitional Provisions – Levies) Regulations 2005 (Attachment 18)
 - xix. Planning, Development and Infrastructure Act 2016 (Attachment 19)
 - xx. Real Property Act 1886 (Attachment 20)
 - xxi. Roads (Opening and Closing) Act 1991 (Attachment 21)
 - xxii. Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014 (Attachment 22)
 - xxiii. Safe Drinking Water Act 2011 (Attachment 23)
 - xxiv. South Australian Public Health Act 2011 along with the South Australian Public Health (Legionella) Regulations 2013 and the South Australian Public Health (Wastewater) Regulations 2013 and South Australian Public Health (General) Regulations 2013 (Attachment 24)
 - xxv. Strata Titles Act 1988 (Attachment 25)
 - xxvi. Unclaimed Goods Act 1987 (Attachment 26)
 - xxvii. Water Industry Act 2012 and Water Industry Regulations 2012 (Attachment 27)
 - xxviii. Work Health and Safety Act 2012 (Attachment 28)
4. Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the Local Government Act 1999 as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in each such proposed Instrument of Delegation.

Delegations made under Development Act 1993

5. In exercise of the powers contained in Sections 20 and 34(23) of the Development Act 1993, the powers and functions under the Development Act 1993 and the Development Regulations 2008 specified in the proposed Instrument of Delegation contained in Attachments 29 are hereby delegated from 9 July 2019 to the person occupying the office of Chief Executive Officer, subject to the conditions and or limitations specified herein or in the Schedule of Conditions in each such proposed Instrument of Delegation.
6. Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed

Instrument of Delegation under the Development Act 1993.

7. In exercise of the powers contained in Sections 20 and 34(23) of the Development Act 1993 the powers and functions under the Development Act 1993 and the Development Regulations 2008 contained in the specified in the shaded areas of the proposed Instrument of Delegation contained in Attachment 29 are hereby delegated from 9 July 2019 to the Council's Assessment Panel, subject to any conditions specified herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.

Delegations Made under Food Act 2001

8. In exercise of the powers contained in Section 91 of the Food Act 2001, the powers and functions under the Food Act 2001 specified in the proposed Instrument of Delegation contained in Attachment 30 are hereby delegated from 9 July 2019 to the person occupying the office of Chief Executive Officer ("the head of the enforcement agency" for the purposes of the Food Act 2001), subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Food Act 2001.
9. Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Food Act 2001.

Delegations under Supported Residential Facilities Act 1992

10. In exercise of the power contained in Section 9 of the Supported Residential Facilities Act 1992, the powers and functions under the Supported Facilities Act 1992 and Supported Residential Facilities Regulations 2009 specified in the proposed Instrument of Delegation contained in Attachment 31 are hereby delegated from 9 July 2019 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Supported Residential Facilities Act 1992.

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11. Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Supported Residential Facilities Act 1992.

Authorisations and Sub-delegation under the Road Traffic Act 1961

12. In accordance with the Instrument of General Approval and Delegation to Council dated 22 August 2013 from the Minister for Transport and Infrastructure (the ‘instrument’) (Attachment 32) the Council authorises the following persons pursuant to Clause A.7 of the Instrument to endorse Traffic Impact Statements for the purposes of Clause A of the Instrument provided that such persons shall take into account the matters specified in Clause A.7 of the Instrument in respect of Traffic Impact Statements.
 - i. Dameon Roy, Manager Infrastructure Management
 - ii. David Boothway, Team Leader Civil and Transport
 - iii. Tony Calandro, Senior Traffic Engineer
13. In accordance with Clause A.7 of the Instrument (Attachment 32), the Council is of the opinion that the following persons are experienced traffic engineering practitioners for the purposes of preparing a Traffic Impact Statement as required by Clause A.7 of the Instrument:
 - i. Dameon Roy, Manager Infrastructure Management
 - ii. David Boothway, Team Leader Civil and Transport
 - iii. Tony Calandro, Senior Traffic Engineer
14. In exercise of the power contained in, and in accordance with, Clause G.1 of the Instrument, the power contained in Section 33(1) of the Road Traffic Act 1961 and delegated to the Council pursuant to Clause G of the Instrument and specified in the proposed Instrument of Delegation contained in Attachment 32 is hereby sub-delegated from 9 July 2019 to the person occupying the office of Chief Executive Officer of the Council subject to:
 - a. The conditions contained in the Instrument; and
 - b. Any conditions contained in this Resolution or in the Instrument of Sub-delegation; and
 - c. The creation of a separate instrument in writing reflecting such sub-delegation under the

Instrument and this Resolution.

15. In accordance with Clause E.2 of the Instrument, the Council is of the opinion that the following persons have an appropriate level of knowledge and expertise in the preparation of traffic management plans:
 - i. Dameon Roy, Manager Infrastructure Management
 - ii. David Boothway, Team Leader Civil and Transport
 - iii. Tony Calandro, Senior Traffic Engineer

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

16. In exercise of the power contained in Section 43 of the Safe Drinking Water Act 2011 the powers and functions of the Council as a relevant authority under the Safe Drinking Water Act 2011 contained in the Delegations Register specified in the proposed Instrument of Delegation contained in Attachment 23 are hereby delegated from 9 July 2019 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Safe Drinking Water Act 2011.
17. Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Safe Drinking Water Act 2011.

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

18. In exercise of the power contained in Section 93 of the Fire and Emergency Services Act 2005 the powers and functions under the Fire and Emergency Services Act 2005 specified in the proposed Instrument of Delegation contained in Attachment 33 are hereby delegated from 9 July 2019 to the person appointed Fire Prevention Officer of the Council under the Fire and Emergency Services Act 2005 subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Fire and Emergency Services Act 2005.

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19. Such powers and functions may be further delegated by the Fire Prevention Officer as the Fire Prevention Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Fire and Emergency Services Act 2005.

Delegations under the Heavy Vehicle National Law (South Australia) Act 2013

20. In exercise of the power contained in Section 44 of the Local Government Act 1999 and Section 22B of the Heavy Vehicle National Law (South Australia) Act 2013 (as relevant) the powers and functions under the Heavy Vehicle National Law (South Australia) Act 2013 specified in the proposed Instrument of Delegation contained in Attachment 34 are hereby delegated from 9 July 2019 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Heavy Vehicle National Law (South Australia) Act 2013.
21. Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Heavy Vehicle National Law (South Australia) Act 2013.
22. The Development Act 1993 and Development Regulations Delegations Policy as set out in Attachment 37 to this report (Resources and Governance 3.6.2, 17/06/2019), be endorsed.

**CARRIED
0211/2019**

5.4 Audit Committee of Council

No Audit Committee of Council meeting was held in June 2019.

5.5 Council Assessment Panel

Minutes of the Council Assessment Panel Meeting held on 28 May 2019 were noted by Council.

5.7 Sport, Recreation and Grants Committee – Recommendations for Council Ratification

Moved Cr N Henningsen
Seconded Cr D Hood

That Council adopt the recommendations of the Sport, Recreation and Grants Committee meeting on 11 June 2019, contained in the report to Council (Item No. 5.7 on the agenda for the Council meeting held on 24 June 2019), and listed below:

7.0.1 Future Reports for the Sport, Recreation and Grants Committee

1. The information be received.

7.2.1 Youth Sponsorship Applications - May 2019

1. The information be received.

7.2.6 Minor Capital Works Grant Program - Category A Eligibility Criteria

1. The information be received.
2. For the purposes of the Minor Capital Works Grant Program, Who Can Apply (Category A) be amended to read:

“Clubs must...at the time of application have a currently executed lease/licence or other use agreement with the City of Salisbury, or Council will have a contracted first right of refusal to purchase the property.”

3. A further report be provided in one month in relation to Category B funding, ensuring the grants relate to the premises where the lease is held.

**CARRIED
0212/2019**

5.8 CEO Review Committee – Recommendations for Council Ratification

No CEO Review Committee meeting was held in June 2019.

ITEM 7: MOTIONS ON NOTICE

7.1 Motion on Notice - Solar Bench and Table Trial for Parks and Reserves

Moved Cr B Brug

Seconded Cr L Braun

1. That Council investigate the opportunity for a free trial of a solar bench and table with a view to one or more units being installed in one or more Council parks and reserves as a way to activate community spaces and improve safety.
2. That a report be brought back to Council with all the information necessary to decide whether to proceed with installation and suitable locations including any associated logistics and costs to undertake a trial.
3. That this report include information from any other SA Councils that are considering similar trials.

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

1. That Council investigate the opportunity for a free trial of a solar bench and table, or other solar infrastructure, with a view to one or more units being installed in one or more Council parks and reserves as a way to activate community spaces and improve safety.
2. That a report be brought back to Council with all the information necessary to decide whether to proceed with installation and suitable locations including any associated logistics and costs to undertake a trial.
3. That this report include information from any other SA Councils that are considering similar trials.

**CARRIED
0213/2019**

7.2 Motion on Notice - Public Transport

Moved Cr B Brug
Seconded Cr L Braun

1. That the Mayor write to the Premier and the Minister for Transport, Infrastructure and Local Government proposing Council to work strategically and collaboratively with the Department of Planning Transport and Infrastructure to identify areas of need for expanded public transport services in the City of Salisbury, and to express Council's concern about the reported further privatisation of the public transport network.
2. The Mayor write to the Local Government Association to state Council's position and request them to develop and coordinate a public campaign on behalf of affected Councils to oppose the privatisation of the train and tram network.

CARRIED
0214/2019

7.4 Regional Indoor Sporting Facility

Moved Cr G Reynolds
Seconded Cr D Hood

1. That Council investigate the need, and potential options, for a regional indoor sporting facility (including provision for indoor or outdoor aquatics), including scope, location, cost and indicative project timeframes.
2. That a report be brought back to Council with the findings of the investigation by December 2019.

With leave of the meeting and consent of the seconder, Cr G Reynolds
VARIED the MOTION as follows:

1. That Council investigate the need, and potential options, for a regional indoor sporting facility (including provision for indoor or outdoor aquatics), including scope, location, cost and indicative project timeframes.
2. That a progress report be brought back to Council with the findings of the investigation by December 2019.

CARRIED
0215/2019

ITEM 8: MAYOR'S DIARY

8.1 Mayor's Diary

Moved Cr B Brug
Seconded Cr N Henningsen

1. That this information be noted.

**CARRIED
0216/2019**

ITEM 9: REPORTS FROM COUNCIL REPRESENTATIVES

Cr J Woodman:

- 29 May Citizenship (evening)
- 30 May ALGWA Board Meeting
- 1 June Represent Mayor at RAAF Bomber Commemoration
- 2 June Waste Essentials for Council Members – LGA House
- 3 June Budget & Finance
- 4 June Informal Strategy
- 6 June Twelve-25 Exhibition and Celebration
- 9 June Parafield Gardens Craft Fair
- 10 June Represent Mayor at Volunteers Thank You – Adelaide Town Hall
- 11 June Every Life Matters meeting
- 15 June Represent Mayor at Eid Festival Adelaide Showgrounds
- 18 June Radio program with Gillian and Terry
- 18 June Burton Centre meeting
- 18 June Ingle Farm East Primary School meeting
- 19 June Valley View Secondary School meeting
- 20 June ALGWA – Join in June
- 21 June Opening Carews Florist – Saints Road Centre
- 21 June Opening Saints Road Shopping Centre
- 23 June Salisbury Rotary Handover

Cr K Grenfell:

6th June - NASSSA Twelve25 Youth Art and Photography Exhibition
17th June - White Ribbon Working Group
17th June - Art Panel
21st June - CoS celebrates Refugee Week
23rd June - Panthers Netball Club End of Season presentation to present trophies

Cr S Reardon:

Represented Mayor on 30/05/2019 at Para Hills High School
15/6/2019 – 50th anniversary of opening of Para Hills Community Club

Cr P Jensen:

Parafield Gardens Arts and Crafts Fair
Opening of Saints Shopping Centre
5/7/19 Quiz Night at Parafield Hub

Cr N Henningsen:

Ingle Farm Football Club
Mawson Lakes Lions Meeting

Cr A Duncan:

Salisbury Heights Governing Council meeting
Working Dogs Recognition Day at RSL
Opening of Saints Shopping Centre

Cr M Blackmore:

4 June PBA-FM WITH Mayor Gillian Aldridge and Jim Binder, Coordinator of Wellbeing Programs, discussing Men's Health week and the new Council's values
6 June NASSSA CLC Twelve25 Art Exhibition and Celebration
8 June Tree planting with the Rotary Club of Salisbury and the Friends of Cobbler Creek at the Cobbler Creek Recreation Park
15 June Talk Out Loud Suicide Prevention Network Talent Night Fundraiser at Para Hills West Soccer Club
17 June Public Art Panel
20 June 'Conversations over Cocktails at the Caledonian' organised by the Australian Local Government Woman's Association SA Branch Inc.
22 June Joint gathering with Salisbury and Playford Councillors and media at NAWMA
22 June Pontian Dance at St Dimitrios, recognising 100 years since the Pontic Genocide
23 June Rotary Club of Salisbury Presidential Handover Lunch

ITEM 10: QUESTIONS WITHOUT NOTICE

10.1 Question Without Notice: Hire of Meeting Rooms in the Para Hills Community Hub

Cr S Reardon asked a question in relation to local residents in the Hills Ward being advised that they are not able to hire the large meeting room at the Para Hills Community Hub for such functions as an 80 year old birthday party?

The Question was taken on Notice

Cr K Grenfell left the meeting at 09:16 pm.

10.2 Questions Without Notice: Duplication of Elder Smith Road, and Business Cases for Mawson Lakes and Salisbury Interchange Park'n'Ride

Cr B Brug asked questions in relation to:

1. Whether Council had prepared a business case for the duplication of Elder Smith Road?
2. Is the Elder Smith Road duplication project “shovel ready”, and what needs to occur for the project to be “shovel ready”.
3. Has Council prepared a business case for Mawson Lakes and Salisbury Interchange Park'n'Ride?

The Chief Executive Officer answered the Questions.

ITEM 11: QUESTIONS ON NOTICE

There were no Questions on Notice.

ITEM 12: OTHER BUSINESS / MOTIONS WITHOUT NOTICE

Cr K Grenfell returned to the meeting at 9:19 pm.

12.1 Upgrades to Current Sporting Facilities

Moved Cr K Grenfell
Seconded Cr C Buchanan

That staff provide a report for costings for upgrades to our current sporting facilities to support our community over the coming 40+ years.

With leave of the meeting and consent of the seconder Cr K Grenfell
VARIED the MOTION as follows:

That staff provide a report for costings for upgrades to our current major sporting centres, excluding Ingle Farm Recreation Centre, to support our community over the coming 40+ years.

**CARRIED
0217/2019**

12.2 Enhancement of Entry/Exit - Para Hills Community Hub

Moved Cr S Reardon
Seconded Cr P Jensen

1. Staff bring back a report on options/ideas to enhance the exit and entry into the existing Woolworths/Para Hills Community Hub to address potential safety concerns with specific consideration being given to:
 - discussions with owners/operators of the Woolworths Car Park
 - consideration of the availability of existing car parking areas
 - disability access
 - pedestrian movements within that car parking facility
2. Staff should report back to Council by the September 2019 meeting.

**CARRIED
0218/2019**

12.2 Stobie Pole Painting Policy

Cr C Buchanan left the meeting at 09:31 pm and did not return.

Mayor G Aldridge left the meeting at 9:31 pm. Deputy Mayor J Woodman assumed the Chair at 9.31 pm.

Mayor G Aldridge returned to the meeting at 9:36 pm and resumed the Chair.

Cr K Grenfell left the meeting at 9:39 pm and did not return.

Moved Cr N Henningsen

Seconded Cr C Buchanan

That a report be prepared by December 2019 providing advice on the establishment of a 'stobie pole painting' policy, as part of our street art program, including operational rules and guidelines, and potential for funding/grant options that provide residents with the opportunity to make proposals to decorate stobie poles, to support Salisbury's Liveable City agenda.

**CARRIED
0219/2019**

ITEM 13: CONFIDENTIAL ITEMS

13.1 Works and Services Committee - Confidential Recommendations for Council Ratification

Moved Cr L Braun

Seconded Cr S Reardon

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

*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.*

**CARRIED
0220/2019**

The meeting moved into confidence at 9.39 pm.

The meeting moved out of confidence at 9.40 pm.

13.2 Consideration of Councils Strategic Procurement Direction

Moved Cr S Reardon
Seconded Cr J Woodman

1. *Pursuant to Section 90(2) and (3)(b)(i) and (b)(ii) of the Local Government Act 1999, the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because:*
 - *it relates to information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and*
 - *information the disclosure of which would, on balance, be contrary to the public interest.*
2. *In weighing up the factors related to disclosure,*
 - *disclosure of this matter to the public would demonstrate accountability and transparency of the Council's operations*
 - *Non disclosure of this item will protect commercially sensitive information the disclosure of which at this time may prejudice the commercial position of Council.*

*On that basis the public's interest is best served by not disclosing the **Consideration of Councils Strategic Procurement Direction** 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
0221/2019**

The meeting moved into confidence at 9.41 pm.

The meeting moved out of confidence and closed at 9.41 pm.

CHAIRMAN.....

DATE.....

ITEM 5: COMMITTEE REPORTS

5.1 Policy and Planning Committee: Recommendations for Council Ratification

AUTHOR Joy Rowett, Governance Coordinator, CEO and Governance

APPROVING OFFICER Chief Executive Officer

SUMMARY

The Policy and Planning Committee met on 15 July 2019 to consider 7 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 item/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

That Council adopt the recommendations of the Policy and Planning Committee meeting on 15 July 2019, contained in the report to Council (Item No. 5.1 on the agenda for the Council meeting held on 22 July 2019), and listed below:

1.0.1 Future Reports for the Policy and Planning Committee

1. The information be received.

1.0.2 Minutes of the Tourism and Visitor Sub Committee meeting held on Tuesday 9 July 2019

The information contained in the Tourism and Visitor Sub Committee Minutes of the meeting held on 11 June 2019 be received and noted and that the following recommendations contained therein be adopted by Council:

TVSC1 Future Reports for the Tourism and Visitor Sub Committee

1. The information be received.

TVSC2 Topics for consideration by the Sub Committee

1. That the information be received
2. That the Discover Salisbury Events Calendar be included in the September 2019 meeting agenda for consideration by the subcommittee.
3. That briefings on the other topics be scheduled on future agendas of the Tourism and Visitor Subcommittee as noted in Section 3.6 of this report.

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4. A report be brought back to the Sub Committee regarding signage for properties of historical significance.
 5. St Kilda kiosk be nominated as one of the sites to include in the information kiosk project and also provision of display brochures.

1.1.1 Salisbury Plays at Bridgestone Reserve

1. The Salisbury Plays at Bridgestone Reserve be rescheduled to an appropriate date in 2020 to coincide with the opening of the new athletics facility.
2. That staff plan a ground breaking ceremony for September or October 2019 to coincide with the commencement of works on the new athletic facility.

1.1.2 City of Salisbury Ability Inclusion Strategic Plan

1. The draft Ability Inclusion Strategic Plan (Consultation Report and Draft AISP attachment 3) and its high-level implementation action plan be utilised as the basis for a 4-week community consultation which is required by the SA Disability Inclusion Act 2018 and its Regulations.

1.3.1 Salisbury Car Parking - Sexton Carpark

1. The information be received.
2. That the current ‘three hour parking at all times’ parking areas within the Sexton carpark, corner of James and Church Streets, Salisbury, be re-designated to ‘three hour parking 8am to 5pm², Monday to Friday’, and that the required public consultation be undertaken to inform community, carpark users, traders and property owners in the vicinity of the carpark of the proposed change.
3. That subject to there being no substantive objections to the proposed change at the conclusion of the consultation period, the changes to parking controls be implemented by staff under delegation. Should there be substantive objections to the proposal, staff provide a further report to Council once consultation on the matter has concluded.

1.5.1 The John Street Improvement Plan - Proposed Early Wins

1. That Council approve the “early wins” as proposed in section 4.5 of this report (Policy and Planning, Item 1.5.1, 15/07/2019) for delivery in late 2019, noting that the John Street Improvement plan is being prepared concurrently and is expected to be finalised in the first quarter of 2020.

1.7.1 City Plan Review

1. That the report be received.
2. That Council endorse the proposed process for the review of City Plan 2030 as contained in Attachment 1 to this report (Policy and Planning, Item 1.7.1, 15/07/2019).

