



AGENDA

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

**15 JULY 2019 AT THE CONCLUSION OF BUDGET AND FINANCE COMMITTEE
IN COMMITTEE ROOM 1, 12 JAMES STREET, SALISBURY**

MEMBERS

Cr D Proleta (Chairman)
Mayor G Aldridge (ex officio)
Cr B Brug
Cr A Duncan
Cr K Grenfell
Cr D Hood
Cr P Jensen (Deputy Chairman)
Cr J Woodman

REQUIRED STAFF

Chief Executive Officer, Mr J Harry
General Manager Business Excellence, Mr C Mansueto
General Manager City Development, Mr T Sutcliffe
Acting Manager Governance, Ms J Crook

APOLOGIES

LEAVE OF ABSENCE

PRESENTATION OF MINUTES

Presentation of the Minutes of the Resources and Governance Committee Meeting held on 17 June 2019.

REPORTS

Administration

- 3.0.1 Future Reports for the Resources and Governance Committee 13

Development Control Administration

- 3.2.1 Council Assessment Panel - Elected Member Representations at Meetings 17

Health, Animal Management and By-laws

- 3.3.1 Abandoned Shopping Trolleys 21

Corporate Governance

- 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 33
- 3.6.2 Review of the Code of Practice - Access to Meetings and Documents 35
- 3.6.3 Review of Disposal of Land Policy 45
- 3.6.4 Review of Temporary Road Closures Policy 53
- 3.6.5 Local Government Association Annual General Meeting: 31/10/2019 -
Proposed Items of Business and Voting Delegates 57
- 3.6.6 Summary Report for Attendance at Training and Development Activity - Cr
Beau Brug 67
- 3.6.7 Local Government Finance Authority Annual General Meeting:
31 October 2019 - Council Representatives, Board Nominations and Notices
of Motion 107

OTHER BUSINESS

CLOSE



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

17 JUNE 2019

MEMBERS PRESENT

Cr A Duncan
Cr K Grenfell
Cr D Hood
Cr P Jensen (Deputy Chairman)
Cr J Woodman

STAFF

Chief Executive Officer, Mr J Harry
General Manager Business Excellence, Mr C Mansueto
General Manager City Development, Mr T Sutcliffe
Manager Governance, Mr M Petrovski

The meeting commenced at 6.59 pm.

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

APOLOGIES

Apologies were received from Mayor G Aldridge, Cr D Proleta and Cr B Brug.

LEAVE OF ABSENCE

Nil

PRESENTATION OF MINUTES

Moved Cr J Woodman
Seconded Cr D Hood

The Minutes of the Resources and Governance Committee Meeting held
on 20 May 2019, be taken and read as confirmed.

CARRIED

REPORTS

Administration

3.0.1 Future Reports for the Resources and Governance Committee

Moved Cr A Duncan
Seconded Cr K Grenfell

1. The information be received.

CARRIED

External Relations

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

Moved Cr K Grenfell
Seconded Cr D Hood

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

CARRIED

Corporate Governance

3.6.1 Local Government Act Order Making Policy

Moved Cr J Woodman
Seconded Cr A Duncan

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.

CARRIED

3.6.2 Annual Review of Delegations

Moved Cr K Grenfell
Seconded Cr J Woodman

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
 - 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 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.
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.
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
UNANIMOUSLY

OTHER BUSINESS

Nil

The meeting closed at 7.11 pm.

CHAIRMAN.....

DATE.....

ITEM	3.0.1
	RESOURCES AND GOVERNANCE COMMITTEE
DATE	15 July 2019
HEADING	Future Reports for the Resources and Governance Committee
AUTHOR	Michelle Woods, Projects Officer Governance, CEO and Governance
CITY PLAN LINKS	4.3 Have robust processes that support consistent service delivery and informed decision making.
SUMMARY	This item details reports to be presented to the Resources and Governance Committee as a result of a previous Council resolution. If reports have been deferred to a subsequent month, this will be indicated, along with a reason for the deferral.

RECOMMENDATION

1. The information be received.

ATTACHMENTS

There are no attachments to this report.

1. BACKGROUND

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

2. CONSULTATION / COMMUNICATION

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

3. REPORT

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

Meeting Item	Heading and Resolution	Officer
22/06/2015 3.3.2	Amendments to the Dog and Cat Management Act 3. Council note that staff will review the need for a cat by-law 12 months after the implementation of the proposed Bill and provide a further report to Council. Due: July 2019 Deferred to: December 2019 Reason: The implementation of the Act occurred on 1 July 2018 and additional time is required to collate and review information from the first 12 months of operation.	John Darzanos
23/04/2018 3.3.1	Parking Technology Trials 5. A further report presenting the outcomes of the trials be presented to Council at the conclusion of the trials. Due: August 2019	John Darzanos
23/07/2018 MON2	Parking in the Salisbury City Centre 2. At the conclusion of the licence plate recognition trial, the report that will be provided to Council on the outcomes of the trial also incorporate advice on the implications of the provision of four (4) and or five (5) hour parking areas in the city centre. Due: August 2019	John Darzanos
23/07/2018 3.6.3	Media Policy Review That consideration of the Media Policy be deferred to the next Council following the local government elections. Due: July 2019 Deferred to: October 2019 Reason: The organisation is currently in the process of filling vacancies in the Communications team and unable to meet the scheduled timeframe. As noted last month the proposal is to also combine the review of the Media Policy with the Public Consultation Policy to deliver a more contemporary approach. This will require further time than initially anticipated to prepare the necessary documentation and present an initial scope of works to the committee.	Hannah Walters
26/11/2018 6.5	Council and Committee Structure 2. The terms of reference be reviewed after the first 12 months of the term of office seeking Elected Member feedback and a report be provided to the Resources and Governance Committee. Due: December 2019 Deferred to: March 2020 Reason: To allow for consultation/discussion with Elected Members later in 2019.	Mick Petrovski