OR

That Council adopt the recommendations of the Policy and Planning Committee meeting on 15 July 2019, contained in the report to Council (Item No. 5.1 on the agenda for the Council meeting held on 22 July 2019), and listed above, with the exception of Items:

and

which was/were withdrawn to 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><u>Item No. 1.0.1</u> Future Reports for the Policy and Planning Committee</p> | <p>SUMMARY: The item details reports to be presented to the Policy and Planning Committee as a result of a previous Council resolution. Reports to be deferred to a subsequent month will be indicated, along with reason for the deferral.</p> <p>COMMITTEE RECOMMENDATION: 1. The information be received.</p> |
| <p><u>Item No. 1.0.2</u> Minutes of the Tourism and Visitor Sub Committee meeting held on Tuesday 9 July 2019</p> | <p>SUMMARY: The minutes and recommendations of the Tourism and Visitor Sub Committee meeting held on Tuesday 9 July 2019 are presented for Policy and Planning Committee's consideration.</p> <p>COMMITTEE RECOMMENDATIONS: 1. The information contained in the Tourism and Visitor Sub Committee Minutes of the meeting held on 9 July 2019 be received and noted and that the following recommendations contained therein be adopted by Council:</p> <p>TVSC1 Future Reports for the Tourism and Visitor Sub Committee</p> <p>1. The information be received.</p> <p>TVSC2 Topics for consideration by the Sub Committee</p> <p>1. That the information be received</p> <p>2. That the Discover Salisbury Events Calendar be included in the September 2019 meeting agenda for consideration by the subcommittee.</p> |

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| | <ol style="list-style-type: none"> 3. That briefings on the other topics be scheduled on future agendas noted in Section 3.6 of this report. 4. A report be brought back to the Sub Committee regarding signage for properties of historical significance. 5. St Kilda kiosk of the Tourism and Visitor Subcommittee be nominated as one of the sites to include in the information kiosk project and also provision of display brochures. |
| <p><u>Item No. 1.1.1</u> Salisbury Plays at Bridgestone Reserve</p> | <p>SUMMARY: This report provides information regarding the Salisbury Plays event at Bridgestone Reserve and a change to the timing of the event given works that will commence on the new athletics facility later this year.</p> <p>COMMITTEE RECOMMENDATIONS:</p> <ol style="list-style-type: none"> 1. The Salisbury Plays at Bridgestone Reserve be rescheduled to an appropriate date in 2020 to coincide with the opening of the new athletics facility. 2. That staff plan a ground breaking ceremony for September or October 2019 to coincide with the commencement of works on the new athletic facility. |
| <p><u>Item No. 1.1.2</u> City of Salisbury Ability Inclusion Strategic Plan</p> | <p>SUMMARY: Staff are developing the Ability Inclusion Strategic Plan 2019 – 2022 (AISP). The ASIP and the implementation plan will ensure compliance with the SA Disability Inclusion Act 2018 and the Commonwealth Disability Discrimination Act 1992. A requirement of the SA Disability Inclusion Act 2018 (and its regulations) is to undertake community consultation, this report provides background and materials recommended for that public consultation.</p> <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. The draft Ability Inclusion Strategic Plan (Consultation Report and Draft AISP attachment 3) and its high-level implementation action plan be utilised as the basis for a 4-week community consultation which is required by the SA Disability Inclusion Act 2018 and its Regulations. |

Item No. 1.3.1

Salisbury Car Parking -
Sexton Carpark

SUMMARY:

Car parking in Sexton carpark, on the corner of Church and James Streets Salisbury, has various time limits applying, with the majority of the carpark subject to a three hour time limit 24/7. At its June 2019 meeting Council resolved to review time limits in this carpark, particularly to identify longer term parking for users of the cinema and restaurants within Salisbury City Centre, and to consider options for long term parking for City of Salisbury Volunteers. Once Council has resolved its position on this matter, dependent upon the nature and extent of any variation to parking controls proposed, a four week consultation period is required to be undertaken with the potentially affected parties, as is the usual practice when parking controls are installed or varied.

It is considered that the limiting of time limits to business hours only would meet the majority of the needs of cinema and restaurant patrons.

In relation to parking for volunteers, there is a risk that creating a system that allows long-term parking would run counter to the primary intent of this carpark to provide time limited, higher turnover parking for customers of businesses in the Salisbury City Centre, particularly given the proximity and convenience of the Sexton carpark to the John Street main street precinct.

COMMITTEE RECOMMENDATIONS:

1. The information be received.
2. That the current 'three hour parking at all times' parking areas within the Sexton carpark, corner of James and Church Streets, Salisbury, be re-designated to 'three hour parking 8am to 5pm², Monday to Friday', and that the required public consultation be undertaken to inform community, carpark users, traders and property owners in the vicinity of the carpark of the proposed change.
3. That subject to there being no substantive objections to the proposed change at the conclusion of the consultation period, the changes to parking controls be implemented by staff under delegation. Should there be substantive objections to the proposal, staff provide a further report to Council once consultation on the matter has concluded.

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| <p><u>Item No. 1.5.1</u> The John Street Improvement Plan - Proposed Early Wins</p> | <p>SUMMARY: The draft John Street Improvement Plan will be presented to Council later this year for approval prior to formal community and stakeholder consultation. A set of “early wins” are proposed in this report which will provide enhancements to John Street in 2019. Council approved a \$350k budget for capital works on John Street during 2019/20, and it is intended that part of this budget will be used for early wins. The balance will be utilised to implement initial priorities proposed by the plan in early 2020 subject to Council’s final approval of the Improvement Plan.</p> <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. That Council approve the “early wins” as proposed in section 4.5 of this report (Policy and Planning, Item 1.5.1, 15/07/2019) for delivery in late 2019, noting that the John Street Improvement plan is being prepared concurrently and is expected to be finalised in the first quarter of 2020. |
| <p><u>Item No. 1.7.1</u> City Plan Review</p> | <p>SUMMARY: The Local Government Act (1999) requires councils to undertake a comprehensive review of their Strategic Management Plans within two years of each general election. This report outlines the proposed process to undertake the review of Council’s City Plan 2030.</p> <p>COMMITTEE RECOMMENDATIONS:</p> <ol style="list-style-type: none"> 1. That the report be received. 2. That Council endorse the proposed process for the review of City Plan 2030 as contained in Attachment 1 to this report (Policy and Planning, Item 1.7.1, 15/07/2019). |

CO-ORDINATION

Officer:

A/MG

Date:

5.2 Works and Services Committee: Recommendations for Council Ratification

AUTHOR Joy Rowett, Governance Coordinator, CEO and Governance

APPROVING OFFICER Chief Executive Officer

SUMMARY

The Works and Services Committee met on 15 July 2019 to consider 7 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.

Five (5) recommendations of the Committee, together with one (1) Other Business item are provided in this report to Council. The corresponding Executive Summary of each report to the Committee is also provided as a prompt. Two (2) recommendations, presented to the Works and Services Committee in confidence, form 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 item/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 15 July 2019, contained in the report to Council (Item No. 5.2 on the agenda for the Council meeting held on 22 July 2019), and listed below:

2.0.1 Future Reports for the Works and Services Committee

1. The information be received.

2.4.1 Terms of Reference for Asset Management Sub-Committee

1. That the information within this report be received and noted.
2. The Sub-Committee be established for its first meeting to be scheduled for the second Monday of September (09/09/2019)
3. The Draft Terms of Reference and contained in Attachment 1 to this report (Works and Services, Item No. 2.4.1, 15/07/2019) be endorsed with amendments as follows:
 - a. In paragraph 1.1:
 - i. remove the words "*In the first instance...*" and commence the sentence with "*The Sub Committee will...*"
 - ii. revise the first dot point to read: "*Review footpath, playground and streetscape policies for their appropriateness and currency, taking into consideration best practice and sector and other organisations' approaches, and provide recommendations for Council consideration*".

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- iii. revise the second dot point to read: “*Consider the targeted levels of service for key asset classes, namely footpaths, playspaces and streetscapes, taking into consideration best practice in asset management, to ensure they match community expectations and are financially sustainable, and consistent across the city*”.
 - iv. Third dot point to include the words “*and current works...*” following the words “*future works*”.
 - b. In paragraph 1.2, in the first sentence insert “*innovative*” following the words “*adopt an...*” and remove the second sentence.
 - c. remove paragraph 4.3.
 4. The membership of the Asset Management Sub-Committee Sub Committee to comprise:
 - Cr Lisa Braun
 - Cr Shiralee Reardon
 - Cr Natasha Henningsen
 - Cr Adam Duncan
 - Cr Chad Buchanan
 5. The Mayor be appointed as an ex-officio member of the Asset Management Sub-Committee.
 6. That the Works and Services Committee appoints Cr Lisa Braun as Chair, and the Deputy Chair be appointed at the first meeting of the Asset Management Sub-Committee.

2.5.1 Mawson Lakes Interchange Land - Community Land Revocation

1. That portion of Allotment 102 Filed Plan 9249 known as Parafield Airport Reserve Parent Property be revoked of the Community Land Classification
2. The attached report (Attachment 1 – Section 194, Report Parafield Airport Reserve Parent Property Item No. 2.5.1) be adopted for the purpose of Section 194 of the Act, and the Manager Property and Buildings be authorised to implement the public consultation program, comprising of a public notice in the Messenger and State Government Gazette with a copy of this wording to appear on Council’s website. In addition, letters with the attached report are to be posted to property owners likely to be impacted within the immediate vicinity and signage be erected on a clearly visible location of the site advising of the proposal.
3. A further report be presented to Council for consideration of any objections received in response to community consultation. In the event that no objections are received the Manager Property and Buildings be authorised to prepare and submit the necessary documentation to the Minister for approval.

2.6.1 Capital Works Report - June 2019

1. Report be received.

2.7.1 Traffic Safety Issues: Intersection of Waterloo Corner Road and Kensington Way at Burton

1. Council notes the traffic analysis undertaken for the Waterloo Corner Road and Kensington Way T-Junction at Burton.
2. Council write to the Minister of Transport seeking government support for funding of this initiative.
3. Depending on the decision of the Minister of Transport, Council to give further consideration to this item.
4. Council write to the Minister of Transport seeking government support to jointly fund a traffic study with DPTI, examining the safety and capacity of road junctions along Waterloo Corner Road between Salisbury Highway and the Northern Connector.

W&S-OB1 Traffic Management Measures – Redhill Road, Ingle Farm

1. That Council Administration prepare a report investigating the opportunity to introduce traffic management measures on Redhill Road, Ingle Farm that will assist in reducing the road's speed environment and improve traffic safety in the vicinity of the school on Wright and Redhill Roads. This investigation should include the traffic survey analysis already conducted, and the costs for alternate traffic options, and be available for the September 2019 Committee meeting for consideration in the 2019/20 budget.

OR

That Council adopt the recommendations of the Works and Services Committee meeting on 15 July 2019, contained in the report to Council (Item No. 5.2 on the agenda for the Council meeting held on 22 July 2019), and listed above, with the exception of Item(s):

and

which was/were withdrawn to be considered separately:

(to be determined at meeting as necessary)

ATTACHMENTS

There are no attachments to this report.

COMMITTEE RECOMMENDATIONS FOR COUNCIL RATIFICATION

| <p align="center"><u>COMMITTEE AGENDA ITEM NO. and TITLE</u></p> | <p align="center"><u>EXECUTIVE SUMMARY AND COMMITTEE RESOLUTION RECOMMENDED TO COUNCIL</u></p> |
|--|--|
| <p><u>Item No. 2.0.1</u> Future Reports for the Works and Services Committee</p> | <p>SUMMARY: 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: 1. The information be received.</p> |
| <p><u>Item No. 2.4.1</u> Terms of Reference for Asset Management Sub-Committee</p> | <p>SUMMARY: This report presents the Terms of Reference (TOR) for a new sub-committee to consider footpath, play space and streetscape works priority and programming, stemming from the relevant asset management plans.</p> <p>COMMITTEE RECOMMENDATIONS:</p> <ol style="list-style-type: none"> 1. That the information within this report be received and noted. 2. The Sub-Committee be established for its first meeting to be scheduled for the second Monday of September (09/09/2019) 3. The Draft Terms of Reference and contained in Attachment 1 to this report (Works and Services, Item No. 2.4.1, 15/07/2019) be endorsed with amendments as follows: <ol style="list-style-type: none"> a. In paragraph 1.1: <ol style="list-style-type: none"> i. remove the words “<i>In the first instance...</i>” and commence the sentence with “<i>The Sub Committee will...</i>” ii. revise the first dot point to read: “<i>Review footpath, playground and streetscape policies for their appropriateness and currency, taking into consideration best practice and sector and other organisations’ approaches, and provide recommendations for Council consideration</i>”. iii. revise the second dot point to read: “<i>Consider the targeted levels of service for key asset classes, namely footpaths, playspaces and streetscapes, taking into consideration best practice in asset management, to ensure they match community expectations and are financially sustainable, and consistent across the city</i>”. |

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| | <p>iv. Third dot point to include the words “<i>and current works...</i>” following the words “<i>future works</i>”.</p> <p>b. In paragraph 1.2, in the first sentence insert “<i>innovative</i>” following the words “<i>adopt an...</i>” and remove the second sentence.</p> <p>c. remove paragraph 4.3.</p> <p>4. The membership of the Asset Management Sub-Committee Sub Committee to comprise:</p> <ul style="list-style-type: none"> • Cr Lisa Braun • Cr Shiralee Reardon • Cr Natasha Henningsen • Cr Adam Duncan • Cr Chad Buchanan <p>5. The Mayor be appointed as an ex-officio member of the Asset Management Sub-Committee.</p> <p>6. That the Works and Services Committee appoints Cr Lisa Braun as Chair, and the Deputy Chair be appointed at the first meeting of the Asset Management Sub-Committee.</p> |
| <p><u>Item No. 2.5.1</u> Mawson Lakes Interchange Land - Community Land Revocation</p> | <p>SUMMARY:</p> <p>The long term objective for the Mawson Interchange Precinct is for an integrated mixed use development incorporating the principles of Transit Oriented Development. This is also supported by the objectives and principles of the zoning of the precinct as part of the Urban Core Zone.</p> <p>Over recent years various discussions have been held with the State Government as the owner of land within the Interchange precinct, in conjunction with Council, to progress the objectives for the precinct.</p> <p>In order to ready the Council land that forms part of the precinct ready for future development in accordance with the objectives, it is necessary to revoke the Community Land status of the relevant Council land.</p> <p>COMMITTEE RECOMMENDATIONS:</p> <ol style="list-style-type: none"> 1. That portion of Allotment 102 Filed Plan 9249 known as Parafield Airport Reserve Parent Property be revoked of the Community Land Classification 2. The attached report (Attachment 1 – Section 194, Report Parafield Airport Reserve Parent Property Item No. 2.5.1) be adopted for the purpose of Section 194 of the Act, and the Manager Property and Buildings be authorised to implement the public consultation program, comprising of a public notice in the Messenger and State Government Gazette with a copy of this wording to appear on Council’s website. In addition, letters with the attached report are to be posted to property owners likely to be impacted within |

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| | <p>the immediate vicinity and signage be erected on a clearly visible location of the site advising of the proposal.</p> <p>3. A further report be presented to Council for consideration of any objections received in response to community consultation. In the event that no objections are received the Manager Property and Buildings be authorised to prepare and submit the necessary documentation to the Minister for approval.</p> |
| <p><u>Item No. 2.6.1</u> Capital Works Report - June 2019</p> | <p>SUMMARY: The following monthly status report is presented for information. Within this report it notes key achievements associated with the successful completion of the 2018/19 Capital Works Program, and the works undertaken to establish the 2019/20 program.</p> <p>COMMITTEE RECOMMENDATION: 1. Report be received.</p> |
| <p><u>Item No. 2.7.1</u> Traffic Safety Issues: Intersection of Waterloo Corner Road and Kensington Way at Burton</p> | <p>SUMMARY: A report has been prepared to advise Council about traffic safety issues at the T-Junction of Waterloo Corner Road and Kensington Way, which includes accident statistics and reported near misses, and provides an indicative cost for the installation of a Roundabout or other options for improved safety.</p> <p>COMMITTEE RECOMMENDATIONS:</p> <ol style="list-style-type: none"> 1. Council notes the traffic analysis undertaken for the Waterloo Corner Road and Kensington Way T-Junction at Burton. 2. Council write to the Minister of Transport seeking government support for funding of this initiative. 3. Depending on the decision of the Minister of Transport, Council to give further consideration to this item. 4. Council write to the Minister of Transport seeking government support to jointly fund a traffic study with DPTI, examining the safety and capacity of road junctions along Waterloo Corner Road between Salisbury Highway and the Northern Connector. |

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| <p><u>Item No. W&S-OB1</u> Traffic Management Measures – Redhill Road, Ingle Farm</p> | <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. That Council Administration prepare a report investigating the opportunity to introduce traffic management measures on Redhill Road, Ingle Farm that will assist in reducing the road’s speed environment and improve traffic safety in the vicinity of the school on Wright and Redhill Roads. This investigation should include the traffic survey analysis already conducted, and the costs for alternate traffic options, and be available for the September 2019 Committee meeting for consideration in the 2019/20 budget. |
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CO-ORDINATION

Officer: A/MG

Date:

5.3 Resources and Governance Committee: Recommendations for Council Ratification

AUTHOR Joy Rowett, Governance Coordinator, CEO and Governance

APPROVING OFFICER Chief Executive Officer

SUMMARY

The Resources and Governance Committee met on 15 July 2019 to consider 10 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 item/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

That Council adopt the recommendations of the Resources and Governance Committee meeting on 15 July 2019, contained in the report to Council (Item No. 5.3 on the agenda for the Council meeting held on 22 July 2019), and listed below:

3.0.1 Future Reports for the Resources and Governance Committee

1. The information be received.

3.2.1 Council Assessment Panel - Elected Member Representations at Meetings

1. That the information be received.
2. Noting legal advice, it be noted that Elected Members wishing to appear before the Council Assessment Panel do so on the basis of their status as an individual representor under the Act, or as a nominated representative of a representor under the Act.

3.3.1 Abandoned Shopping Trolleys

1. The information be received.
2. That Council notes the current limitations of the Local Nuisance and Litter Control Act in addressing the issue of abandoned trolleys.
3. That Council notes the lack of support from major retailers within the City of Salisbury to voluntarily employ trolley locking systems to prevent pollution of the community by abandoned trolleys.
4. That Council advocates for improvement to the Local Nuisance and Litter Control Act via the Local Government Association, by letter to the relevant Government Minister, Shadow Minister, Government Department, to all local State Members of Parliament and through Council staff submissions to the EPA as part of the Local Nuisance and Litter Control Act review.

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5. That Council also monitor the new bylaws implemented by the City of Marion; and report back to Council after six months on the results of their effectiveness.
 6. That Staff provide an update to this committee at the conclusion of the Local Nuisance and Litter Control Act review noting any amendments addressing trolleys to be implemented and the likelihood of them coming into effect.
 7. Pending no action or willingness by the State Government to tackle this issue, Council review By-Law 6 Waste Management By-Law 2015 and bring a report to Council advising the process to draft changes to this bylaw and/or create a new bylaw to tackle abandoned trolleys in the City of Salisbury.

3.6.1 Annual Report on Internal Reviews of Council decisions in the year ending 30 June 2019 under Section 270 of the Local Government Act 1999

1. The information be received.

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

1. The information be received.
2. The Draft Code of Practice for Access to Meetings and Associated Documents (as set out in Attachment 1, Resources and Governance Committee, Item No. 3.6.2, 15/07/2019) be approved for public consultation in accordance with Section 92(5) of the *Local Government Act 1999*.

3.6.3 Review of Disposal of Land Policy

1. The Information be received.
2. The Disposal of Land Policy as set out in Attachment 1 to this report (Item No. 3.6.3, Resources and Governance Committee, 15/07/2019), be endorsed.

3.6.4 Review of Temporary Road Closures Policy

1. The Information be received.
2. The Temporary Road Closures Policy as set out in Attachment 1 to this report (Resources and Governance 3.6.4, 15/07/2019), be endorsed.

3.6.5 Local Government Association Annual General Meeting: 31/10/2019 - Proposed Items of Business and Voting Delegates

1. The information be received.

3.6.6 Summary Report for Attendance at Training and Development Activity - Cr Beau Brug

1. The information be received.

3.6.7 Local Government Finance Authority Annual General Meeting: 31 October 2019 - Council Representatives, Board Nominations and Notices of Motion

1. The information be received.
2. No Notice of Motion be submitted to the Local Government Finance Authority Annual General Meeting being held on 31 October 2019.

OR

That Council adopt the recommendations of the Resources and Governance Committee meeting on 15 July 2019, contained in the report to Council (Item No. 5.3 on the agenda for the Council meeting held on 22 July 2019), and listed below, with the exception of Item(s):

and

which was/were withdrawn to be considered separately:

(to be determined at meeting as necessary)

ATTACHMENTS

There are no attachments to this report.

1. COMMITTEE RECOMMENDATIONS FOR COUNCIL RATIFICATION

| <u>COMMITTEE AGENDA ITEM NO. and TITLE</u> | <u>EXECUTIVE SUMMARY AND COMMITTEE RESOLUTION RECOMMENDED TO COUNCIL</u> |
|--|---|
| <p><u>Item No. 3.0.1</u> Future Reports for the Resources and Governance Committee</p> | <p>SUMMARY: This item details reports to be presented to the Resources and Governance Committee as a result of a previous Council resolution. If reports have been deferred to a subsequent month, this will be indicated, along with a reason for the deferral.</p> <p>COMMITTEE RECOMMENDATION: 1. The information be received.</p> |
| <p><u>Item No. 3.2.1</u> Council Assessment Panel - Elected Member Representations at Meetings</p> | <p>SUMMARY: Council requested that subject to compliance with legislative requirements, that the terms of reference for the Council Assessment Panel be amended to enable Elected Members to make representations at Panel meetings. Legal advice has been sought which advises that Elected Members must either make a representation or be nominated by a valid representor, if they wish to make verbal submissions to the Panel.</p> <p>COMMITTEE RECOMMENDATION: 1. That the information be received. 2. Noting legal advice, it be noted that Elected Members wishing to appear before the Council Assessment Panel do so on the basis of their status as an individual representor under the Act, or as a nominated representative of a representor under the Act.</p> |

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| <p><u>Item No. 3.3.1</u> Abandoned Shopping Trolleys</p> | <p>SUMMARY: At the Council meeting on 25 March 2019 it was resolved that staff report back to Council examining the viability of introducing policy to regulate abandoned shopping trolleys. The report was to include the success of other Councils who have already implemented similar policies and various options that may be considered for Salisbury. This report presents the current controls and considerations for future actions.</p> <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. The information be received. 2. That Council notes the current limitations of the Local Nuisance and Litter Control Act in addressing the issue of abandoned trolleys. 3. That Council notes the lack of support from major retailers within the City of Salisbury to voluntarily employ trolley locking systems to prevent pollution of the community by abandoned trolleys. 4. That Council advocates for improvement to the Local Nuisance and Litter Control Act via the Local Government Association, by letter to the relevant Government Minister, Shadow Minister, Government Department, to all local State Members of Parliament and through Council staff submissions to the EPA as part of the Local Nuisance and Litter Control Act review. 5. That Council also monitor the new bylaws implemented by the City of Marion; and report back to Council after six months on the results of their effectiveness. 6. That Staff provide an update to this committee at the conclusion of the Local Nuisance and Litter Control Act review noting any amendments addressing trolleys to be implemented and the likelihood of them coming into effect. 7. Pending no action or willingness by the State Government to tackle this issue, Council review By-Law 6 Waste Management By-Law 2015 and bring a report to Council advising the process to draft changes to this bylaw and/or create a new bylaw to tackle abandoned trolleys in the City of Salisbury. |
| <p><u>Item No. 3.6.1</u> Annual Report on Internal Reviews of Council decisions in the year ending 30 June 2019 under Section 270 of the Local Government Act 1999</p> | <p>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 2019.</p> <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. The information be received. |

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| <p><u>Item No. 3.6.2</u> Review of the Code of Practice - Access to Meetings and Documents</p> | <p>SUMMARY: This report presents an update to the Code of Practice – Access to Meetings and Associated Documents, for which only minor amendments are required. Changes have been marked with revisions for ease of identification. Council is asked to approve the Draft Code of Practice – Access to Meetings and Associated Documents for public consultation in accordance with Section 92(5) of the Local Government Act 1999.</p> <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. The information be received. 2. The Draft Code of Practice for Access to Meetings and Associated Documents (as set out in Attachment 1, Resources and Governance Committee, Item No. 3.6.2, 15/07/2019) be approved for public consultation in accordance with Section 92(5) of the <i>Local Government Act 1999</i>. |
| <p><u>Item No. 3.6.3</u> Review of Disposal of Land Policy</p> | <p>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 2019.</p> <p>COMMITTEE RECOMMENDATION:</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 (Item No. 3.6.3, Resources and Governance Committee, 15/07/2019), be endorsed. |
| <p><u>Item No. 3.6.4</u> Review of Temporary Road Closures Policy</p> | <p>SUMMARY: This report presents the Temporary Road Closures Policy to Council for consideration and endorsement. The Policy has been reviewed by the Policy Owner and only minor editorial changes are required.</p> <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. The Information be received. 2. The Temporary Road Closures Policy as set out in Attachment 1 to this report (Resources and Governance 3.6.4, 15/07/2019), be endorsed. |
| <p><u>Item No. 3.6.5</u> Local Government Association Annual General Meeting: 31/10/2019 - Proposed Items of Business and Voting Delegates</p> | <p>SUMMARY: This report presents information with respect to the Annual General Meeting (AGM) of the Local Government Association (LGA) to be held on Thursday 31 October 2019 and seeks any proposed items of business that Council wishes to submit, in addition to confirming voting delegates for the meeting.</p> <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. The information be received. |

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| <p><u>Item No. 3.6.6</u> Summary Report for Attendance at Training and Development Activity - Cr Beau Brug</p> | <p>SUMMARY: The Elected Member Training and Development Policy sets out requirements for reports to be presented by members after attendance at certain activities.</p> <p>COMMITTEE RECOMMENDATION: 1. The information be received.</p> |
| <p><u>Item No. 3.6.7</u> Local Government Finance Authority Annual General Meeting: 31 October 2019 - Council Representatives, Board Nominations and Notices of Motion</p> | <p>SUMMARY: This report presents information received in relation to the date and location of the 2019 Annual General Meeting (AGM) of the Local Government Finance Authority (LGFA) of South Australia and seeks details of appointed Council representatives and submission of proposed Notices of Motion for that meeting.</p> <p>COMMITTEE RECOMMENDATION: 1. The information be received. 2. No Notice of Motion be submitted to the Local Government Finance Authority Annual General Meeting being held on 31 October 2019.</p> |

CO-ORDINATION

Officer: A/MG
Date:

5.4 Audit Committee of Council: Recommendations for Council Ratification

AUTHOR Joy Rowett, Governance Coordinator, CEO and Governance

APPROVING OFFICER Chief Executive Officer

EXECUTIVE SUMMARY

The Audit Committee met on 9 July 2019 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.

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 item/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

That Council adopt the recommendations of the Audit Committee meeting on 9 July 2019, contained in the report to Council (Item No. 5.4 on the agenda for the Council meeting held on 22 July 2019), and listed below:

4.0.1 Future Reports of the Audit Committee of Council

1. The information be received.

4.0.2 Actions List

1. The information be noted.

4.2.1 Bentley's Interim Report on Audit Findings

1. The information be received.

4.2.2 Asset Policy Review

1. The information be received.
2. The Asset Deprecation Policy, as set out in Attachment 1 be endorsed.

4.2.3 Annual Report 2018/2019 - Internal Controls Framework and Audit Committee sections

1. That the proposed inclusions in the annual report relating to the operations and membership of the Audit Committee for the 2018/19 financial year be approved, subject to the incorporation of the feedback from the Audit Committee.

4.2.4 Elected Member Risk Management Workshop

1. The information is noted.
2. The Audit Committee will be invited to participate in a workshop on the Strategic Risk Register with Council.

4.2.5 Risk Management and Internal Controls Activities

1. The update on Risk Management and Internal Controls Activities for 2018/2019 as set out in Attachment 1 to this report (Item No. 4.2.5, Audit Committee 9/07/2019), be endorsed for approval by Council.
2. The proposed schedule of Risk Management and Internal Controls Activities for 2019/2020, as set out in Attachment 3 to this report (Item No. 4.2.5, Audit Committee 10/07/2018*), be endorsed.
3. The Audit Committee notes the update on outstanding actions from completed Internal Audits, as set out in Attachment 4 to this report (Item 4.2.5, Audit Committee, 9/07/2019).

4.2.6 Update on Internal Audit Plan

1. That the updates made to the 2018 - 2020 Internal Audit Plan as set out in Attachment 1 to this report be endorsed and forwarded to Council for adoption, subject to the incorporation of the feedback from the Audit Committee.

OR

That Council adopt the recommendations of the Audit Committee meeting on 9 July 2019, contained in the report to Council (Item No. 5.4 on the agenda for the Council meeting held on 22 July 2019), and listed below, with the exception of Item(s):

and

which was/were withdrawn to 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

| <p style="text-align: center;"><u>COMMITTEE AGENDA ITEM NO. and TITLE</u></p> | <p style="text-align: center;"><u>EXECUTIVE SUMMARY AND COMMITTEE RESOLUTION RECOMMENDED TO COUNCIL</u></p> |
|--|---|
| <p><u>Item No. 4.0.1</u> Future Reports for the Audit Committee of Council</p> | <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:</p> <ol style="list-style-type: none"> 1. The information be received. |
| <p><u>Item No. 4.0.2</u> Actions List</p> | <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:</p> <ol style="list-style-type: none"> 1. The information be noted. |
| <p><u>Item No. 4.2.1</u> Bentley's Interim Report on Audit Findings</p> | <p>EXECUTIVE SUMMARY: City of Salisbury has engaged Bentley 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 2019.</p> <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. The information be received. |
| <p><u>Item No. 4.2.2</u> Asset Policy Review</p> | <p>EXECUTIVE SUMMARY: This report seeks consideration by the Audit Committee prior to submitting to Council the opportunity to review our Asset Depreciation Policy within the statutory required review period.</p> <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. The information be received. 2. The Asset Depreciation Policy, as set out in Attachment 1 be endorsed. |

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| <p><u>Item No. 4.2.3</u> Annual Report 2018/2019 – 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 review by the Audit Committee.</p> <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. That the proposed inclusions in the annual report relating to the operations and membership of the Audit Committee for the 2018/19 financial year be approved, subject to the incorporation of the feedback from the Audit Committee. |
| <p><u>Item No. 4.2.4</u> Elected Member Risk Management Workshop</p> | <p>EXECUTIVE SUMMARY: The Elected Members participated in a risk management training workshop on 11 June 2019. The workshop focused on strategic risk management and the Council’s role in that regard.</p> <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. The information is noted. 2. The Audit Committee will be invited to participate in a workshop on the Strategic Risk Register with Council. |
| <p><u>Item No. 4.2.5</u> Risk Management and Internal Controls Activities</p> | <p>EXECUTIVE SUMMARY: This report provides an update on the risk management and internal controls activities conducted in the 2018/2019 financial year, and a summary of the planned activities proposed for the 2019/2020 year. The report also includes an update on the outstanding actions from internal audits.</p> <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. The update on Risk Management and Internal Controls Activities for 2018/2019 as set out in Attachment 1 to this report (Item No. 4.2.5, Audit Committee 9/07/2019), be endorsed for approval by Council. 2. The proposed schedule of Risk Management and Internal Controls Activities for 2019/2020, as set out in Attachment 3 to this report (Item No. 4.2.5, Audit Committee 10/07/2018*), be endorsed. 3. The Audit Committee notes the update on outstanding actions from completed Internal Audits, as set out in Attachment 4 to this report (Item 4.2.5, Audit Committee, 9/07/2019). <p>(* - whilst the stated date is the 10/7/2018 the actual date is the 9/07/2019)</p> |

Item No. 4.2.6
Update on Internal
Audit Plan

EXECUTIVE SUMMARY:

The purpose of this report is to inform the Audit Committee of the Internal Audit Plan, and to highlight any changes made to it since it was last presented to the Audit Committee in February 2019.

COMMITTEE RECOMMENDATION:

1. That the updates made to the 2018 - 2020 Internal Audit Plan as set out in Attachment 1 to this report be endorsed and forwarded to Council for adoption, subject to the incorporation of the feedback from the Audit Committee.

CO-ORDINATION

Officer: A/MG
Date:

5.5 Council Assessment Panel

No Council Assessment Panel meeting was held in June 2019.

5.6 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 15 July 2019 to consider 5 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.

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 item/s to be withdrawn for separate discussion and resolution by Council..

A draft recommendation has been provided for each approach.

For Council's consideration of the Committee's recommendation with respect to the Discretionary Rate Rebate Application by the Adelaide Benevolent Society, a copy of the report to the Committee has been attached to this report (Attachment 1).

RECOMMENDATION

That Council adopt the recommendations of the Budget and Finance Committee meeting on 15 July 2019, contained in the report to Council (Item No. 5.6 on the agenda for the Council meeting held on 22 July 2019), and listed below:

6.0.1 Future Reports for the Budget and Finance Committee

1. The information be received.

6.1.1 Council Finance Report – June 2019

1. The information be received.

6.1.2 Certification of the 2019 Annual Financial Statements

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 2019, following the Audit Committee's review of these Statements on 15 October 2019.

6.4.1 Proposed amendment to the NAWMA 2019/20 Service Agreement

1. Council amend the NAWMA Service Agreement to include two annual kerbside hard waste collections for sporting clubs. Collections will have the same rules applied as residential collections.
2. Council note an estimated additional cost of \$18,000 to deliver the new expanded Kerbside Hard Waste service, and should the budget not be sufficient a budget review bid be considered within six months (Budget Review 3).

6.6.1 Discretionary Rate Rebate Application – Adelaide Benevolent Society

1. The Budget and Finance Committee recommends to Council that:
 - (a) No rate rebate should be granted in respect of Units 1 to 25 (inclusive), 64 -68 Spains Road, Salisbury Downs SA 5108; and
 - (b) The rate rebate application lodged by the Adelaide Benevolent Society dated 21 May 2019 should be dismissed.

OR

That Council adopt the recommendations of the Budget and Finance Committee meeting on 15 July 2019, contained in the report to Council (Item No. 5.6 on the agenda for the Council meeting held on 22 July 2019), and listed above, with the exception of Items:

and

which was/were withdrawn to be considered separately:

(to be determined at meeting as necessary)

ATTACHMENTS

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

1. Budget and Finance Committee - Item 6.6.1 - Discretionary Rate Rebate Application - Adelaide Benevolent Society

COMMITTEE RECOMMENDATIONS FOR COUNCIL RATIFICATION

| <u>COMMITTEE AGENDA ITEM NO. and TITLE</u> | <u>EXECUTIVE SUMMARY AND COMMITTEE RESOLUTION RECOMMENDED TO COUNCIL</u> |
|--|---|
| <p><u>Item No. 6.0.1</u> Future Reports for the Budget and Finance Committee</p> | <p>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: 1. The information be received.</p> |
| <p><u>Item No. 6.1.1</u> Council Finance Report – June 2019</p> | <p>SUMMARY: This report provides some key financial data as at 30 June 2019 for Council’s consideration, as required by Council’s Treasury Policy.</p> <p>COMMITTEE RECOMMENDATIONS: 1. The information be received.</p> |
| <p><u>Item No. 6.1.2</u> Certification of the 2019 Annual Financial Statements</p> | <p>SUMMARY: This report provides a summary of the 2019 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 2019 Annual Financial Statements in their final form once completed.</p> <p>COMMITTEE RECOMMENDATIONS: 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 2019, following the Audit Committee’s review of these Statements on 15 October 2019.</p> |
| <p><u>Item No. 6.4.1</u> Proposed amendment to the NAWMA 2019/20 Service Agreement</p> | <p>SUMMARY: This report outlines the implications of amending our service agreement with NAWMA to include kerbside hard waste collections for sporting clubs, “Clean Up Australia” groups and not for profit organisations.</p> <p>COMMITTEE RECOMMENDATIONS 1. Council amend the NAWMA Service Agreement to include two annual kerbside hard waste collections for sporting clubs. Collections will have the same rules applied as residential collections. 2. Council note an estimated additional cost of \$18,000 to deliver the new expanded Kerbside Hard Waste service, and should the budget not be sufficient a budget review bid be considered within six months (Budget Review 3).</p> |

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| <p><u>Item No. 6.6.1</u> Discretionary Rate Rebate Application – Adelaide Benevolent Society</p> | <p>SUMMARY: An application for Council to consider a 75% Discretionary Rate Rebate has been received from the Adelaide Benevolent Society. The application is requesting Council consider providing the Discretionary Rate Rebate on each of the 25 properties located at 64 – 68 Spains Road, Salisbury Downs. The rebate has been requested under Section 166 (1)(h) and (j) of the Local Government Act 1999.</p> <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. The Budget and Finance Committee recommends to Council that: <ol style="list-style-type: none"> a) No rate rebate should be granted in respect of Units 1 to 25 (inclusive), 64 -68 Spains Road, Salisbury Downs SA 5108; and b) The rate rebate application lodged by the Adelaide Benevolent Society dated 21 May 2019 should be dismissed. |
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CO-ORDINATION

Officer: A/MG
Date:

Attachment:

5.6 Budget and Finance Committee Ratification Report, Attachment 1 - Item 6.6.1 - Discretionary Rate Rebate Application - Adelaide Benevolent Society

| | |
|------------------------|--|
| ITEM | 6.6.1 |
| | BUDGET AND FINANCE COMMITTEE |
| DATE | 15 July 2019 |
| HEADING | Discretionary Rate Rebate Application - Adelaide Benevolent Society |
| AUTHOR | Kathryn Goldy, Team Leader Revenue, Business Excellence |
| CITY PLAN LINKS | 4.3 Have robust processes that support consistent service delivery and informed decision making. |
| SUMMARY | An application for Council to consider a 75% Discretionary Rate Rebate has been received from the Adelaide Benevolent Society. The application is requesting Council consider providing the Discretionary Rate Rebate on each of the 25 properties located at 64 – 68 Spains Road, Salisbury Downs. The rebate has been requested under Section 166 (1)(h) and (j) of the Local Government Act 1999. |

RECOMMENDATION

1. The Budget and Finance Committee recommends to Council that:
 - (a) No rate rebate should be granted in respect of Units 1 to 25 (inclusive), 64 -68 Spains Road, Salisbury Downs SA 5108; and
 - (b) The rate rebate application lodged by the Adelaide Benevolent Society dated 21 May 2019 should be dismissed.

ATTACHMENTS

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

1. Attachment 1 - City of Salisbury Rate Rebate Policy
2. Attachment 2 - Letter to City of Salisbury re: Rate Rebate Application dated 24 May 2019
3. Attachment 3 - Rate Rebate Application from the ABS
4. Attachment 4 - Registration Certificate for ABS to the Australian Charities and Not-for-profits Commission
5. Attachment 5 - The Rules of ABS Inc
6. Attachment 6 - ABS Financial Report Year Ending 30 June 2018

1. BACKGROUND

- 1.1 Council endorsed a Rate Rebate Policy in February 2019 (0103/2019) (Attachment 1) along with the endorsement of Discretionary Rebates for 2019/20 and 2020/21.

ITEM 6.6.1

1.2 At this time details of all mandatory and discretionary rate rebates were provided to Council. In 2019/2020 Council had provided rebates of \$1,214,619 with \$1,185,690 being mandatory. The Council endorsed discretionary rebates in total \$28,928 for 2019/20 for the following entities:

| Facilities & Service for Young Children/Youth | Address | Rebate % | Value of Rebates 2019/20 |
|--|--|----------|--------------------------|
| Salisbury Lutheran Church Kindergarten Inc | 6-10 Waterloo Corner Road , Salisbury SA 5108 | 100% | 1,836.10 |
| Salisbury Occasional Child Care Centre Inc | 25-27 Ann Street , Salisbury SA 5108 | 100% | 2391.20 |
| St Francis Community Child Care Inc | 306 Waterloo Corner Road, Paralowie SA 5108 | 100% | 2,356.20 |
| Minister For Economic Development (NFP Kindy) Mawson Lakes Park Way Child Care Centre | 5 Park Way , Mawson Lakes SA 5095 | 100% | 3,287.90 |
| Guides Association SA Inc | 5 Guerin Lane , Salisbury SA 5108 | 100% | 1,473.15 |
| Scouts SA | 1909-1911 Main North Road , Salisbury Heights SA 5109 | 100% | 1216.95 |
| Scouts SA | 18 Canna Road , Ingle Farm SA 5098 | 100% | 1,016.00 |
| Scouts SA | 7 Kalimna Crescent , Paralowie SA 5108 | 100% | 1,016.00 |
| Scouts SA | 20 Jackson Street , Parafield Gardens SA 5107 | 100% | 1,016.00 |
| Guides Association SA Inc | 21 Melville Road , Salisbury East SA 5109 | 100% | 1,195.60 |
| Mawson Lakes Garden Terrace Child Care Centre | 12-28 Garden Terrace , Mawson Lakes SA 5095 | 100% | 3,476.85 |
| TOTAL | | | 20,281.95 |
| Council Endorsed Discretionary Rebates | | | |
| | Rationale | Rebate % | Value of Rebates 2019/20 |
| Meals on Wheels SA Inc.*receives a 75% mandatory rebate as well. In total 100% | Provides a benefit or service to the Local Community | 25% | 254.00 |
| John Street Salisbury Pty Ltd (Northern Volunteering SA Inc.) | Provides a benefit or service to the Local Community | 100% | 1,016.00 |
| SA Water (St Kilda Tram Museum Depot) | Preservation of buildings or places of historic significance | 100% | 1456.55 |
| Military Vehicle Preservation Society of SA Inc. (National Military Vehicle Museum) | Preservation of buildings or places of historic significance | 100% | 1302.35 |
| Australian Migrant Resource Centre | Provides a benefit or service to the Local Community | 100% | 2407.90 |
| Marra Murrangga Kumangka Inc. | Provides a benefit or service to the Local Community | 100% | 2209.75 |
| TOTAL | | | 8646.55 |

ITEM 6.6.1

- 1.3 Council has the power to provide a Discretionary Rate Rebate under Section 166 (1)(h) of the Local Government Act 1999 (the Act) where the land is being used to provide accommodation for the aged or disabled
- 1.4 Council has the power to provide a Discretionary Rate Rebate under Section 166 (1)(j) of the Act where the land is being used by an organization which, in the opinion of the council, provides a benefit or service to the local community

In considering such applications Council needs to take into account (Section 166 (1a))

- (a) *the nature and extent of Council services provided in respect of land for which the rebate is sought in comparison to similar services provided elsewhere in its area; and*
- (b) *the community need that is being met by activities carried out on the land for which the rebate is sought; and*
- (c) *the extent to which activities carried out on the land for which the rebate is sought provides assistance or relief to disadvantaged persons, and may take into account other matters considered relevant by the council.*

2. REPORT

2.1 The following application has been received for a discretionary rate rebate from the Adelaide Benevolent Society (ABS) for the 25 units listed below:

- Unit 1/ 64-68 Spains Road, Salisbury Downs SA 5108
- Unit 2/ 64-68 Spains Road, Salisbury Downs SA 5108
- Unit 3/ 64-68 Spains Road, Salisbury Downs SA 5108
- Unit 4/ 64-68 Spains Road, Salisbury Downs SA 5108
- Unit 5/ 64-68 Spains Road, Salisbury Downs SA 5108
- Unit 6/ 64-68 Spains Road, Salisbury Downs SA 5108
- Unit 7/ 64-68 Spains Road, Salisbury Downs SA 5108
- Unit 8/ 64-68 Spains Road, Salisbury Downs SA 5108
- Unit 9/ 64-68 Spains Road, Salisbury Downs SA 5108
- Unit 10/ 64-68 Spains Road, Salisbury Downs SA 5108
- Unit 11/ 64-68 Spains Road, Salisbury Downs SA 5108
- Unit 12/ 64-68 Spains Road, Salisbury Downs SA 5108
- Unit 13/ 64-68 Spains Road, Salisbury Downs SA 5108
- Unit 14/ 64-68 Spains Road, Salisbury Downs SA 5108
- Unit 15/ 64-68 Spains Road, Salisbury Downs SA 5108
- Unit 16/ 64-68 Spains Road, Salisbury Downs SA 5108
- Unit 17/ 64-68 Spains Road, Salisbury Downs SA 5108
- Unit 18/ 64-68 Spains Road, Salisbury Downs SA 5108

ITEM 6.6.1

- Unit 19/ 64-68 Spains Road, Salisbury Downs SA 5108
- Unit 20/ 64-68 Spains Road, Salisbury Downs SA 5108
- Unit 21/ 64-68 Spains Road, Salisbury Downs SA 5108
- Unit 22/ 64-68 Spains Road, Salisbury Downs SA 5108
- Unit 23 64-68 Spains Road, Salisbury Downs SA 5108
- Unit 24/ 64-68 Spains Road, Salisbury Downs SA 5108
- Unit 25/ 64-68 Spains Road, Salisbury Downs SA 5108

These properties are owned by the ABS.