23/04/2019 6.5	Training and Development Policy 1. That a report be provided advising on the budget allocation for Elected Members' training and development, Council delegate activities, attendance at conferences and seminars and adjusting the allocation by CPI at the beginning of each financial year. Due: July 2019 Deferred to: August 2019 Reason: To allow for consideration of end of financial year figures for the future to be incorporated into the report.	Mick Petrovski
27/05/2019 6.5	Review of Footpath Policy 2. The review of the Footpath Policy as set out in Attachment 1 to this report (Resources and Governance 3.6.5, 20/05/2019) be deferred to the July meeting of the Resources and Governance Committee. Due: July 2019 September 2019 Reason: Awaiting the Place Activation Strategy	Craig Johansen

4. CONCLUSION / PROPOSAL

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

CO-ORDINATION

Officer:	EXEC GROUP	GMCID	GMBE	GMCI	MG
Date:	08/07/2019	02/07/2019	05/07/2019	05/07/2019	05/07/2019

ITEM	3.2.1
	RESOURCES AND GOVERNANCE COMMITTEE
DATE	15 July 2019
HEADING	Council Assessment Panel - Elected Member Representations at Meetings
AUTHOR	Chris Zafiropoulos, Manager Development Services, City Development
CITY PLAN LINKS	4.3 Have robust processes that support consistent service delivery and informed decision making.
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.

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.

ATTACHMENTS

There are no attachments to this report.

1. BACKGROUND

1.1 Council resolved at the meeting 30 April 2019:

- *Subject to further advice to ensure compliance with the relevant legislative framework, the Council Assessment Panel Terms of Reference be amended to enable Elected Members of the City of Salisbury to make representations at meetings of the Council Assessment Panel on behalf of residents or in relation to proposed developments in their respective Ward.*

2. REPORT

2.1 The Council Assessment Panel (CAP) and associated processes are established under the Planning, Development and Infrastructure Act 2016 (PDI Act). The PDI Act prescribes the roles of Panels. Given this legislative framework, advice has been sought from Norman Waterhouse Lawyers.

- 2.2 The advice provides that:
- 2.2.1 The role of the Terms of Reference (ToR) is to establish the CAP as a body, to regulate its membership from time to time (via appointment of new members, providing for rights of termination etc), and to establish its scope and authority (in terms of any additional functions that may be performed).
 - 2.2.2 It is not the role of the ToR to regulate how the CAP conducts its day-to-day business, which is the role of the Operating Procedures. Appearance at meetings relates to the conduct of business (i.e. procedure), rather than the existence and composition of the CAP.
 - 2.2.3 Section 83(1)(f) of the PDI Act provides that the procedures of an assessment panel must comply with any requirements prescribed by the regulations. Regulation 18 in the PDI (General) Regulations 2017 provides that the procedures of an assessment panel in relation to the conduct of its business will be determined by the assessment panel, except insofar as a procedure is prescribed by the Act or the regulations. As such, it is only the CAP which can amend its own procedures, not the Council.
- 2.3 The advice also provides that while Council could request that the CAP amend its Operating Procedures, it could not direct it to do so. In the event of such a request being made, it would require careful consideration by the CAP. The advice indicates that the difficulties with giving Elected Members a right to be heard would include that:
- 2.3.1 *it is against the spirit of legislative scheme, which seeks to limit the role and influence of Elected Members on CAPs;*
 - 2.3.2 *it may give rise to procedural fairness considerations, insofar as applicants would need to be given a right to reply in circumstances where they will not necessarily have advance notice of what Elected Members will say;*
 - 2.3.3 *it may encourage other 'peak' lobby groups (e.g. the Property Council, UDIA, residents groups etc) requesting that they be given similar rights of appearance before the CAP.*
- 2.4 For these reasons, the advice is to maintain the status quo, whereby Elected Members can speak only where they have submitted a valid representation in their own right, or they have been nominated by a valid representor to act as their representative in a Panel hearing.

3. CONCLUSION / PROPOSAL

- 3.1 Under the legislative provisions Council is unable to direct the CAP in respect to its procedures. Given the legislative framework in which the CAP is required to operate, consistent with legal advice received it is recommended that Elected Members wishing to make verbal submissions before the CAP be limited to where they have submitted a valid representation in their own right, or they have been nominated by a valid representor to act as their representative in a Panel hearing.
- 3.2 Outside of the legislative framework, Elected Members are able to contact relevant staff about any developments in their respective wards for briefings.

CO-ORDINATION

Officer: EXECUTIVE GROUP

Date: 08.07.2019

ITEM	3.3.1
	RESOURCES AND GOVERNANCE COMMITTEE
DATE	15 July 2019
PREV REFS	Resources and Governance 3.3.1 16/03/2015 Committee
	Resources and Governance 3.3.1 19/02/2018 Committee
HEADING	Abandoned Shopping Trolleys
AUTHOR	John Darzanos, Manager Environmental Health & Safety, City Development
CITY PLAN LINKS	3.4 Be a proud, accessible and welcoming community. 4.2 Develop strong capability and commitment to continually improve Council's performance. 4.3 