- 2.2 This organisation is an independent not for profit organisation which commenced operations in Adelaide in 1849. The properties are rented out at below market rates to low-income individuals, families and new arrivals to the State, who would otherwise struggle in the private rental market, with safe and secure long term accommodation. Currently the ABS has a property portfolio of approximately 250 units and houses throughout the Adelaide Metropolitan Area.
- 2.3 In addition to the provision of subsidised accommodation, the ABS also assists people with the cost of utilities and helps in cases of unforeseen emergencies.
- 2.4 Some of their properties are available through the NRAS (National Rental Affordability Scheme). This is a commitment by the Australian Government to assist in affordable rental living and has been introduced to help low and moderate income households to rent accommodation at an affordable price. This offers a level of support to the services offered by ABS.
- 2.5 The ABS owns twenty five (25) properties at 64-68 Spains Road, Salisbury Downs with a total of annual rates in 2019/20 of \$25,400, with all properties charged the minimum rate of \$1,016. Should the discretionary rebate of 75% be endorsed the rates on these twenty five (25) properties based on the 2019/20 rates would be reduced to \$6,350.
- 2.6 It should be noted that the ABS may be keen to continue to develop new properties within the northern areas of Adelaide, which may result in higher future rebates should these properties be acquired or developed within the City of Salisbury.
- 2.7 In the recently submitted Rate Rebate Application, the ABS had applied for a mandatory rate rebate under Section 161 (3) (a), (b) and (c) together with (iv):
- (3) For the purposes of this section, a community services organisation is a body that—*
- (a) is incorporated on a not-for-profit basis for the benefit of the public;*
- and*
- (b) provides community services without charge or for a charge that is below the cost to the body of providing the services; and*
- (c) does not restrict its services to persons who are members of the body.*
- (iv) the provision of essential services, or employment support, for persons with mental health disabilities, or with intellectual or physical disabilities;*

ITEM 6.6.1

- 2.8 The assessment of this application was that ABS did not qualify for a mandatory rebate on these twenty five (25) properties as an essential service. 'Essential Service' is not defined in the Act. Therefore the ordinary meaning of the words must be used. The Macquarie Dictionary defines essential services as 'those services considered necessary to the community', including the police, medical, hospital and ambulance service, the fire brigade, and the defence forces.
- 2.9 This was communicated to the ABS who have responded by now applying for a discretionary rebate for all twenty five (25) properties under Section 166 (1) (h) and (j) of the Act. Under the Act Council has the power to provide a Discretionary Rate Rebate:

166 1 (h) where the land is being used to provide accommodation for the aged or disabled;

166 1 (j) where the land is being used by an organisation which, in the opinion of the council, provides a benefit or service to the local community;

Further in considering such applications Council needs to take into account S166 (1a):

- (a) *the nature and extent of Council services provided in respect of land for which the rebate is sought in comparison to similar services provided elsewhere in its area; and*
 - (b) *the community need that is being met by activities carried out on the land for which the rebate is sought; and*
 - (c) *the extent to which activities carried out on the land for which the rebate is sought provides assistance or relief to disadvantaged persons,*
- and may take into account other matters considered relevant by the council.*
- 2.10 Through discussions with the applicant it has become apparent that properties are not solely provided for the aged or disabled, consequently a rebate on all units cannot be provided under S166 (1)(h). Further the benefit provided to the community is relatively narrow, being to the twenty five (25) low income households, and one could argue that this is a purely direct benefit to those households rather than a community benefit. Additionally Council may wish to consider that those assisted by the ABS are not in significantly different financial circumstances then many others in our community, and granting a rebate effectively increases the rates burden for all other rate payers to fund this discretionary rebate.
- 2.11 The Rate Rebate Policy (Attachment 1) endorsed by Council in February 2019 (0103/2019) details in paragraph 3.1.1 other matters that Council may wish to take into account detailed below, with response in the right hand column:

ITEM 6.6.1

| Matters for Consideration | Points for consideration |
|---|---|
| (i) why there is a need for financial assistance through a rebate; | <p>Reviewing ABS Financial Report they are in a strong financial position, generating operating surpluses over \$1.3M in 2017/18 and \$1.5M in 2016/17. ABS have expanded their property holdings in 2016/17 by \$14M, which is evident through interest costs which have increased significantly in the 2017/18 financial year when compared with 2016/17, the Statement of Cash Flow in 2016/17 shows a purchase of assets of \$13.8M, and borrowings of \$13.5M, and Note 4 to the Financial Statements shows an increase in property investment of \$14M . The ABS is able to service the debt as indicated by their 2017/18 operating result.</p> <p>The ABS may invest in future affordable housing developments in our Council area which would be likely to attract further requests to grant rate rebates.</p> |
| (ii) the level of rebate (percentage and dollar amount) being sought and why it is appropriate | <p>The ABS are seeking a 75% rate rebate, which based on 2019/20 rates means the annual rates bill will be reduced from \$25,400 to an amount of \$6,350. This loss in revenue will increase in the future, and will need to be funded from the balance of our ratepayers, many of whom are in a similar financial position to those assisted by ABS.</p> <p>Council may consider granting a lower rebate, but should consider the matters raised in this report in making that determination.</p> |
| (iii) the extent of financial assistance, if any, being provided to the applicant and/or in respect of the land by Commonwealth or State agencies | <p>The ABS currently receives Commonwealth funding through National Rental Affordability Scheme (NRAS) for some of their properties. NRAS is available to assist low and moderate income households to rent accommodation at an affordable price. The NRAS is an incentive grant paid in arrears on demonstration that the requirements of the grant have been met. This is included within Note 1 of the Financial Report.</p> <p>ABS have also received \$5.2M in Affordable Housing Innovation Grants in the years 2009-2013, which it has recognized as a liability, and recognizing the associated income over the final 10 years of the agreement term. This has resulted in the ABS having cash of \$5.2M, which has not yet been recognized in their operating results at this time.</p> |

ITEM 6.6.1

| | |
|---|--|
| (iv) whether the applicant has made/intends to make applications to another Council | While the ABS are entitled to make similar applications to other Councils, Council is asked to consider this application based on the information provided to the City of Salisbury (attachments 2 to 6) and if the rebate is granted, the outcomes and effects of granting such a discretionary rates rebate would have on our community. |
| (v) whether, and if so to what extent, the applicant is or will be providing a service within the Council area | The benefit is not a community benefit as it is provided narrowly and directly to twenty five (25) low income households. The ABS have confirmed that the land is not solely used for the aged or disabled. |
| (vi) whether the applicant is a public sector body, a private not for profit body or a private for profit body | The ABS is a not for profit organization as evidenced by Attachment 4. |
| (vii) whether there are any relevant historical considerations that may be relevant for all or any part of the current Council term | When compiling the relevant information for this report, no historical considerations were found. |
| (viii) the desirability of granting a rebate for more than one year | The ABS are seeking a discretionary rate rebate, which should Council decide to grant it, can be provided up to a two year period (until June 2021) as per the Rate Rebate Policy, at which time Council will consider all discretionary rebates when a further report is provided to Council requesting they undertake a review of the current Rate Rebate Policy and also Discretionary Rate Rebates. |
| (ix) consideration of the full financial consequences of the rebate for the Council | If the Discretionary Rate Rebate is granted the rates for 2019/20 will be reduced from \$25,400 to an amount of \$6,350. The full financial consequences for Council will possibly increase further over time with additional ratepayers seeking a discretionary rate rebates under Section 166 1 (h) and (j) of the Act, or ABS increases its property holdings in the area, and that other ratepayers will pay higher rates as a result. |
| (x) the time the application is received | The application was received in timeframes required in the Rate Rebate Policy. |
| (xi) the availability of any community grant to the person or body making the application | No further information is available in regards to the availability of a community grant. |
| (xii) whether the applicant is in receipt of a community grant | We received no information to verify if The ABS currently receives a community grant. |

ITEM 6.6.1

| | |
|---|---|
| (xiii) any other matters, and policies of the Council, which the Council considers relevant | Council may also wish to consider the significant financial impacts imposed by the compulsory Supported Accommodation rebates, which have resulted in rebates of \$608,982k in 2019/20. These mandatory rebates do impact on Councils ability to grant further discretionary rebates, and there is a risk that these will grow in time should the SA Housing Trust divest further properties to community housing associations in the Salisbury Council area. |
|---|---|

- 2.12 All levels of Government have a responsibility to address social issues, however, the capacity of Local Government to do this is limited due to our narrow revenue raising powers. When considering a discretionary rate rebate application, Council is asked to balance the benefit to the community this organisation provides with our smaller capacity to fund this support compared to Commonwealth and/or State Governments. It should be noted that the ABS is in receipt of grant funding from other levels of government to support its operations.
- 2.13 While the ABS provides a valuable service with low cost affordable housing, it is limited in the number of community members that can benefit from this service. In the past Council has taken a balanced approach in granting discretionary rebates, and given that each rebate granted shifts the rate burden to other ratepayers this is appropriate. Council may consider that this shifts the burden to others who are in similar financial circumstances who are not assisted by the ABS.
- 2.14 Studies suggest that the SA Legislation goes further in “encouraging” exemptions and rebates from the property tax system than any other state in Australia. This has led to expectations and pressure on Local Government, particularly from community based organisations for a rate concession. Concessions impact on Council’s revenue base and the ability of Council to provide services, and also results in higher rates for the remainder of ratepayers.

3. CONCLUSION / PROPOSAL

- 3.1 In considering this matter of primary concern is the need for financial sustainability of the City’s rate base – which all properties should contribute to the cost of services, provided by council, unless there is a compelling reason. While noting the valuable services provided by ABS, the social support function is a role that all levels of Government are responsible for. Council is asked to be mindful that the Commonwealth and/or State Government have a much broader taxation base and capacity to fund and address social problems. The ABS does already receive funding assistance through the following grants; NRAS and Affordable Housing Innovation Scheme.
- 3.2 The City of Salisbury needs to continue to adopt a considered approach to granting discretionary rate rebates, as providing a rebate opens the opportunity for other similar organisations to also request discretionary rebates, as it sets a precedent and each request directly impacts on the remainder of our ratepayers through higher rates, which could lead to a number of our ratepayers being further pressured with their own finances.

ITEM 6.6.1

- 3.3 For these reasons, together with the strong financial position of the ABS, it is the recommendation to not grant a 75% rate rebate or a rebate of a lower percentage and to dismiss the application.

CO-ORDINATION

Officer:

Date:



RATE REBATE POLICY

| | | | |
|----------------|--------------------------|-------------------------|---------------------------------------|
| Policy Type: | Policy | | |
| Approved By: | | Decision No: | 1566, 2015/0386, 2017/1872, 0103/2019 |
| Approval Date: | | Last Reapproval Date: | 25 February 2019 |
| Review Date: | February 2021 | Internal Reference No.: | |
| Department: | Business Excellence | Division: | Financial Services |
| Function: | 7 - Financial Management | Responsible Officer: | Manager, Financial Services |

A – Preamble

1. The *Local Government Act 1999* (“the Act”) provides for Mandatory and Discretionary rebates of rates. The City of Salisbury will act in accordance with the Act in providing Mandatory Rebates. In relation to Discretionary Rebates, this policy will be applied to determine whether a rate rebate will be provided.

B – Scope

1. This Policy applies to all rateable land in the council area.

C – Policy Purpose/Objectives

1. Council has adopted a Rate Rebate Policy to assist it in its decision making functions relative to the operation of the rate rebate provisions contained within Chapter 10, Division 5 (Sections 159 to 166) of the Act.
2. This Policy provides guidance to the community, Council and Staff as to the grounds upon which a person or body is, or may be, entitled to receive a rebate of rates and the matters Council will take into account in determining an application for a rate rebate.
3. In accordance with the rebate of rates provisions contained in the Act, this Policy sets out the type of use in respect of land which the Council must grant a rebate of rates and the amount that rebate must be, and those types of land use where the Council has a discretion to grant a rebate of rates.

D – Definitions

Definitions as per the *Local Government Act 1999*

E – Policy Statement

1. Local Government Act 1999

1.1. Section 159(3) of the Act provides that the Council may grant a rebate of rates under the Act if it is satisfied that it is appropriate to do so.

2. Mandatory Rebates

2.1. The Act stipulates that Council must grant a rebate of rates and the percentage of that rebate for specified land uses. These are set out below.

2.2. Mandatory 100% Rebate of Rates:

2.2.1. *S160—Rebate of rates – health services*

The rates on land being predominantly used for service delivery or administration by a hospital or health centre incorporated under the South Australian Health Commission Act 1976 will be rebated at 100 per cent.

2.2.2. *S162 – Rebate of rates – religious purposes*

The rates on land containing a church or other building used for public worship (and any grounds), or land solely used for religious purposes, will be rebated at 100 per cent.

2.2.3. *S163 – Rebate of rates – public cemeteries*

The rates on land being used for the purposes of a public cemetery will be rebated at 100 per cent.

2.2.4. *S164 – Rebate of rates – Royal Zoological Society of SA*

The rates on land (other than land used as domestic premises) owned by, or under the care, control and management of, the Royal Zoological Society of South Australia Incorporated will be rebated at 100 per cent.

2.3. Mandatory 75% Rebate of Rates:

2.3.1. *S161—Rebate of rates – community services*

*(1) The rates on land being predominantly used for service delivery or administration (or both) by a community service organisation will be rebated at 75 per cent (or, at the discretion of the council, at a higher rate)**

...

(3) For the purposes of this section, a community services organisation is a body that—

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

(b) provides community services without charge or for a charge that is below the cost to the body of providing the services; and

(c) does not restrict its services to persons who are members of the body.

(4) For the purposes of subsection (3)—

(c) any of the following are community services:

(i) the provision of emergency accommodation;

- (ii) *the provision of food or clothing for disadvantaged persons;*
- (iii) *the provision of supported accommodation;*
- (iv) *the provision of essential services, or employment support, for persons with mental health disabilities, or with intellectual or physical disabilities;*
- (v) *the provision of legal services for disadvantaged persons;*
- (vi) *the provision of drug or alcohol rehabilitation services;*
- (vii) *the conduct of research into, or the provision of community education about, diseases or illnesses, or the provision of palliative care to persons who suffer from diseases or illnesses;*

(d) *Disadvantaged persons are persons who are disadvantaged by reasons of poverty, illness, frailty, or mental, intellectual or physical disability*

It is necessary for a community service organisation to satisfy all of the criteria contained in the Act to be entitled to the mandatory 75% rebate.

** subject to submission of a discretionary rate rebate application*

2.3.2. S165—Rebate of rates – educational purposes

(1) *The rate on land –*

- (a) *occupied by a government school under a lease or licence and being used for educational purposes; or*
- (b) *occupied by a non-government school registered under the Education and Early Childhood Services (Registration and Standards) Act 2011 and being used for educational purposes,*

Will be rebated at 75 per cent (or, at the discretion of council, at a higher rate)

(2) *The rates on land being used by a university or university college to provide accommodation and other forms of support for students on a not-for-profit basis will be rebated at 75 per cent (or, at the discretion of the council, at a higher rate).*

2.4. Where a person or body is entitled to a rebate of 75% the Council may, pursuant to Section 159(4) of the Act, increase the rebate up to a further 25%. The Council may grant the further 25% rebate upon application or on its own initiative. In either case the Council will take into account those matters set out at Clause 3.1 of this Policy.

2.5. Where an application is made to the Council for a rebate of up to a further 25% the application will be made in accordance with Clause 4.1 of this Policy and the Council will provide written notice to the applicant of its determination of that application.

2.6. Where Council is satisfied from its own records or from other sources that a person or body meets the necessary criteria for a mandatory 100% or 75% rebate, Council will grant the rebate of its own initiative. Where Council is not so satisfied it will require the person or body to apply for the rebate in accordance with Clause 4.1 of this Policy.

2.7. The Council delegate the determination of entitlement to mandatory rebates to the CEO.

3. Discretionary Rebate of Rates:

3.1. The Act gives Council the power to grant discretionary rebates for a broad range of purposes and the percentage of that rebate.

3.1.1. S166—Discretionary rebate of rates

- (1) A council may grant a rebate of rates or service charges in any of the following cases (not being cases that fall within a preceding provision of this Division):
- (a) where the rebate is desirable for the purpose of securing the proper development of the area (or a part of the area);
 - (b) where the rebate is desirable for the purpose of assisting or supporting a business in its area;
 - (c) where the rebate will conduce to the preservation of buildings or places of historic significance;
 - (d) where the land is being used for educational purposes;
 - (e) where the land is being used for agricultural, horticultural or floricultural exhibitions;
 - (f) where the land is being used for a hospital or health centre;
 - (g) where the land is being used to provide facilities or services for children or young persons;
 - (h) where the land is being used to provide accommodation for the aged or disabled;
 - (i) where the land is being used for a residential aged care facility that is approved for Commonwealth funding under the Aged Care Act 1997 (Cwlth) or a day therapy centre;
 - (j) where the land is being used by an organisation which, in the opinion of the council, provides a benefit or service to the local community;
 - (k) where the rebate relates to common property or land vested in a community corporation under the Community Titles Act 1996 over which the public has a free and unrestricted right of access and enjoyment;
 - (l) where the rebate is considered by the council to be appropriate to provide relief against what would otherwise amount to a substantial change in rates payable by a ratepayer due to—
 - (i) a redistribution of the rates burden within the community arising from a change to the basis or structure of the council's rates; or
 - (ii) a change to the basis on which land is valued for the purpose of rating, rapid changes in valuations, or anomalies in valuations;
- (1a) A council must, in deciding whether to grant a rebate of rates or charges under subsection (1)(d), (e), (f), (g), (h), (i) or (j), take into account—

- (a) the nature and extent of council services provided in respect of the land for which the rebate is sought in comparison to similar services provided elsewhere in its area; and*
- (b) the community need that is being met by activities carried out on the land for which the rebate is sought; and*
- (c) the extent to which activities carried out on the land for which the rebate is sought provides assistance or relief to disadvantaged persons, and may take into account other matters considered relevant by the council.*

The Council may take into account, but are not limited to, the following:

- (i) why there is a need for financial assistance through a rebate;
- (ii) the level of rebate (percentage and dollar amount) being sought and why it is appropriate;
- (iii) the extent of financial assistance, if any, being provided to the applicant and/or in respect of the land by Commonwealth or State agencies;
- (iv) whether the applicant has made/intends to make application to another Council(s);
- (v) whether, and if so to what extent, the applicant is or will be providing a service within the Council area;
- (vi) whether the applicant is a public sector body, a private not for profit body or a private for profit body;
- (vii) whether there are any relevant historical considerations that may be relevant for all or any part of the current Council term;
- (viii) the desirability of granting a rebate for more than one year in those circumstances identified at Clause 4.2 of this policy;
- (ix) consideration of the full financial consequences of the rebate for the Council;
- (x) the time the application is received;
- (xi) the availability of any community grant to the person or body making the application;
- (xii) whether the applicant is in receipt of a community grant; and
- (xiii) any other matters, and policies of the Council, which the Council considers relevant.

3.2. The Council has an absolute discretion –

3.2.1. to grant a rebate of rates or service charges in the above cases; and

3.2.2. to determine the amount of any such rebate, to a maximum of 100% of the relevant rate or service charges

3.3. Discretionary rebates granted under this policy will be reviewed at the time of reviewing the policy (Section E, Clause 6.1), so consequently are granted for a maximum of two years.

3.4. Persons who, or bodies which, seek a discretionary rebate will be required to submit an application form to Council and provide to Council such information as stipulated on the application form and any other information that Council may reasonably require. Further information about the application process can be found in section 4.

3.5. As a matter of policy Council will provide a 100% discretionary rebate on:

3.5.1. Not for profit Kindergartens/Child care Centres

3.5.2. Guides and Scouts Groups

and Council delegate the determination of the application of this discretionary rebate to the CEO.

3.6. Council have determined that discretionary rebates under S166 will not be granted for:

3.6.1. Provision of support services or direct financial support of low income families

3.6.2. Private residential properties

3.6.3. Private and not for profit residential aged care facilities.

4. **Rebate Applications**

4.1. Persons or bodies who seek a rebate of rates (and/or service charges) must make written application. Forms are available online http://www.salisbury.sa.gov.au/Services/Rates/Rate_Rebate_Policy_and_Application_Form or can be obtained from Council Offices located at James Street Salisbury, or by contacting the Customer Centre 8406 8222.

4.2. All persons who, or bodies which, wish to apply to the Council for a rebate of rates must do so on or before 31 August in the year of application. However, applicants which satisfy the criteria for a mandatory 100% rebate will be granted the rebate at any time.

4.3. There are penalties for making false statements and for failing to advise Council of changes in circumstances which would remove the entitlement to a rebate. Relevant sections of the legislation are:

4.3.1. **S159—Preliminary**

...

(2) A person or body must not –

(a) Make a false or misleading statement or representation in an application to be made (or purporting to be made) under this Division; or

(b) Provide false or misleading information or evidence in support of an application made (or purporting to be made) under this Division

Maximum penalty: \$5,000

4.3.2. **S159—Preliminary**

...

(7) If a person or body has the benefit of a rebate of rates under this Division and the grounds on which the rebate has been granted cease to exist, the person or body must immediately inform the council of that fact and (whether or not the council is informed) the entitlement to a rebate ceases.

(8) *If a person or body fails to comply with subsection (7), the person or body is guilty of an offence.
Maximum penalty: \$5,000*

4.4. Council may determine that rebates no longer apply, and can recover rates as follows:

4.4.1. ***S159—Preliminary***

...

(10) *A council may, for proper cause, determine that an entitlement to a rebate of rates in pursuance of this Division no longer applies*

(11) *If an entitlement to a rebate of rates ceases or no longer applies during the course of a financial year, the council is entitled to recover rates, or rates at the increased level (as the case may be), proportionate to the remaining part of the financial year.*

4.5. Council will, in writing, advise an applicant for a rebate of its determination of that application within sixty days of receiving the application or of receiving all information requested by Council. The advice will state:

4.5.1. if the application has been granted, the amount of the rebate; or

4.5.2. if the application has not been granted, the reasons why.

4.6. A person or body that is aggrieved by a determination of Council in respect of an application for a rate rebate may seek a review of that determination by written application to the Council within three months of the making of the determination (in accordance with Council's Internal Review of Decisions procedure).

5. Community Grants

5.1. If an application for a rebate is unsuccessful, the Council has an absolute discretion to then treat the application as one for a community grant and to determine it in accordance with the Council's Community Grants Policy.

6. Policy Review & Availability

6.1. Council will review this policy in the twelve months following an election, and every two years thereafter.

6.2. This Policy is available for inspection at Council offices and persons may obtain a copy of this Policy without charge.

F – Delegation

1. The Council has delegated its power, pursuant to Section 44 of the Act, to grant applications for mandatory rebates which meet the requirements of the Act (sections 161- 165) to the Chief Executive Officer.

2. All discretionary rebates shall be determined by the Council with the exception of those categories identified in clause 3.5 and 3.6

G – Legislation

The Local Government Act 1999

H – Associated Policies

Council’s Internal Review of Council Decisions Policy

| Document Control | |
|-------------------------|--|
| Document ID | Rate Rebate Policy |
| Prepared by | Team Leader Revenue, Financial Services |
| Release | 3.00 |
| Document Status | Endorsed |
| Date Printed | 06/03/2019 |



24 May 2019

Attention: Rate Officer
City of Salisbury
PO Box 8
SALISBURY SA 5108

By Email: city@salisbury.sa.gov.au

Dear Sir / Madam

Re: Rebate on Rates for Properties (list attached)

I write regarding the rebate we may receive on our Council rates at the properties owned in your Council (list attached to this email) in the 2019/20 year.

Adelaide Benevolent Society is a not-for-profit charity providing affordable housing to South Australian's on low incomes in 250 homes around Adelaide. We receive a government grant in the form of National Rental Affordability Scheme grant monies for some of our properties. The purchase, maintenance, management and upgrading of our housing is partially funded by the rents charged to tenants, we provide all housing at 75% of the market rates of rent. Additionally, our services are not restricted only to our members.

I have enclosed the following documentation:

1. Rate Rebate Application
2. List of Properties / Assessment No.s
3. Copy of the Adelaide Benevolent Society's Constitution
4. Copy of the Adelaide Benevolent Society's 2017-2018 Financial Report
5. Copy of ACNC Registration Certificate

Should you require any further information please do not hesitate to contact me.

Yours Sincerely

A handwritten signature in blue ink, appearing to read "Tim Ryan", with a long horizontal flourish extending to the right.

TIM RYAN
Chief Executive Officer

P 8231 5321
www.adelaide.org.au
Elder Hall 17 Morialta Street Adelaide SA 5000
The Adelaide Benevolent & Strangers' Friend Society Inc.



Application Form – Rate Rebate

Details of Applicant

Name *Adelaide Benevolent Society*
Address *17 Morialta Street, Adelaide*
Telephone *(08) 8231 5321*

If the Applicant is not a natural person, please provide details of a contact person for the Applicant

Name *Timothy Ryan*
Address *(as above)*
.....
Telephone.....

Details of Land

Council Assessment Number *(see attached listing)*
Valuer General Number.....
Certificate of Title Reference.....
Address.....
.....
Owner of Land (if not you)

Note: if the application for a rate rebate is for multiple properties, each assessment must be separately identified (a separate listing can be attached if necessary).

Please note: A person or body who makes a false or misleading statement or representation in an application or provides false or misleading information or evidence in support of an application for rebate is guilty of an offence under Section 159(2) of the Local Government Act, 1999. Maximum penalty: \$5,000

Categories of Rebate

Please tick the category of rebate under which you are seeking a rebate, Section numbers quoted refer to the Local Government Act, 1999.

3.1 Mandatory 100%

- 3.1.1 **Health Services** – Land being predominant used for service delivery or administration by a hospital or health centre incorporated under the South Australia Health Commission Act 1976; (Section 160)
- 3.1.2 **Religious Purposes** – Land containing a church or other building used for public worship (and any grounds), or land solely used for religious purposes; (Section 162)
- 3.1.3 **Public Cemeteries** – Land being used for the purposes of a public cemetery; (Section 163)
- 3.1.4 **Royal Zoological Society of SA** – Land (other than land used as domestic premises) owned by, or under the care, control and management of, the Royal Zoological Society of South Australia Incorporated. (Section 164)

Mandatory 75% - Section 161

- 3.1.5 **Community Services** – Land being predominantly used for service delivery and administration by a community services organisation.

To qualify as a Community Service Organisation under the rebate provisions of the Local Government Act 1999 an organisation MUST MEET ALL THREE of the following criteria. (See section "Additional Information" at end of this form.)

- (a) Is incorporated on a not for profit basis for the benefit of the public; **AND**
- (b) Provides community services without charge or for a charge that is below the cost to the body of providing the services; **AND**
- (c) Does not restrict its services to persons who are members of the body.

If you have ticked (a), (b) and (c) above which of the following services does your organisation provide from the property specified in this application if these services apply only to part of your property, please supply additional details. You must answer these below questions in respect of your application.

- Emergency accommodation;
- Food or clothing for disadvantaged persons (i.e., persons who are disadvantaged by reason of poverty, illness, frailty, or mental, intellectual or physical disability) ;

- Supported accommodation (i.e., residential care facilities in receipt of Commonwealth funding or accommodation for persons with mental health, intellectual, physical or other difficulties who require support in order to live an independent life) ;
- Essential services, or employment support, for persons with mental health disabilities, or with intellectual or physical disabilities;
- Legal services for disadvantaged persons;
- Drug or alcohol rehabilitation services;
- Research into, or community education about, diseases or illnesses, or palliative care to persons who suffer from diseases or illnesses.
- Disadvantaged persons are persons who are disadvantaged by reasons of poverty, illness, frailty, or mental, intellectual or physical disability.
- Community Housing Association Properties - 75% Rebate**
supported accommodation (i.e. accommodation for persons with mental health, intellectual, physical or other difficulties who require support in order to live an independent life)
Community Housing Association providers are required to be registered and listed on the List of Community Housing providers maintained by the Government of South Australia.

Mandatory 75% (cont) – Section 165

Educational Purposes Which of the following criteria apply –

- Land occupied by a government school under a lease or licence and being used for educational purposes; or
- Land occupied by a non-government school registered under Part 5 of the Education Act 1972 and being used for educational purposes; or
- Land being used by a University or University College to provide accommodation and other forms of support for students on a not for profit basis.

3.2 Discretionary rebates – Section 166 (1)

The Council may in its discretion grant a rebate of rates or service charges in any of the following cases (section 166). Please indicate which of the following is applicable to your application –

- The rebate is desirable for the purpose of securing the proper development of the area (or a part of the area) ;
- The rebate is desirable for the purpose of assisting or supporting a business in its area;
- The rebate will be conducive to the preservation of buildings or places of historic significance;

- The land is being used for educational purposes;
- The land is being used for agricultural, horticultural or floricultural exhibitions;
- The land is being used for a hospital or health centre;
- The land is being used to provide facilities or services for children or young persons;
- The land is being used to provide accommodation for the aged or disabled;
- The land is being used for a residential aged care facility that is approved for Commonwealth funding under the Aged Care Act 1987 (Commonwealth) or a day therapy centre;
- The land is being used by an organisation which provides a benefit or service to the local community;
- The rebate relates to common property or land vested in a community corporation under the Community Titles Act 1996 over which the public has a free and unrestricted right of access and enjoyment ;
- The rebate is appropriate to provide relief against what would otherwise amount to a substantial change in rates payable by a rate payer due to a change in the basis of valuation used for the purposes of rating, rapid changes in valuations, or anomalies in valuations.

4. Amount of Rebate

If you are seeking a mandatory rebate under Clause 3.1 of this Application, for which you are entitled to a 75% rebate, are you also applying to the Council to increase that rebate?

YES NO

Please specify the amount of rebate that you are applying for -

75%

If you are applying for a discretionary rebate under Clause 3.2 of this Application, please specify the rebate amount you are applying for.

75%

Please specify why you (or your organisation) need financial assistance through a rebate and why the amount of rebate you have applied for is appropriate.

please see covering letter.
.....
.....
.....

5. Additional Information Required

The Council requires you to attach the following additional information to this Application –

- 5.1 Where you are seeking a rebate under Clause 3.1.5 of this Application – Community Services –
 - 5.1.1 Evidence that the land is being used for service delivery and/ or administration;
 - 5.1.2 A copy of the organisation’s Constitution and/ or other documentation establishing that it is incorporated on a not - for-profit basis;
 - 5.1.3 A copy of the organisation’s latest Annual Report;
 - 5.1.4 Evidence that the organisation provides services free of charge or below cost;
 - 5.1.5 Evidence that the organisation provides services to persons other than members.

- 5.2 Where you are seeking a rebate in any other case –
 - 5.2.1 Evidence that the land is being used for the purpose for which the rebate is being sought;
 - 5.2.2 Information as to whether, and if so to what extent, you (or your organisation) will be providing a service within the Council area;
 - 5.2.3 Whether you have made or intend to make an application to another council;
 - 5.2.4 The extent of financial assistance (if any) being provided by Commonwealth or State agencies;
 - 5.2.5 Whether you are in receipt of a community grant;
 - 5.2.6 Any other information that you believe is relevant in support of this Application.

6. Application Forms

Application forms and all additional information must be submitted to the Council on or before 31st August each year.

A failure to submit application forms or to provide the additional information required by the Council to assess the application by the due date may result in the Council refusing to consider the application.

Important Information

It is an offence for a person or body to make a false or misleading statement or representation in an application or to provide false or misleading information or evidence in support of an application made (or purporting to be made) under the Act . The maximum penalty for this offence is \$5,000.00, (Section 159 (2) of the Local Government Act 1999).

The Council may grant a rebate of rates or charges on such conditions as the Council thinks fit.

If a person or body has the benefit of a rebate of rates and the grounds on which the rebate has been granted cease to exist, the person or body must immediately inform the Council of that fact and (whether or not the Council is so informed) the entitlement to a rebate ceases. If a person or body fails to notify the Council that person or body is guilty of an offence and liable to a maximum penalty of \$5,000.00, (Section 159 (7) and (8) of the Local Government Act 1999).

The Council may, for proper cause, determine that an entitlement to a rebate of rates under the Act no longer applies.

Where an entitlement to a rebate of rates ceases or no longer applies during the course of a financial year, the Council is entitled to recover rates, or rates at the increased level (as the case may be), proportionate to the remaining part of the financial year.

I declare that the information I have provided on and attached to this application form is true.

DATED the 21st day of May 20 19

Signed.....

Enquiries to: Rating Services, Tel: (08) 8406 8273 or email: city@salisbury.sa.gov.au with a subject line including Rate Rebate Application:

Completed form to be returned to:

City of Salisbury

PO Box 8, Salisbury SA 5108 or 12 James Street, Salisbury SA 5108



THIS CERTIFIES THAT

The Adelaide Benevolent & Strangers' Friend Society Inc

ABN:30 410 812 417

IS A REGISTERED CHARITY
AND HAS BEEN TRANSFERRED FROM THE

Australian Taxation Office

TO THE

Australian Charities and Not-for-profits Commission

ON THE DATE OF
3 December 2012

CERTIFIED BY

A handwritten signature in black ink, appearing to read 'G. Johns'.

Hon. Dr Gary Johns

Commissioner

Australian Charities and Not-for-profits Commission

Copy only. Original available on request





**The Rules of
The Adelaide Benevolent & Strangers' Friend Society
Incorporated**

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**The Rules of the
Adelaide Benevolent & Strangers' Friend Society Incorporated**

1. Definitions

In these rules:

Act means the Associations Incorporation Act 1985 (SA);

Commission means the commission appointed under the Act to administer the Act;

Committee means the managing committee of the Society;

Honorary Life Member means a person appointed to be a life member of the Society under rule 7.4;

Member means an Honorary Life Member or an Ordinary Member of the Society for the time being under rule 7;

Objects means the objects of the Society specified in rule 5;

Ordinary Member means a registered, financial member of the Society;

Public Officer means the person appointed to be the public officer of the Society in accordance with the Act;

Manager means the person appointed to be the manager of the Society under these Rules;

Society means The Adelaide Benevolent & Strangers' Friend Society Incorporated;

Special Resolution means a special resolution as such term is defined in the Act.

2. Interpretation

In these rules, unless the context otherwise requires:

- (a) headings do not affect interpretation;
- (b) singular includes plural and plural includes singular;
- (c) words of one gender include any gender;
- (d) reference to legislation includes any amendment to it, any legislation substituted for it, and any subordinate legislation made under it;
- (e) reference to a person includes a corporation, joint venture, association, government body, firm and any other entity.

3. Severance

Any provision of these Rules which is invalid, void or unenforceable in any jurisdiction is to be read down for the purposes of that jurisdiction, if possible, so as to be valid and enforceable, and if otherwise to be severed to the extent of that invalidity, voidness or unenforceability, without affecting the remaining provisions of these Rules or affecting the validity or enforceability of that provision in any other jurisdiction.

4. Name

The name of the Society is The Adelaide Benevolent & Strangers' Friend Society.

5. Objects

(a) The Objects of the Society are:

- (i) to receive gifts of cash and kind and to administer relief to the sick and/or disadvantaged people in South Australia;
- (ii) to provide affordable housing and other assistance in necessitous and deserving cases to people in South Australia including new immigrants;
- (iii) to undertake and/or do all such things or activities which are necessary, incidental or conducive to the advancement of these Objects.

(b) The assets and income of the Society must be applied exclusively to the promotion of its objects and no portion shall be paid or distributed directly or indirectly to the Members, except as bona fide remuneration for services rendered or expenses incurred on behalf of the Society.

6. Powers

The Society shall have all the powers of a natural person for the purpose of carrying out its objects save and except such modifications and exclusions as are specified in these Rules.

7. Membership

7.1 Deemed Members

All persons who are Members of the Society prior to the approval of these Rules shall be deemed Members from the time of approval of these Rules.

7.2 Applications for Membership

- (a) A person is eligible to become a Member if that person is of good character and has an interest in the Objects of the Society.
- (b) A person who applies to become a Member must do so in writing, in the form approved by the Committee. The application must be signed by the applicant, one Member proposing them and another Member seconding them and given to the Public Officer.

- (c) An applicant becomes a Member if:
 - (i) the Committee accepts the application; and
 - (ii) the applicant pays the membership fee for the Society's current financial year.
- (d) The Society may accept or reject an application for membership irrespective of whether the applicant has complied with the requirements in clause 7.2(b) or not. The Society shall not be required to provide any reason for any acceptance or rejection of any such application.
- (e) A right, privilege or obligation of a Member by reason of their membership of the Society is not capable of being transferred to another person and terminates upon the cessation of that Member's membership whether caused by death, resignation, expulsion or otherwise.
- (f) Each Member acknowledges and agrees that:
 - (i) these Rules constitute a contract between them and the Society;
 - (ii) they will comply with these Rules and any determination, resolution or policy which may be made in accordance with these Rules;
 - (iii) by submitting to these Rules they will be subject to the jurisdiction of the Society; and
 - (iv) these Rules are necessary and reasonable for promoting the Objects and particularly the advancement and protection of the Society.

7.3 Patron

The Society may appoint a patron who shall be appointed for a period determined by the Society.

7.4 Honorary Life Membership

- (a) The Society may from time to time appoint as honorary life members persons who have rendered exceptional and distinguished services to the Society and have been recommended by the Committee for life membership.
- (b) A person may be appointed an honorary life member if a resolution is passed at a general meeting of not less than two thirds of those Members present.
- (c) No further membership fees shall be payable by a person appointed as an honorary life member under this rule 7.4.

8. Discontinuance of Membership

8.1 Resignation

A Member ceases to be a Member upon giving written notice of resignation to the Manager or Public Officer. Any Member so resigning shall be liable for any outstanding membership fees which may be recovered as a debt due to the Society.

8.2 Expulsion

- (a) The Committee may by resolution expel a Member if:
 - (i) the Committee considers that the Member has refused or neglected to comply with these Rules or the Member's conduct reflects unfavourably on the Society;
 - (ii) the Committee considers that the expulsion of the Member would be in the best interests of the Society;
 - (iii) the Committee gives the Member written particulars of the alleged misconduct or reasons as to why the Committee considers that the expulsion of the Member would be in the best interests of the Society at least one month before the Committee decides on the expulsion; and
 - (iv) the Committee gives the Member an opportunity to be heard or to make a written submission, before the Committee decides on the expulsion.
- (b) The Committee must notify the Member of its decision.
- (c) A resolution by the Committee under sub-rule (a)(i) does not take effect unless the Committee has first provided the Member the opportunity to explain the conduct.
- (d) If, in the Committee's view the Member fails to adequately explain the breach, that Member shall be expelled under sub-rule (a)(i) by the Committee upon giving written notice of its decision to the Member.

9. Membership Fee

- (a) The Committee shall set the annual membership fee.
- (b) An Ordinary Member must pay the annual membership fee on or before 1 July in each year or such other date as the Committee may determine.
- (c) An Ordinary Member, who does not pay the annual membership fee within 2 months after the due date, ceases to be a Member. The Committee may reinstate membership of a person who ceases to be a Member under this sub-rule on any terms it thinks fit.

10. Calling General Meetings

- (a) The Society must hold its annual general meeting within 5 months after the end of its financial year.
- (b) The Committee may call a general meeting of the Society when and where the Committee thinks fit.
- (c) The Committee must call a general meeting within one month after receiving a written requisition by at least 3 members. The requisition must be signed by the requisitionists and state the purpose of the meeting.

- (d) If the Committee does not call a general meeting in accordance with the previous sub-rule, the requisitionists may do so at the Society's cost. The Committee must supply to the requisitionists free of charge particulars of the Members entitled to notice of the meeting.
- (e) At least 14 days' notice must be given of a general meeting. However, if a Special Resolution is to be proposed at the general meeting, at least 21 days' notice must be given of the general meeting.
- (f) Notice of a general meeting must be given to each Member.
- (g) A notice of a general meeting must:
 - (i) set out the place, date and time for the meeting;
 - (ii) state the general nature of the meeting's business;
 - (iii) if a Special Resolution is to be proposed at the meeting, set out an intention to propose the Special Resolution and state the resolution.
- (h) The business of an annual general meeting may include any of the following, even if not referred to in the notice of meeting:
 - (i) the consideration of the annual financial report, the Committee's report on the activities of the Society and the Committee over the previous financial year and auditor's report;
 - (ii) the election of Committee members;
 - (iii) the appointment of the auditor;
 - (iv) any other business which under these Rules or the Act ought to be transacted at an annual general meeting.
- (i) Notice may be given to a Member:
 - (i) personally;
 - (ii) by ordinary prepaid post to the address in the register of Members or the last known address of the Member. Notice by post is deemed to be received at the time at which the letter would be delivered in the ordinary course of the post;
 - (iii) by email to the email address in the register of Members or the last known email address of the Member, if the Member has provided that email address to the Society for the purpose of receiving notices. Notice by email is deemed to be received if, at the conclusion of the transmission, the sender's electronic machine issues or retains a transmission report which indicates that the relevant email has been sent.

11. Procedure of General Meetings

- (a) Six members, including life members, present shall constitute a quorum at any general meeting.

- (b) If a quorum is not present within 30 minutes after the time appointed for the meeting:
 - (i) if the meeting was called on the request of 3 or more Committee members under sub-rule 10(c), the meeting is dissolved;
 - (ii) any other meeting is adjourned to any place, date and time the Committee decides.
- (c) If a quorum is not present within 30 minutes after the time appointed for an adjourned meeting, the meeting is dissolved.
- (d) The President may chair all general meetings.
- (e) If there is no President, or if the President is not present within 10 minutes after the time appointed for the meeting or is unable or unwilling to act, a Vice President may chair the meeting. If there is no Vice President, or if a Vice President is not present within 10 minutes after the time appointed for the meeting or is unable or unwilling to act, the Committee members present must elect one of themselves to chair the meeting.
- (f) The Chairperson may regulate a general meeting in any way consistent with these Rules.
- (g) The Chairperson may adjourn a general meeting to any place, date and time.
- (h) The Chairperson must adjourn a general meeting if the Members present with a majority of votes at the meeting agree or direct the Chairperson to do so. The Chairperson may adjourn the meeting to any place, date and time.
- (i) New notice of the resumed meeting must be given if the meeting is adjourned for more than one month.
- (j) Only unfinished business may be transacted at a meeting resumed after an adjournment.
- (k) A general meeting makes a decision by passing a resolution. A resolution is passed if more than 50% of the votes cast by the members entitled to vote are in favour of the resolution (unless the Act requires a Special Resolution). A Special Resolution is passed if:
 - (i) the notice of the meeting sets out an intention to propose the Special Resolution and states the resolution; and
 - (ii) it is passed by a majority of not less than three-quarters of the Members as, being entitled to do so, vote in person or by proxy.
- (l) Unless a poll is properly requested, a resolution put to the vote at a general meeting must be decided on a show of hands.
- (m) If a poll is properly requested, the result of the poll is the resolution of the meeting.
- (n) A declaration by the Chairperson that a resolution is passed, or passed by a particular majority or lost, and an entry to that effect in the minutes, is sufficient evidence of that fact, unless proved incorrect.
- (o) A poll may be requested on any resolution.

- (p) A poll may be requested by:
 - (i) at least 3 Members entitled to vote on the resolution, present in person or by proxy or
 - (ii) the Chairperson.
- (q) The poll may be requested:
 - (i) before a vote is taken;
 - (ii) before the voting results on a show of hands are declared; or
 - (iii) immediately after the voting results on a show of hands are declared.
- (r) A request for a poll may be withdrawn.
- (s) A poll requested on a matter other than the election of a Chairperson or the question of an adjournment must be taken when and how the Chairperson directs.
- (t) A poll on the election of a Chairperson or the question of an adjournment must be taken immediately.
- (u) A request for a poll does not prevent the meeting dealing with other business.
- (v) Each Member present in person or by proxy has one vote.
- (w) The Chairperson also has a casting vote.
- (x) A Member may vote:
 - (i) personally;
 - (ii) by proxy;
- (y) A proxy must be a natural person who is also a Committee member.

12. **Proxies**

- (a) A Member may appoint another member as a proxy for all or particular general meetings.
- (b) An appointment of a proxy must be in a form approved by the Committee.
- (c) An appointment of a proxy is valid if it is signed by the Member making the appointment and it contains the following information:
 - (i) the Member's name and address;
 - (ii) the Society's name;
 - (iii) the proxy's name or the name of the office held by the proxy;
 - (iv) the meetings at which the appointment may be used.

The Committee may decide to accept a proxy even if it contains only some of that information.

- (d) Unless otherwise specified in the appointment, the proxy may:
 - (i) even if the appointment directs how to vote on a particular resolution, vote on an amendment to the particular resolution, a motion not to put the particular resolution or any similar motion;
 - (ii) vote on a procedural motion, including a motion to elect the Chairperson, to vacate the chair or adjourn the meeting;
 - (iii) speak at the meeting;
 - (iv) vote (but only to the extent allowed by the appointment);
 - (v) request or join in a request for a poll.
- (e) If a person represents 2 or more Members, that person has only one vote on a show of hands.
- (f) A later appointment of a proxy revokes an earlier one.
- (g) An appointment may specify the way a proxy is to vote on a particular resolution. A proxy may vote only as directed.

13. Membership of Committee

- (a) The Committee comprises:
 - (i) the President;
 - (ii) not more than 2 Vice-Presidents;
 - (iii) the Treasurer; and
 - (iv) not more than 7 general Committee members.
- (b) All persons who, prior to the approval of these Rules are members of the Committee, shall be deemed members of the Committee from the time of approval of these Rules under the Act.
- (c) At each annual general meeting, the 2 longest serving Committee members shall retire but shall be eligible for reappointment.
- (d) At each annual general meeting, the Members in general meeting must elect new Committee members to fill any vacancy in the Committee.

- (e) A person is eligible for election as a Committee member only if:
 - (i) the person is a Member; and
 - (ii) either:
 - (1) the person is a Committee member who must retire under this rule, and notifies the Society that he or she is available for election or re-election; or
 - (2) a member of the Committee nominates the Member, by delivering to the Society a written nomination signed by the Committee member, at least 28 days before the election.
 - (f) The notice of the annual general meeting must be accompanied by a list of all candidates standing for election to the Committee.
 - (g) If only one person nominates for an office, that person is deemed to be elected to that office. If the number of persons nominating as general Committee members is equal to or less than the number of vacancies for general Committee members, those persons are deemed to be elected as general Committee members.
 - (h) The Committee may also appoint any Member, who has consented in writing to the appointment, to fill a casual vacancy in the Committee. Such Member shall hold office until the next annual general meeting of the Society and shall be eligible for re-appointment to the Committee.
 - (i) A Committee member ceases to hold office if the Committee member:
 - (i) is disqualified under the Act;
 - (ii) resigns from the Committee by giving notice to the Society;
 - (iii) whom the Committee member represents ceases to be a Member;
 - (iv) becomes permanently incapacitated by ill health;
 - (v) becomes mentally incapable and his or her estate or property has a personal representative or trustee appointed to administer it; or
 - (vi) is absent for more than 5 Committee meetings in a financial year.
14. **Calling Committee Meetings**
- (a) The Committee shall meet at least quarterly at such place and time as the Committee may determine.
 - (b) Additional meetings of the Committee may be convened by any Committee member. On the request of any Committee member, the Manager must call a Committee meeting.
 - (c) Honorary Life Members have the right to attend Committee meetings and receive all agenda papers and minutes upon request.

- (d) Notice of a Committee meeting must be given to each Committee member.
- (e) The notice must:
 - (i) specify the place, date and time of the meeting;
 - (ii) state the business to be transacted;
 - (iii) be given at least 48 hours before the time appointed for the holding of the meeting, unless all Committee members otherwise agree.
- (f) Non-receipt of notice of a meeting, or failure to give notice of a meeting to a Committee member, does not invalidate anything done at the meeting if:
 - (i) the failure was accidental;
 - (ii) the Committee member gives notice to the Society that he or she waives the notice or agrees to the thing done at the meeting; or
 - (iii) the Committee member attends the meeting.
- (g) Notice may be given to a Committee member:
 - (i) personally;
 - (ii) by ordinary prepaid post to the address in the register of Members or the last known address of the Committee member. Notice by post is deemed to be received at the time at which the letter would be delivered in the ordinary course of the post;
 - (iii) by email to the email address in the register of Members or the last known email address of the Committee member, if the Committee member has provided that email address to the Society for the purpose of receiving notices. Notice by email is deemed to be received if, at the conclusion of the transmission, the sender's electronic machine issues or retains a transmission report which indicates that the relevant email has been sent.

15. **Procedure of the Committee**

- (a) The quorum for a Committee meeting is 5 Committee members. The quorum must be present at all times during the meeting. If there are not enough Committee members in office to form a quorum, the Committee members may act only:
 - (i) to increase the number of Committee members to a quorum;
 - (ii) to call a general meeting; or
 - (iii) in an emergency.
- (b) The President may chair each Committee meeting.
- (c) If there is no President, or if the President is not present within 10 minutes after the time appointed for the meeting or is unable or unwilling to act, a Vice-President may chair the

Committee meeting. If there is no Vice-President, or if a Vice-President is not present within 10 minutes after the time appointed for the meeting or is unable or unwilling to act, the Committee members present must elect one of themselves to chair the meeting.

- (d) If the President is unable or unwilling to chair a part of the meeting, a Vice-President may chair that part. If there is no Vice-President, or a Vice-President is unable or unwilling to act, the Committee members present must elect one of themselves to chair that part.
- (e) Subject to the Act, each Committee member has one vote.
- (f) A resolution of the Committee members is passed by a majority of votes cast.
- (g) In the event of an equality of votes on any question, the Chairperson has a casting vote.
- (h) Subject to the Act, a Committee member who has a direct or indirect pecuniary interest in a contract, or proposed contract, with the Society:
 - (i) must, as soon as he or she becomes aware of his or her interest, disclose the nature and extent of his or her interest to the Committee;
 - (ii) must disclose the nature and extent of his or her interest in the contract at the next annual general meeting;
 - (iii) must not take part in any decision of the Committee with respect to that contract (but may, subject to complying with this clause, take part in any deliberations with respect to that contract).
- (i) The Committee may meet in person, by telephone, television conference or via electronic media.
- (j) Subject to this clause, the Committee may decide its own procedure.

16. Circulating Resolutions

- (a) The Committee may pass a resolution without a Committee meeting being held, if a majority of the Committee members entitled to vote on the resolution sign a document containing a statement that they are in favour of the resolution set out in the document.
- (b) Separate copies of a document may be used for signing by Committee members, if the wording of the resolution and statement is identical in each copy.
- (c) The resolution is passed when the last of the Committee members comprising that majority signs the said document.
- (d) Committee members may respond to the vote via email.
- (e) Passage of the resolution must be recorded in the Society's minute book.

17. Powers of Committee

- (a) The Committee alone manages and controls the affairs of the Society.

- (b) The affairs of the Society shall be managed and controlled exclusively by the Committee which in addition to any powers and authorities conferred by these Rules may exercise all such powers and do all such things as are within the objects of the Society, and are not by the Act or by these Rules required to be done by the Society in general meetings.
- (c) The Committee must appoint the Public Officer.
- (d) The Committee shall have the power to appoint such officers and employees as are required to carry out the Objects, including a Manager who shall be Public Officer as required by the Act.
- (e) The Committee may delegate any of its powers to any person or a sub-committee. The Committee may appoint the members of any sub-committee, which may comprise Committee members or others or both.
- (f) The Committee may revoke or vary that delegation.
- (g) A sub-committee or delegate must exercise the powers delegated subject to any directions of the Committee. The effect of the sub-committee or delegate exercising a power in this way is the same as if the Committee exercised it.
- (h) These Rules apply with the necessary changes to meetings of a sub-committee.

18. Register of Members

A register of members must be kept and contain:

- (a) the name and address of each member;
- (b) the date on which each member was admitted to the association; and
- (c) if applicable, the date and reason(s) for termination of membership.

19. Borrowing Powers

- (a) Subject to this rule the Society may borrow monies from banks or other financial institutions upon such terms and conditions as the Committee sees fit and may secure the repayment thereof by charging the property of the Society.
- (b) Subject to the Act the Society may invite and accept deposits of money from any person on such terms and conditions as may be determined by the Committee from time to time.

20. Indemnity to Committee Members

- (a) To the extent permitted by the Act, the Society:
 - (i) must indemnify each person who is or has been a Committee member of the Society out of the property and assets of the Society against any liability incurred by the person in their capacity as a Committee member of the Society except in situations caused by a Committee member's wilful misconduct;

- (ii) may pay a premium for a contract insuring a Committee member of the Society against that liability.
- (b) To the extent permitted by the Act, the Society may enter into an agreement or deed with a Committee member of the Society under which the Society must do all or any of the following:
 - (i) keep a set of the Society's books (including minute books) and allow the Committee member and the Committee member's advisers access to the books for any period agreed;
 - (ii) indemnify the Committee member against any liability incurred by the Committee member as a Committee member;
 - (iii) keep the Committee member insured for any period agreed in respect of any act or omission by the Committee member while a Committee member.

21. Minutes

- (a) The Society must cause minutes of all proceedings of general meetings and of Committee meetings to be kept and entered in books kept for that purpose; and cause those minutes to be:
 - (i) confirmed by the Committee present at a subsequent meeting; and
 - (ii) signed by the Chairperson of the meeting at which the proceedings took place or by the Chairperson of the meeting at which the minutes are confirmed.
- (b) A minute that is entered, confirmed and signed in accordance with this rule is, in the absence of proof to the contrary, to be accepted as proof of the proceedings to which the minute relates.
- (c) Where minutes have been entered, confirmed and signed in accordance with this rule, it is to be taken, in the absence of proof to the contrary, that:
 - (i) the meeting to which the minutes relate was held;
 - (ii) the proceedings that are recorded in the minutes occurred during the meeting; and
 - (iii) all appointments that are recorded in the minutes as having been made at the meeting were validly made.

22. By Laws

The Committee may make, alter and repeal by-laws for its own guidance.

23. Alteration of Rules

These Rules may at any general meeting of the Society by Special Resolution of the Members be altered (including an alteration to the name of the Society), amended, rescinded or replaced by substituted Rules. Such an alteration shall be registered with the Commission as required under the Act.

24. **Financial Year**

Each financial year of the Society commences on 1 July and ends on 30 June.

25. **Auditor**

The auditor appointed under sub-rule 10(h)(iii) shall hold office until the next annual general meeting and is eligible for reappointment.

26. **Common Seal**

- (a) The Society must have a common seal upon which its name and ABN appears in legible characters.
- (b) The common seal may be used only with the express authority of the Committee.
- (c) The affixing of the seal must be witnessed by any 2 Committee members and recorded in the minute book of the Society.

27. **Accounts**

The Society shall keep such accounting records as are necessary to correctly record and explain the financial position of the Society.

28. **Winding Up**

- (a) The Society may be wound up in accordance with the Act.
- (b) Subject to the Act, a Member is not liable to contribute towards the payment of the debts and liabilities of the Society or the costs, charges and expenses of a winding up of the Society.
- (c) On a winding up, any surplus assets (within the meaning of the Act) must be distributed to another non profit organisation which has similar objects and which has rules prohibiting the distribution of its assets and income to its members. That organisation may be chosen by the Committee or, if the Committee does not make that decision before the winding up, any court with jurisdiction.

29. **Surplus Assets**

If after a winding up there remains surplus assets once liabilities have extinguished, then those surplus assets will be distributed to an organisation(s) selected by the Society with similar objects as the Society and rules prohibiting the distribution of its assets and income to its members.

30. **Notice**

Notice may be given to the Society:

- (a) by giving the notice to the Manager in any way in which notice may be given to a Committee member;
- (b) by leaving the notice at the Society's offices;

- (c) by ordinary prepaid post to the Society's address. Notice by post is deemed to be received at the time at which the letter would be delivered in the ordinary course of the post;
- (d) by facsimile to the Society's facsimile number. Notice by facsimile is deemed to be received when, at the conclusion of the transmission, the sending facsimile machine issues a transmission report which indicates that the relevant number of pages comprised in the notice have been sent;
- (e) by email to the Society's email address. Notice by email is deemed to be received if, at the conclusion of the transmission, the sender's electronic machine issues or retains a transmission report which indicates that the relevant email has been sent.

ADELAIDE BENEVOLENT & STRANGERS'
FRIEND SOCIETY INCORPORATED

ABN: 30 410 812 417

FINANCIAL REPORT
FOR THE YEAR ENDED
30 JUNE 2018

ADELAIDE BENEVOLENT & STRANGERS'
FRIEND SOCIETY INCORPORATED

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**ADELAIDE BENEVOLENT & STRANGERS'
FRIEND SOCIETY INCORPORATED**

**STATEMENT OF COMPREHENSIVE INCOME
FOR THE YEAR ENDED 30 JUNE 2018**

| | Note | 2018 \$ | 2017 \$ |
|---|---------|------------------|------------------|
| INCOME | | | |
| Rents Received - General Fund | | 1,860,286 | 1,416,546 |
| Rents Received - Lady Kintore | | 146,539 | 141,297 |
| Donations & Subscriptions | | 2,890 | 1,078 |
| Dividends & Distributions Received | | 104,976 | 146,529 |
| Interest | | 217 | 8,998 |
| Grants | | 28,250 | 15,000 |
| NRAS/Government Incentives | | 862,866 | 854,395 |
| Other income | | 13,429 | 10,551 |
| Legacies & Bequests | | 342 | 306 |
| Net (Loss) Profit on Sale of Investments | | 63,551 | 82,576 |
| TOTAL INCOME | | 3,083,346 | 2,677,277 |
| EXPENSES | | | |
| Property rates & insurance | | 278,093 | 201,959 |
| Repairs & maintenance | | 361,981 | 165,959 |
| Salaries and Entitlements | | 419,677 | 387,338 |
| Motor Vehicle running expenses | | 3,429 | 3,026 |
| Motor Vehicle depreciation | | 1,919 | 2,576 |
| Depreciation on Office Equipment | | 13,645 | 14,246 |
| Other office expenses | | 78,928 | 66,364 |
| Financial assistance | | 48,359 | 49,700 |
| Consultancies | | 40,451 | 80,099 |
| Interest Expense | | 478,849 | 136,495 |
| TOTAL EXPENSES | | 1,725,331 | 1,107,761 |
| OPERATING SURPLUS | | 1,358,015 | 1,569,516 |
| Surplus on revaluation of investment properties | 1(f), 4 | - | 3,614,997 |
| OPERATING SURPLUS INCLUDING REVALUATION | | 1,358,015 | 5,184,513 |
| OTHER COMPREHENSIVE INCOME | | | |
| Revaluation of General Property | 1(e), 4 | - | 750,632 |
| TOTAL SUPLUS | | 1,358,015 | 5,935,145 |

The accompanying notes form part of these financial statements.

**ADELAIDE BENEVOLENT & STRANGERS'
FRIEND SOCIETY INCORPORATED**

**STATEMENT OF FINANCIAL POSITION
AS AT 30 JUNE 2018**

| | Note | 2018 \$ | 2017 \$ |
|--|------|---------------------------------------|---------------------------------------|
| CURRENT ASSETS | | | |
| Cash on Hand | | 400 | 400 |
| Cash at Bank | | 209,758 | (115,191) |
| Imputation Credits Receivable | | 50,753 | 63,769 |
| Trade & Other Receivables | 1(i) | 4,272 | 699,374 |
| TOTAL CURRENT ASSETS | | 265,183 | 752,024 |
| NON CURRENT ASSETS | | | |
| Investments - General | 3 | 1,255,159 | 1,306,022 |
| Property - General Elder Hall - City Office | 4 | 874,000 | 874,000 |
| Property - Investment General Lady Kintore | 4 | 38,153,470 4,240,800 42,394,270 | 38,149,649 4,240,800 42,390,449 |
| Properties at Cost - Lady Kintore Fund | | - | - |
| Properties at Valuation - Lady Kintore Fund | | - | - |
| Motor Vehicles & Office Equipment | 5 | 23,073 | 38,638 |
| TOTAL NON CURRENT ASSETS | | 44,546,502 | 44,609,109 |
| TOTAL ASSETS | | 44,811,685 | 45,361,134 |

**ADELAIDE BENEVOLENT & STRANGERS'
FRIEND SOCIETY INCORPORATED**

**STATEMENT OF FINANCIAL POSITION
AS AT 30 JUNE 2018**

| | Note | 2018 \$ | 2017 \$ |
|--------------------------------------|------|-------------------|-------------------|
| CURRENT LIABILITIES | | | |
| Creditors & Accruals | | 42,976 | 29,768 |
| Financial Liabilities | 6 | 2,000,199 | 1,920,000 |
| Employee Entitlements | | 44,944 | 45,813 |
| TOTAL CURRENT LIABILITIES | | 2,088,119 | 13,575,582 |
| NON CURRENT LIABILITIES | | | |
| Financial Liabilities | 6 | 9,580,000 | 11,580,000 |
| Affordable Housing Innovations Grant | 1(g) | 5,192,691 | 5,192,691 |
| TOTAL NON CURRENT LIABILITIES | | 14,772,691 | 5,192,691 |
| TOTAL LIABILITIES | | 16,860,810 | 18,768,273 |
| NET ASSETS | | | |
| | | 27,950,876 | 26,592,861 |
| Representing: | | | |
| EQUITY - SOCIETY FUNDS | | | |
| General Funds | 7 | 20,085,381 | 18,627,819 |
| Lady Kintore Funds | 7 | 2,060,838 | 1,961,675 |
| Asset Revaluation Reserve | 7 | 5,804,657 | 5,804,657 |
| Sinking Fund Reserve | | - | 198,710 |
| TOTAL FUNDS | | 27,950,876 | 26,592,861 |

ADELAIDE BENEVOLENT & STRANGERS'
FRIEND SOCIETY INCORPORATED

STATEMENT OF CHANGES IN EQUITY
FOR THE YEAR ENDED 30 JUNE 2018

| | General Funds | Lady Kintore Funds | Asset Revaluation Reserve | Sinking Fund Reserve | Total Equity |
|---|-------------------|--------------------|---------------------------|----------------------|-------------------|
| Note | \$ | \$ | \$ | \$ | \$ |
| Balance as at 1 July 2016 | 13,585,662 | 1,819,319 | 5,054,025 | | 20,459,006 |
| Profit for the year | 5,184,513 | | | | 5,184,513 |
| Property Revaluation | | | 750,632 | | 750,632 |
| Transfer to/from Lady Kintore Funds | (142,356) | 142,356 | | | |
| Establishment of Sinking Fund | | | | 198,710 | 198,710 |
| Closing balance as at 30 June 2017 | <u>18,627,819</u> | <u>1,961,675</u> | <u>5,804,657</u> | <u>198,710</u> | <u>26,592,861</u> |
| Profit for the year | 1,358,015 | | | | 1,358,015 |
| Transfer to/from Lady Kintore Funds | (99,162) | 99,162 | | | |
| Transfer of Sinking Fund to General Funds | 198,710 | | | (198,710) | |
| Closing balance as at 30 June 2018 | <u>20,085,382</u> | <u>2,060,837</u> | <u>5,804,657</u> | <u>-</u> | <u>27,950,876</u> |

**ADELAIDE BENEVOLENT & STRANGERS'
FRIEND SOCIETY INC**

**STATEMENT OF CASH FLOW
FOR THE YEAR ENDED 30 JUNE 2018**

| | 2018 | 2017 |
|---|--------------------|---------------------|
| | \$ | \$ |
| Cash Flow from Operating Activities | | |
| Receipts from customers | 3,606,082 | 2,429,709 |
| Payments to suppliers and employees | (1,201,662) | (931,034) |
| Interest Paid | (478,849) | (136,495) |
| Interest Received | 217 | 8,998 |
| Net Cash Flows from Operating Activities | 1,925,788 | 1,371,178 |
| Cash Flow from Investing Activities | | |
| Purchase of property, plant and equipment | (3,819) | (13,809,814) |
| Net proceeds from sales/purchases of investments | 114,331 | 707,958 |
| Dividends and imputation credits received | 104,976 | 146,529 |
| Net Cash Flows from Investing Activities | 215,488 | (12,955,327) |
| Cash Flow from Financing Activities | | |
| Proceeds from borrowings | - | 13,500,000 |
| Repayment of Loan | (1,920,000) | (2,280,000) |
| Net Cash Flows from Financing Activities | (1,920,000) | 11,220,000 |
| Net increase/(decrease) in cash and cash equivalents | 221,276 | (364,149) |
| Cash and cash equivalents at the beginning of the period | (11,119) | 353,031 |
| Cash at the End of the period | 210,157 | (11,119) |

**ADELAIDE BENEVOLENT & STRANGERS'
FRIEND SOCIETY INCORPORATED**

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2018**

1 Summary of Significant Accounting Policies

The financial report is a special purpose financial report prepared to meet the specific needs of members of Adelaide Benevolent & Strangers' Friend Society Incorporated. The Committee has determined that the Association is not a reporting entity.

The financial report has been prepared in accordance with the requirements of the Associations Incorporation Act (SA) 1985 and the requirements of section 60.40 of the Australian Charities and Not-for-profits Commission Regulation 2013 (ACNC Regulation).

These financial statements have also been prepared in accordance with the recognition of and measurement requirement specified by the Australian Accounting Standards and Interpretations and the disclosure requirements of AASB 101 Presentation of Financial Statements, AASB 107 Statement of Cash Flows, AASB 108 Accounting Policies, Changes in Accounting Estimates and Errors and AASB 1054 Australian Additional Disclosures.

The financial report has been prepared on an accrual basis and is based on historic cost and does not take into account changing money values or, except where specifically stated, current valuations of non current assets.

The following material accounting policies, which are consistent with the previous period unless otherwise stated, have been adopted in the preparation of this financial report:

(a) Income Tax

The Society is a public benevolent institution which is exempt from income tax.

(b) Goods and Services Tax

The Society is registered for Goods and Services Tax. Revenues, expenses and assets are recognised net of the amount of goods and services tax (GST), except where the amount of GST incurred is not recoverable from the taxation authority, it is recognised as part of the cost of acquisition of an asset or as part of an item of expense or for receivables and payables which are recognised inclusive of GST.

(c) Grants

Government Grants have been brought to account on an accrual basis.

(d) Employee Entitlements

Provision is made for the Society's liability for employee entitlements arising from services rendered by employees to balance date. Employee entitlements expected to be settled within one year together with entitlements arising from wages, salaries and annual leave which will be settled after one year, have been measured at their nominal amount. Contributions made by the Society to employee superannuation funds are charged as expenses when incurred.

ADELAIDE BENEVOLENT & STRANGERS'
FRIEND SOCIETY INCORPORATED
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2018

1 Summary of Significant Accounting Policies (cont.)

(e) General Property

Freehold land and buildings consists of the Elder Hall property owned by the Society and used as its office. Valuations are carried out whenever the Board believes that there has been a material change in the value of the property. An independent valuation of the property was undertaken in June 2017 by Herron Todd White. Directors determined to apply a valuation based on this information. The amount of the revaluation was taken to the Asset Revaluation Reserve. The revaluation does not take into account any Capital Gains Tax as the Society is exempt from such tax.

The Board is of the opinion that given that this property is heritage listed, it is well maintained and given its expected long life and current value, that no building depreciation need be recognised.

(f) Investment Property

Investment properties represent the properties owned by the Society and used for the purpose of providing accommodation and generating rental income. Initially investment properties are recognised at cost and subsequently at fair value which is assessed by Directors annually. Gains or losses arising from changes in fair value of these investment properties are included in the Statement of Comprehensive Income.

An independent valuation of these properties was undertaken in June 2017 by Herron Todd White. Directors determined to apply a valuation based on this information.

The Board undertakes an assessment of the reasonableness of the carrying values of investment properties annually with formal valuations at least every five years, depending on market conditions. The Directors have considered the valuations this year and resolved they are reasonable.

The revaluations do not take into account Capital Gains Tax as the Society is exempt from such tax. Certain Properties owned by the Society are also subject to the Retirement Villages Act 2016.

(g) Affordable Housing Innovation Grant

The Society has received funding from the Affordable Housing Innovation scheme of \$5,192,691. This amount was received as follows:

| | |
|------|------------------------|
| 2013 | 1,502,739.00 |
| 2011 | 1,392,600.00 |
| 2010 | 1,148,676.00 |
| 2009 | 1,148,676.00 |
| | <u>\$ 5,192,691.00</u> |

Under the terms of the agreement the total amounts received by the Society may be required to be repaid if the agreement is cancelled within thirty (30) years. The committee has resolved to record the funds received under this agreement as non current liabilities and record the grant as income over the final ten (10) years of the agreement term.

(h) Other Grants Received

National Rental Affordability Scheme (NRAS) incentives are paid in arrears when Commonwealth conditions for the funding are met by the Society during the previous financial year. NRAS grants are accrued based on The Society's assessment of the amount payable.

(i) Trade and Other Receivables

Trade and other Receivables may include monies accrued and receivable for NRAS.

(j) Lady Kintore Fund

The Society holds funds pursuant to the 'Lady Kintore Cottages Act 1920'. These funds are to be used only for the purposes set down in Clause 3 of that Act.

**ADELAIDE BENEVOLENT & STRANGERS'
FRIEND SOCIETY INCORPORATED**
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2018

| | | | | |
|---|-----------------|------------|-------------|-----------------|
| (k) Shares in Listed Companies | | | | |
| Listed investments are carried at cost after making adjustment for any permanent impairment in value. The Society is a long term investor and the committee do not necessarily accept that current traded market values evidence a permanent impairment in value. | | | | |
| 2 Auditor's Remuneration | | | | |
| During the year the auditor received the following remuneration: | | | | |
| Audit Fee | | 2018 \$ | 2017 \$ | |
| | | 7,426 | 7,182 | |
| 3 Investments - General | | | | |
| | Note | 2018 \$ | 2017 \$ | |
| Shares in Listed Companies | 1(k) | 1,255,159 | 1,306,022 | |
| The market value of shares at 30 June 2018 was: \$1,414,969.49 (2017: \$1,491,746.19). | | | | |
| 4 Properties 2017-18 | | | | |
| General Property (Morialta Street) | Opening Balance | Additions | Revaluation | Closing Balance |
| Land | 643,150 | - | | |
| Buildings | 230,850 | | | |
| Total | 874,000 | | | 874,000 |
| Properties - Investment | 42,390,451 | 3,819 | | 42,394,270 |
| | 43,264,451 | 3,819 | - | 43,268,270 |
| Properties 2016-17 | | | | |
| General Property (Morialta Street) | Opening Balance | Additions | Revaluation | Closing Balance |
| Land | 123,368 | - | 552,367 | |
| Buildings | | | 198,265 | |
| Total | | | | 874,000 |
| Properties - Investment | 24,765,449 | 14,010,005 | 3,614,997 | 42,390,451 |
| | 24,888,817 | 14,010,005 | 4,365,629 | 43,264,451 |
| 5 Motor Vehicles & Office Equipment | | | | |
| Motor Vehicles | | | | |
| Opening Balance | | 7,527 | | 10,103 |
| Additions/Disposals | | | | - |
| Depreciation | | (1,919) | | (2,576) |
| Closing Balance | | 5,608 | | 7,527 |
| Office Equipment | | | | |
| Opening Balance | | 31,111 | | 44,260 |
| Additions | | | | 1,097 |
| Disposals | | | | - |
| Depreciation | | (13,646) | | (14,246) |
| Closing Balance | | 17,465 | | 31,111 |
| Total Motor Vehicles & Office | | 23,073 | | 38,637 |

**ADELAIDE BENEVOLENT & STRANGERS'
FRIEND SOCIETY INCORPORATED**
**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2018**

| | 2018 \$ | 2017 \$ |
|--------------------------------|-------------------|-------------------|
| 6 Financial Liabilities | | |
| Secured Liabilities: | | |
| Flexible Rate Loan | | |
| Current | 2,000,000 | 1,920,000 |
| Non Current | 9,580,000 | 11,580,000 |
| Credit Card Balance | 199 | |
| | <u>11,580,199</u> | <u>13,500,000</u> |

The Flexible Rate Loan with Westpac is secured by a registered mortgage over certain properties owned by the Society. The loan was drawn in June 2017, with a three year term at market variable interest rate currently around 4%. The total available loan is \$13,500,000. The loan facility has a number of covenants, including a requirement to maintain 1.5x interest cover ratio.

| | 2018 \$ | 2017 \$ |
|---|-------------------|-------------------|
| 7 Equity - Society Funds | | |
| <u>General Funds</u> | | |
| Opening Balance | 18,627,819 | 13,585,662 |
| Operating Surplus | 1,358,015 | 5,184,513 |
| Transfer to Lady Kintore Funds | (99,163) | (142,356) |
| Transfer from Sinking Fund | 198,710 | |
| Closing Balance | <u>20,085,381</u> | <u>18,627,819</u> |
| <u>Lady Kintore Funds</u> | | |
| Opening Balance | 1,961,675 | 1,819,319 |
| Transfer from General Funds | 99,163 | 142,356 |
| Closing Balance | <u>2,060,838</u> | <u>1,961,675</u> |
| <u>Asset Revaluation Reserve</u> | | |
| Opening Balance | 5,804,657 | 5,054,025 |
| Revaluation of Properties | - | 750,632 |
| Closing Balance | <u>5,804,657</u> | <u>5,804,657</u> |
| <u>Sinking Fund Reserve</u> | | |
| Opening Balance | 198,710 | - |
| Establishment of Sinking Fund | - | 198,710 |
| Transfer of Sinking Fund to General Funds | (198,710) | |
| Closing Balance | <u>-</u> | <u>198,710</u> |
| Total Society Funds | <u>27,950,876</u> | <u>26,592,861</u> |

8 Capital / Future Commitments
Commitments Outstanding as at 30th June:

9 Post Balance Date Events
Nil

10 Related Party Transactions

During the year the Society engaged Cowell Clarke for legal services. The fees paid to Cowell Clarke were \$10,337.05 including GST. Vice President Mr Rob Kennett is currently a partner of Cowell Clarke. There are no significant other related party transactions in the current year.

**ADELAIDE BENEVOLENT & STRANGERS'
FRIEND SOCIETY INCORPORATED**

**REPORT OF THE MEMBERS OF THE COMMITTEE
FOR THE YEAR ENDED 30 JUNE 2018**

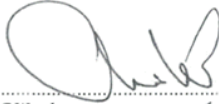
In accordance with Section 35 (5) of the Associations Incorporations Act, 1985, the committee of the Adelaide Benevolent and Strangers' Friend Society Inc. hereby states that during the year ended 30 June 2018:

- 1) no officer of the association;
- 2) no firm of which an officer is a member, and
- 3) no body corporate in which an officer has a substantial financial interest,

has received or become entitled to receive a benefit as a result of a contract between the officer, firm or body corporate and the association except as detailed in Note 10 of the financial statements.

This report is made in accordance with a resolution of the committee and signed by two members of the committee.


P B Roberts
President


C Wood
Hon. Treasurer

Date 2 NOVEMBER 2018

Date 2 NOVEMBER 2018

ADELAIDE BENEVOLENT & STRANGERS'
FRIEND SOCIETY INCORPORATED


STATEMENT BY MEMBERS OF THE COMMITTEE
FOR THE YEAR ENDED 30 JUNE 2018

The members of the committee declare that in the members of the committee's opinion:

- There are reasonable grounds to believe that the registered entity is able to pay all of its debts, as and when they become due and payable;
- The statements attached to this certificate give a true and fair view of the financial position and performance of Adelaide Benevolent & Strangers' Friend Society Incorporated (Non-reporting) during and at the end of the financial year of the association ending on 30 June 2018; and
- the financial statements and notes satisfy the requirements of the *Associations Incorporations Act (SA) 1985* and *Australian Charities and Not-for-profits Commission Act 2012*.

Signed in accordance with subsection 60.15(2) of the *Australian Charities and Not-for-profit Commission Regulation 2013*.


P B Roberts
President


C Wood
Hon. Treasurer

Date 2 NOVEMBER 2018

Date 2 NOVEMBER 2018



AUDITOR'S INDEPENDENCE DECLARATION

We declare that, to the best of our knowledge and belief, there have been no contraventions of any applicable code of professional conduct in relation to the audit of the financial report of The Adelaide Benevolent and Stranger's Friend Society for the year ended 30 June 2018.

HLB Mann Judd
HLB Mann Judd Audit (SA) Pty Ltd
Chartered Accountants

C. McGowan
Corey McGowan
Director

Adelaide, South Australia
2 November 2018

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Chartered Accountants

**Independent Auditor's Report
To the Members of The Adelaide Benevolent and Stranger's Friend Society**

REPORT ON THE AUDIT OF THE FINANCIAL REPORT

Opinion

We have audited the financial report of The Adelaide Benevolent and Stranger's Friend Society ("the Association"), which comprises the statement of financial position as at 30 June 2018, the statement of comprehensive income, the statement of changes in equity and the statement of cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies, and the statement by the Members of the Committee.

In our opinion, the accompanying financial report of the Association is in accordance with Division 60 of the *Australian Charities and Not-for-profits Commission Act 2012* and the *Associations Incorporation Act 1985 (SA)*, including:

- a) giving a true and fair view of the Association's financial position as at 30 June 2018 and of its financial performance and cash flows for the year then ended; and
- b) complying with Australian Accounting Standards to the extent described in Note 1 and Division 60 of the *Australian Charities and Not-for-profits Commission Regulation 2013*.

Basis for Opinion

We conducted our audit in accordance with Australian Auditing Standards. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Report* section of our report. We are independent of the Association in accordance with the auditor independence requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants* ("the Code") that are relevant to our audit of the financial report in Australia. We have also fulfilled our other ethical responsibilities in accordance with the Code.

We confirm that the independence declaration required by Division 60 of the *Australian Charities and Not-for-profits Commission Act 2012*, which has been given to Members of the Committee, would be in the same terms if given as at the time of this auditor's report.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Emphasis of Matter – Basis of Accounting

We draw attention to Note 1 to the financial report, which describes the basis of accounting. The financial report has been prepared for the purpose of fulfilling the financial reporting responsibilities under the *Australian Charities and Not-for-profits Commission Act 2012* and the *Associations Incorporation Act 1985 (SA)*. As a result, the financial report may not be suitable for another purpose. Our opinion is not modified in respect of this matter.

Responsibilities of Management and Members of the Committee for the Financial Report

Management is responsible for the preparation of the special purpose financial report that gives a true and fair view in accordance with the relevant Australian Accounting Standards in accordance with the *Australian Charities and Not-for Profits Commission Regulations 2013* and the *Australian Charities and Not-for-profits Commission Act 2012* and the *Associations Incorporation Act 1985 (SA)* and for such internal control as management determines is necessary to enable the preparation of the financial report that is free from material misstatement, whether due to fraud or error.

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Chartered Accountants

In preparing the special purpose financial report, management is responsible for assessing the Association's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intend to liquidate the Association or to cease operations, or have no realistic alternative but to do so.

Members of the Committee are responsible for overseeing the Association's financial reporting process.

Auditor's Responsibilities for the Audit of the Financial Report

Our objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.

As part of an audit in accordance with the Australian Auditing Standards, we exercise professional judgement and maintain professional scepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Association's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of the management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Association's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Association to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.

We communicate with Members of the Committee regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

We also provide the Members of the Committee with a statement that we have complied with relevant ethical requirements regarding independence, and to communicate with them all relationships and other matters that may reasonably be thought to bear on our independence, and where applicable, related safeguards.


HLB Mann Judd Audit (SA) Pty Ltd
Chartered Accountants


Corey McGowan
Director

Adelaide, South Australia
2 November 2018

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5.7 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 8 July 2019 to consider 12 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.

Five (5) recommendations of the Committee, including one (1) other business item requiring ratification of Council are provided in this report together with information regarding those decisions for which the Committee has delegated authority. The corresponding Executive Summary of each report to the Committee is also provided as a prompt.

The Council may wish to adopt the Committee recommendations by way of a single resolution, having given due consideration to each matter, OR, Elected Members may identify individual item/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

That Council adopt the recommendations of the Sport, Recreation and Grants Committee meeting on 8 July 2019, contained in the report to Council (Item No. 5.7 on the agenda for the Council meeting held on 22 July 2019), and listed below:

7.0.1 Future Reports for the Sport, Recreation and Grants Committee

1. The information be received.

7.2.1 Youth Sponsorship Applications - June 2019

1. The information be received.

7.2.3 Community Grants Program Applications for July 2019

1. The information be received and noted.

7.2.4 08/2019: The Royal Life Saving Society Australia, South Australia Branch Inc. - Community Grants Program Application

1. The information be received and noted.

SRG-OB1: Defibrillators for Local Clubs – SA Government Initiative

1. That staff amend the existing Community Grants Terms of Reference to reflect the South Australian Government's initiative of providing free defibrillators to sporting clubs and advise local clubs to apply to the Department of Recreation and Sport in the first instance. If the club is unsuccessful then it may apply for a City of Salisbury Community Grant.

OR

That Council adopt the recommendations of the Sport Recreation and Grants Committee meeting on 8 July 2019, contained in the report to Council (Item No. 5.7 on the agenda for the Council meeting held on 22 July 2019), and listed below, with the exception of Item(s):

and

which was/were withdrawn to 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><u>Item No. 7.0.1</u> 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: 1. The information be received.</p> |
| <p><u>Item No. 7.2.1</u> Youth Sponsorship Applications - June 2019</p> | <p>EXECUTIVE SUMMARY: This report provides information with respect to all Youth Sponsorship grants approved for June 2019.</p> <p>COMMITTEE RECOMMENDATION: 1. The information be received.</p> |
| <p><u>Item No. 7.2.3</u> Community Grants Program Applications for July 2019</p> | <p>EXECUTIVE SUMMARY: This report outlines the Community Grants Program Applications submitted for the July 2019 round. Seven applications are submitted for consideration by the Sport, Recreation and Grants Committee in an individual report. One application is submitted for information.</p> <p>COMMITTEE RECOMMENDATION: 1. The information be received and noted.</p> |
| <p><u>Item No. 7.2.4</u> 08/2019: The Royal Life Saving Society Australia, South Australia Branch Inc. - Community Grants Program Application</p> | <p>EXECUTIVE SUMMARY: The Royal Life Saving Society Australia, South Australia Branch Inc. Application is submitted for information.</p> <p>COMMITTEE RECOMMENDATION: 1. The information be received and noted.</p> |

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| <p><u>Item No. SRG-OB1</u> Defibrillators for Local Clubs – SA Government Initiative</p> | <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. That staff amend the existing Community Grants Terms of Reference to reflect the South Australian Government’s initiative of providing free defibrillators to sporting clubs and advise local clubs to apply to the Department of Recreation and Sport in the first instance. If the club is unsuccessful then it may apply for a City of Salisbury Community Grant. |
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2. COMMITTEE DECISIONS MADE UNDER DELEGATED AUTHORITY - FOR COUNCIL INFORMATION

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| <p><u>Item No. 7.2.2</u> Minor Capital Works Grant Program - Northern Districts Cricket Club Application</p> | <p>EXECUTIVE SUMMARY:</p> <p>An eligible application for the Minor Capital Works Grant Program has been received from the Northern Districts Cricket Club to upgrade of four (4) turf and six (6) hard wicket practice nets at Salisbury Oval and is presented for assessment.</p> <p>COMMITTEE DECISION:</p> <ol style="list-style-type: none"> 1. The report be received. 2. In accordance with delegated powers set out in the endorsed Terms of Reference, the Sport, Recreation and Grants Committee allocate funding from the 2019/20 Minor Capital Works Grant Program budget as follows: <ol style="list-style-type: none"> a. The Northern Districts Cricket Club: an amount of \$50,000 for the upgrade of four (4) turf and six (6) hard wicket practice nets at Salisbury Oval, noting that any additional costs are to be funded by the Northern Districts Cricket Club or external grant programs, as per the funding agreement. |
| <p><u>Item No. 7.2.5</u> 10/2019: Greek Pensioners Society of Salisbury & Suburbs Inc. - Community Grants Program Application</p> | <p>EXECUTIVE SUMMARY:</p> <p>The Greek Pensioners Society of Salisbury & Suburbs Inc. Application is submitted to the Sport, Recreation and Grants Committee for consideration.</p> <p>COMMITTEE DECISION:</p> <ol style="list-style-type: none"> 1. 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 2019 round of Community Grants as follows: <ol style="list-style-type: none"> a. 10/2019: Greek Pensioners Society of Salisbury & Suburbs Inc. be awarded the amount of \$1,370.00 to assist with the purchase of Storage Cabinets and Floor Covering for ongoing use as outlined in the Community Grant Application and additional information. |

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| <p><u>Item No. 7.2.6</u> 11/2019: The Association of Australian Tertiary Students from Afghanistan Inc. - Community Grants Program Application</p> | <p>EXECUTIVE SUMMARY: The Association of Australian Tertiary Students from Afghanistan Inc. Application is submitted to the Sport, Recreation and Grants Committee for consideration.</p> <p>COMMITTEE DECISION:</p> <ol style="list-style-type: none"> 1. 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 2019 round of Community Grants as follows: <ol style="list-style-type: none"> a. 11/2019: The Association of Australian Tertiary Students from Afghanistan Inc. be awarded the amount of \$2,500.00 to assist with the purchase of venue hire, stationery, flyers, printing, catering, sewing machines, needles and threads for the Afghan Women’s Social Group as outlined in the Community Grant Application and additional information. |
| <p><u>Item No. 7.2.7</u> 12/2019: Tyndale Christian School Inc. - Community Grants Program Application</p> | <p>EXECUTIVE SUMMARY: The Tyndale Christian School Inc. Application is submitted to the Sport, Recreation and Grants Committee for consideration.</p> <p>COMMITTEE DECISION:</p> <ol style="list-style-type: none"> 1. 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 2019 round of Community Grants as follows: <ol style="list-style-type: none"> a. 12/2019: Tyndale Christian School Inc. be awarded the amount of \$2,000.00 to assist with the purchase of LED candles for the 2019 Tyndale Community Carols event as outlined in the Community Grant Application and additional information. |
| <p><u>Item No. 7.2.8</u> 13/2019: Valley View Tennis Club Inc. - Community Grants Program Application</p> | <p>EXECUTIVE SUMMARY: The Valley View Tennis Club Inc. Application is submitted to the Sport, Recreation and Grants Committee for consideration.</p> <p>COMMITTEE DECISION:</p> <ol style="list-style-type: none"> 1. 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 2019 round of Community Grants as follows: <ol style="list-style-type: none"> a. 13/2019: Valley View Tennis Club Inc. be awarded the amount of \$2,180.00 to assist with the purchase of a PA System, Scoreboards and Tennis Nets for ongoing use as outlined in the Community Grant Application and additional information. |

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| <p><u>Item No. 7.2.9</u> 14/2019: Punya Foundation Inc. - Community Grants Program Application</p> | <p>EXECUTIVE SUMMARY: The Punya Foundation Inc. Application is submitted to the Sport, Recreation and Grants Committee for consideration.</p> <p>COMMITTEE DECISION:</p> <ol style="list-style-type: none"> 1. 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 June 2019 round of Community Grants as follows: <ol style="list-style-type: none"> a. 14/2019: Punya Foundation Inc. be awarded the amount of \$3,580.00 to assist with the purchase of promotional material, sound hire, hall hire (exclusive of bond), material, catering and certificates for the 2019 Community Engagement and Spirituality through DURGA PUJA event as outlined in the Community Grant Application and additional information. |
| <p><u>Item No. 7.2.10</u> 15/2019: Salisbury West Sports Club Inc. - Community Grants Program Application</p> | <p>EXECUTIVE SUMMARY: The Salisbury West Sports Club Inc. Application is submitted to the Sport, Recreation and Grants Committee for consideration.</p> <p>COMMITTEE DECISION:</p> <ol style="list-style-type: none"> 1. 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 2019 round of Community Grants as follows: <ol style="list-style-type: none"> a. 15/2019: Salisbury West Sports Club Inc. be awarded the amount of \$2,000.00 to assist with the purchase of a Defibrillator for ongoing use as outlined in the Community Grant Application and additional information. |
| <p><u>Item No. 7.2.11</u> 16/2019: Mawson Lakes Golf Club Inc. - Community Grants Program Application</p> | <p>EXECUTIVE SUMMARY: The Mawson Lakes Golf Club Inc. Application is submitted to the Sport, Recreation and Grants Committee for consideration.</p> <p>COMMITTEE DECISION:</p> <ol style="list-style-type: none"> 1. 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 2019 round of Community Grants as follows: <ol style="list-style-type: none"> a. 16/2019: Mawson Lakes Golf Club Inc. be awarded the amount of \$5,000.00 to assist with the purchase of a Closed Circuit Television System for ongoing use as outlined in the Community Grant Application. |

CO-ORDINATION

Officer: A/MG
Date:

5.8 CEO Review Committee: Recommendations for Council Ratification

AUTHOR Joy Rowett, Governance Coordinator, CEO and Governance

APPROVING OFFICER Chief Executive Officer

SUMMARY

The CEO Review Committee met on 9 July 2019 and considered 4 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.

Three (3) 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. One (1) recommendation, presented to the CEO Review 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 item/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

That Council adopt the recommendations of the CEO Review Committee meeting on 9 July 2019, contained in the report to Council (Item No. 5.8 on the agenda for the Council meeting held on 22 July 2019), and listed below:

8.1.1 Future Reports for the CEO Review Committee

1. The information be received

8.1.2 CEO Personal Evaluation System 2018/2019

1. It be acknowledged that the CEO has, to the satisfaction of CEO Review Committee:
 - delivered the requirements of his position;
 - successfully achieved 2018/19 Key Performance Indicators;
 - for the eighth 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 5 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.

8.1.3 Annual Review of CEO Total Remuneration 2018/2019

1. The Committee recognises the consistently high performance of the Chief Executive Officer and the performance rating for 2018/19 of Rating 5 (CEO's performance exceeded expectations).
2. The Committee also recognises the Council and Community economic and social environment within which it operates, the low wage growth environment and CPI of 1.3%.

3. 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 1.3% increase to apply from the 2019 anniversary of the CEO Commencement Date (effective 9 May 2019)

OR

That Council adopt the recommendations of the CEO Review Committee meeting on 9 July 2019, contained in the report to Council (Item No. 5.8 on the agenda for the Council meeting held on 22 July 2019), and listed below, with the exception 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

| <u>COMMITTEE AGENDA ITEM NO. and TITLE</u> | <u>EXECUTIVE SUMMARY AND COMMITTEE RESOLUTION RECOMMENDED TO COUNCIL</u> |
|--|--|
| <p><u>Item No. 8.1.1</u> Future Reports for the CEO Review Committee</p> | <p>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: 1. The information be received</p> |
| <p><u>Item No. 8.1.2</u> CEO Personal Evaluation System 2018/2019</p> | <p>SUMMARY: This report provides details of the CEO Personal Evaluation System for 2018/2019.</p> <p>COMMITTEE RECOMMENDATIONS: 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 2018/19 Key Performance Indicators; • for the eighth 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 5 as a result of the assessment of CEO Performance according to the Personal Evaluation System. </p> <p>2. The CEO Position Description as set out in Attachment 2 to this Report, remains unchanged.</p> |

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|--|---|
| <p><u>Item No. 8.1.3</u> Annual Review of CEO Total Remuneration 2018/2019</p> | <p>SUMMARY: This report provides details and timing of the CEO Annual Performance Review Process for 2018/2019.</p> <p>COMMITTEE RECOMMENDATIONS:</p> <ol style="list-style-type: none"> 1. The Committee recognises the consistently high performance of the Chief Executive Officer and the performance rating for 2018/19 of Rating 5 (CEO's performance exceeded expectations). 2. The Committee also recognises the Council and Community economic and social environment within which it operates, the low wage growth environment and CPI of 1.3%. 3. 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 1.3% increase to apply from the 2019 anniversary of the CEO Commencement Date (effective 9 May 2019) |
|--|---|

CO-ORDINATION

Officer:

A/MG

Date:

ITEM 6: GENERAL BUSINESS REPORTS

6.1 South Australia Productivity Commission – City of Salisbury Submission

| | |
|------------------------|---|
| AUTHOR | Janet Crook, Risk & Governance Program Manager, CEO and Governance |
| CITY PLAN LINKS | 4.2 Develop strong capability and commitment to continually improve Council’s performance. |
| SUMMARY | The South Australian Productivity Commission is performing an inquiry into local government costs and efficiency. A Methodology Paper has been prepared by the Commission for consultation. A submission on the Methodology Paper has been prepared by City of Salisbury and is provided to Council for approval. |

RECOMMENDATION

1. The submission as set out in Attachment 1 to this report (Item No. 6.1, Council, 22/07/2019) be approved.
2. The submission be provided to the South Australian Productivity Commission.

ATTACHMENTS

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

1. City of Salisbury submission to the South Australian Productivity Commission Inquiry into Local Government

1. BACKGROUND

- 1.1 The South Australian Productivity Commission (“the Commission”) is performing an inquiry into local government costs and efficiency, which is designed to examine trends in local government costs and the drivers of these costs as well as developing and analysing measures of efficiency.
- 1.2 This inquiry comes after an attempt by the State Government to introduce rate capping, which did not pass through Parliament.
- 1.3 A Methodology Paper dated 31 May 2019 was prepared by the Commission and sets out the Commission’s initial research into local government costs and efficiency, the information requested, the purpose and objectives of the inquiry, and the inquiry process. A copy of the Methodology Paper can be found at https://www.sapc.sa.gov.au/_data/assets/pdf_file/0004/94468/Local-Government-Inquiry-Methodology-Paper.pdf
- 1.4 The Commission invited submissions on the methodology paper by 12 July 2019.
- 1.5 The Commission is scheduled to provide its final report by 22 November 2019.

2. CONSULTATION / COMMUNICATION

- 2.1 Internal
 - 2.1.1 General Manager Business Excellence

3. REPORT

- 3.1 The Administration has prepared a submission in response to the Methodology Paper. The submission appears as Attachment 1 to this report.
- 3.2 A confidential draft of the submission was sent to the Commission on Friday 12 July 2019, in order to meet the imposed deadline. The confidential draft was provided on the basis that Council will be asked to consider and approve the submission at its meeting on 22 July 2019. Following that approval, a final copy will be made available to the Commission as a public copy.

4. CONCLUSION / PROPOSAL

- 4.1 The Commission is performing an inquiry into local government costs and efficiency.
- 4.2 CoS has prepared a submission to respond to the Commission's Methodology Paper. Council is asked to consider and approve the submission and its provision to the Commission.

CO-ORDINATION

Officer:

Date:

23 July 2019

Dr Matthew Butlin
Presiding Commissioner
GPO Box 2343
ADELAIDE SA 5001
BY EMAIL

Dear Dr Butlin

Re: South Australia Productivity Commission – Inquiry into Local Government Costs and Efficiency

Thank you for the opportunity to provide a submission to the South Australian Productivity Commission's (Commission) Inquiry into Local Government Costs and Efficiency.

It is appropriate that an evidence based approach is taken by the Commission to ensure that any recommendations have a strong basis that will improve Local Government rather than react to other pressures.

The City of Salisbury has been actively pursuing improvements in the way it delivers its services to its community while also building the capacity to respond to emerging community needs that go beyond roads, rates and rubbish. It is a critical role that Councils play in the wellbeing of the community through social, environmental and economic outcomes that is not thoroughly understood by other spheres of government and in many instances the community.

Any recommendations arising from the Commission's work should also strongly consider the awareness across all stakeholders of the roles Councils play in ensuring the wellbeing of the community is enhanced. Unfortunately this is also where the drive for efficiency may negatively impact the community if this broader role of Councils is not understood.

As background, the City of Salisbury manages approximately \$1.9billion in assets and has budgeted operating revenue of approximately \$122M and an operating surplus of \$3.4M for 2019/20. The city of Salisbury has a population of approximately 137,000 and 60,000 rateable properties. Not unlike many other Councils, the City of Salisbury provides a wide range of services to its community while also undertaking additional services that generate social, environmental, and economic benefits to our community. Examples of this include our Salisbury Water (stormwater capture, storage and reticulation) and our Strategic Property Development that transforms excess community land into affordable housing and improved open space.

Our submission is intentionally kept at a high level and should the Commission require any further detail we would be happy to provide it. We have attempted to cover the issues identified in the Commission's methodology paper, namely:

- Approach to comparative analysis
- Analysing council costs

- How to estimate local government efficiency
- Understanding factors that influence efficiency of councils
- Options for improved council performance

A fundamental driver of changes in council costs is the community needs. Elected Members and the administration collectively work together to ensure the services being delivered are aligned to the community's needs. These will vary from council to council and making any comparison of these costs will be difficult.

An example of how these could vary is the provision of verge maintenance services. The City of Salisbury provides an extensive verge mowing service across the city, with a recent increase in this service to respond to community feedback as to the service being provided. Not all councils provide such a service and therefore any comparison of costs or benchmarking against this would be difficult.

This is only one example but there are many others where understanding cost drivers would be difficult to effectively measure or compare across councils.

Legislative changes are also driving costs to councils. A recent example is the Solid Waste Levy that increased by approximately 40%, which, to the City of Salisbury, equated to approximately 0.8% of a rate increase. There is no link to efficiency or effectiveness in this example and is merely an increased cost to councils without any material benefit.

The City of Salisbury is already a major constituent council of the Northern Adelaide Waste Management Authority who has been recognised for the great work they do in managing waste and reducing costs for the member councils. Even with this in place the constituent councils still had a major cost impact that they had to either absorb or pass on to the community.

Should the Commission recommend assessing cost structures, then a way to exclude such costs needs to be factored into any modelling; otherwise it will not be an accurate reflection of a council's efficiency or effectiveness.

An alternate perspective would be to develop performance targets that allow each council to improve against its own performance rather than a comparison across another council or group of councils.

Given the substantial requirement to meet legislative requirements and to some degree a base level of support services, e.g. Payroll, Governance, HR etc., it would not be inappropriate to develop benchmarks for these costs categories as they are likely to be more easily compared across the sector and linked to the size of an organisation which generally is driven by number of residents within the council area.

In analysing corporate costs, the Commission should give consideration to the compliance requirements of councils to meet legislation. It is appropriate that a higher level of accountability is placed on councils given the management of public funds, but it also places additional costs that other industries are not required to have. The compliance requirements also don't discriminate between council sizes and therefore smaller councils are likely to have a greater cost ratio of compliance costs than a larger council. Isolating these costs from any assessment not only allows a

comparison for like councils but also removes them from any efficiency analysis given the legislated requirements.

In regard to measuring capital expenditure, due to the varying nature of such projects, a comparison across the sector will be difficult. The cost of capital projects are predominately delivered by external resources and therefore tested through a procurement approach to the market. The City of Salisbury is of a view that little benefit will be achieved through benchmarking capital projects.

As noted in the above section, it is difficult to measure efficiency across councils given the many variables that impact on service delivery.

In the past 6 years we have undertaken a comprehensive review of service levels across the organisation, followed by a review on how we deliver the agreed service levels. This has required some benchmarking as part of the process but more importantly identified areas within our operations that can be improved to deliver the best outcome for our community.

Overall this program has delivered approximately \$3.0M in ongoing annual savings.

On completion of this broad ranging service review, Council implemented a Continuous Improvement framework so that the improvements achieved are built on progressively and embed a culture of continually improving our systems and processes.

Overall our ability to continue to deliver a wide ranging mix of services to our community, keeping rate levels stable and at a reasonable level, ensuring we can fund our asset renewal program, and also having the capacity to meet emerging community needs, gives us the assurance that we are delivering value to our community.

We also are of the view that we should not stop in identifying other opportunities to add greater value to our community. To this end, the Commission is encouraged to identify high level indicators that would allow a council to measure its overall value it provides to its community. This could be a measure that can be compared across the industry so that learnings can be shared.

An example of how we currently measure our community's perception of council is through the conduct of a Community Perception Survey which is undertaken every two years. We will continue to undertake this bi-annual survey but are working on receiving more regular feedback from our community so we can take the appropriate actions in a more timely manner.

A key focus of council is to move from delivering good customer service to delivering exceptional community experience. This not only encompasses delivering greater value through council services but also how we interact with our community so that their experience with us is a positive one. We recognise that residents do not have a choice as to their council, so it's important that councils ensure they are adding value back to their community.

An extract (*section 8 parts g-k*) from the Local Government Act 1999 notes the following principles to be observed by a council that are to some extent aligned to the Commission's inquiry:

- *manage its operations and affairs in a manner that emphasises the importance of service to the community;*
- *seek to ensure that council resources are used fairly, effectively and efficiently;*

- *seek to provide services, facilities and programs that are adequate and appropriate and seek to ensure equitable access to its services, facilities and programs;*
- *achieve and maintain standards of good public administration;*
- *ensure the sustainability of the council's long-term financial performance and position.*

All of the above need to be considered rather than focussing on efficiency and effectiveness. The Commission should give consideration as to how these principles can be incorporated into indicators that allow a council to monitor its own performance while also some comparison across the sector.

There are other principles in the Act but these resonate with some of the fundamentals that are being considered within the Inquiry.

In conclusion, the City of Salisbury is in support of the work the Commission is undertaking but we emphasise the importance that the Commission ensures it understands the broader benefits Councils provide to their community and not take a single focus approach to achieving efficiency, which as we note is likely to have an adverse impact on the communities that the inquiry is intended to support.

The City of Salisbury, on its own initiative, has been, over a number of years, undertaking a review of all its functions which have delivered substantial ongoing financial savings but also improved how we deliver the services to our community. We are also proud of the financial position we have achieved and would give careful consideration to any recommendation that may impact adversely on the ability for this council to respond to its community's needs and for which we are responsible under the LG Act.

A critical concern is, by only focussing on what is often referred to as Roads, Rates & Rubbish, and over emphasis being given to efficiency measures, it runs the risk of severely curtailing the opportunities available to the community through reducing the ability for council to respond to these needs.

Finally thank you for the opportunity to provide our submission and look forward to the draft report, which we will also review and provide any further feedback on.

Should you require any further information in the meantime please do not hesitate to contact the Chief Executive Officer, John Harry, at jharry@salisbury.sa.gov.au or (08) 8406 8222.

Yours sincerely

Gillian Aldridge OAM

Mayor

Phone: 08 8406 8262

Email: galdridge@salisbury.sa.gov.au

ITEM 7: MOTIONS ON NOTICE

7.1 Motion on Notice - Oval Lights for Local Sporting Clubs

Cr Chad Buchanan has submitted the following Motion on Notice:

That:

1. Council note the recreational and social opportunities sporting clubs within the City of Salisbury contribute to our community.
2. Council note the increasing costs imposed on local sporting clubs due to increased electricity costs and other operational costs.
3. That staff bring back a report with proposed amendments to the Club Leases to require Council to take responsibility of the replacement of oval lights from lease holders.
4. In the report, staff will give consideration to how to introduce this change.

ADMINISTRATION COMMENT:

Sports lighting are typically specialised lighting requiring specialised equipment to access them, which is expensive to hire.

The move to LED lights along with a number of energy saving initiatives being introduced by Council is helping to reduce the energy cost increases to the various clubs.

There are a number of options available. Some of the issues to be considered will be whether to introduce a change to responsibility at the beginning of a new lease or at a specific date for all relevant leases.

These items will be considered for a report to Council. However the replacement of flood lights will still be expensive and could become part of administration's responsibilities rather than the lessees.

CO-ORDINATION

Officer:

Date:

ITEM 8: MAYOR'S DIARY

8.1 Mayor's Diary**RECOMMENDATION**

1. That this information be noted.

| Date | Time | Function |
|-------------|-------------|---|
| 20/06/2019 | 07:00 AM | Phone Interview with Ally Clarke - ABC Radio |
| 20/06/2019 | 09:30 AM | Phone Interview with Colin James from the Messenger - Migrant community |
| 20/06/2019 | 01:00 PM | LGA Board of Directors meeting |
| 20/06/2019 | 12 Noon | Lunch prior to LGA Board of Directors meeting |
| 21/06/2019 | 10:00 AM | Maple Leaf School - Official Opening |
| 21/06/2019 | 01:00 PM | Official opening of Florist, Saints Road Shopping Centre |
| 21/06/2019 | 02:00 PM | Opening of Saints Rd Shopping Centre |
| 21/06/2019 | 06:30 PM | Open of restaurant - Saints Kitchen |
| 22/06/2019 | 10:00 AM | Celebrating breakfast at Saints Centre |
| 22/06/2019 | 04:30 PM | Photo Shoot objecting to Waste increase |
| 22/06/2019 | 06:30 PM | Pontian Eagles Dance |
| 23/06/2019 | 11:30 AM | Salisbury Rotary - President's Changeover Luncheon |
| 24/06/2019 | 02:30 PM | Upcoming Events |
| 24/06/2019 | 03:30 PM | OFFICE TIME - Schedule upcoming week/ Signing/Speeches and Resident Enquiries |
| 24/06/2019 | 04:00 PM | Meeting re Traffic Concerns Lights Common |
| 24/06/2019 | 04:30 PM | Meet with resident re Parking infringement complaint |
| 24/06/2019 | 05:00 PM | Pre Council Meeting Briefing |
| 24/06/2019 | 06:30 PM | Council Meeting |
| 25/06/2019 | 07:30 AM | Radio interview |
| 25/06/2019 | 08:30 AM | Radio interview cruise |
| 25/06/2019 | 09:50 AM | Radio interview |
| 25/06/2019 | 10:30 AM | Meeting with resident re speaking opportunity |
| 26/06/2019 | 10:00 AM | Meeting with Resident |
| 26/06/2019 | 11:00 AM | Mayor/CEO/EA |
| 26/06/2019 | 01:00 PM | Visit to RSL - following break-in |
| 26/06/2019 | 12 Noon | Meeting with Business Owner |
| 27/06/2019 | 07:00 PM | Graduation dinner – Cr Brug |
| 29/06/2019 | 07:00 PM | Do Biatego Rana (Polish Event) |
| 1/07/2019 | 10:00 AM | GAROC committee meeting |
| 1/07/2019 | 06:30 PM | Lions Club of Paralowie Handover |
| 1/07/2019 | 12 Noon | GAROC Workshop with Light Lunch Included |
| 2/07/2019 | 10:00 AM | WALK FOR WHITE RIBBON - PBA FM Mayor's Breakfast Radio Show |
| 2/07/2019 | 11:30 AM | Regular Catchup to Discuss Current/Upcoming Planning/Building Issues |
| 2/07/2019 | 12 Noon | Media Issues - Regular Catch-up |

| | | |
|------------|----------|--|
| 3/07/2019 | 09:00 AM | Mayor/CEO/EA |
| 3/07/2019 | 10:00 AM | Australia a Country of Belonging – your pathway to active citizenship workshop |
| 3/07/2019 | 06:00 PM | Saints Kitchen |
| 4/07/2019 | 06:30 PM | Outgoing Elected Member Service Recognition Event |
| 5/07/2019 | 01:00 PM | Meeting with local business owner |
| 5/07/2019 | 06:30 PM | Victory Church 25th Birthday Celebrations. |
| 5/07/2019 | 12 Noon | Chat to Work Experience Students over lunch |
| 8/07/2019 | 09:00 AM | Meeting to discuss China Delegation Visit in October |
| 8/07/2019 | 04:00 PM | OFFICE TIME - Schedule upcoming week/ Signing/Speeches and Resident Enquiries |
| 8/07/2019 | 04:30 PM | Witness Document for General Manager [JP] |
| 8/07/2019 | 06:30 PM | Sport, Recreation & Grants Committee meeting |
| 9/07/2019 | 04:00 PM | Media Issues - Regular Catch-up |
| 9/07/2019 | 04:30 PM | Tourism and Visitor Sub Committee |
| 9/07/2019 | 06:30 PM | CEO Review Committee |
| 9/07/2019 | 07:30 PM | Audit Committee of Council |
| 10/07/2019 | 01:00 PM | Mayor/CEO/EA |
| 10/07/2019 | 03:30 PM | Citizenship Ceremony 10th July - Early Session |
| 10/07/2019 | 04:45 PM | Sign Debenture Loan Documentation |
| 10/07/2019 | 06:30 PM | Citizenship Ceremony 10th July - Evening Session |
| 15/07/2019 | 09:15 AM | Libraries Board Metropolitan Tour - Para Hills Library |
| 15/07/2019 | 02:30 PM | Meeting with Resident |
| 15/07/2019 | 03:30 PM | Meeting with National Military Vehicle Museum |
| 15/07/2019 | 04:00 PM | OFFICE TIME - Schedule upcoming week/ Signing/Speeches and Resident Enquiries |
| 15/07/2019 | 06:30 PM | Standing Committee Meetings |
| 17/07/2019 | 04:00 PM | Tour of Whyalla (Following GAROC Meeting) |
| 17/07/2019 | 06:30 PM | GAROC Dinner |

Events attended by Elected Members on behalf of the Mayor

| Date | Member | Function |
|-------------|------------------------|---|
| 03/07/2019 | Deputy Mayor J Woodman | Valley View High School House Naming Ceremony |

ITEM 9: ELECTED MEMBER REPRESENTATION ACTIVITIES

ITEM 10: QUESTIONS WITHOUT NOTICE

ITEM 11: QUESTIONS ON NOTICE

**11.1 Question on Notice:
Hire of Meeting Rooms in the Para Hills Community Club**

At the Council meeting on 24 June 2019, Cr S Reardon asked a question in relation to local residents in the Hills Ward being advised that they are not able to hire the large meeting room at the Para Hills Community Hub for such functions as an 80 year old birthday party?

The Question was taken on Notice.

ADMINISTRATION COMMENT:

Acting General Manager Community Development, Ms Vesna Haracic has provided the following response:

Utilisation and hire of the function spaces at the Para Hills Community Hub has been initially focused on larger community events and those that can be managed and supervised by Council staff until all security and new processes were finalised.

The Para Hills Community Hub Coordinator role which commenced at the end of March manages the booking for community and private hire.

Enquiries for both community and private hire are assessed for suitability of the spaces, date to be held, space considerations, set up and other special requirements. This assessment enables the Coordinator to determine if the function space is suitable for the community or private hire.

The fees and charges, bond requirements and security needs are also discussed at enquiry. If the function spaces are not available or do not match the customer requirements a process is followed to determine if other sites are available to suit the community or private hire.

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)(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 this matter at this time would protect commercially sensitive information of Council or confer a commercial advantage on a third party with whom Council is conducting, or proposing to conduct, business.

*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.

13.2 CEO Review 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)(a) of the Local Government Act 1999, the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because:*

- it relates to information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

2. *In weighing up the factors related to disclosure,*

- disclosure of this matter to the public would demonstrate accountability and transparency of the Council's operations

- Non-disclosure would protect information related to the employment terms of the Chief Executive Officer

*On that basis the public's interest is best served by not disclosing the **CEO Review 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.*

13.3 Confidential CEO Update - Various Matters

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

1. *Pursuant to Section 90(2) and (3)(b)(i) and (b)(ii) and (d)(i) and (d)(ii) and (j)(i) and (j)(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; and*
 - *information the disclosure of which would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the Council, or a person engaged by the Council); and*
 - *information the disclosure of which would, on balance, be contrary to the public interest.*
2. *In weighing up the factors related to disclosure,*
 - *disclosure of this matter to the public would demonstrate accountability and transparency of the Council's operations*
 - *Non disclosure of this matter at this time will protect information of a commercially sensitive nature the disclosure of which could prejudice the commercial position of Council and the third party who have provided the information, together with information the disclosure of which would divulge information provided on a confidential bases by a public authority.*

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

CLOSE

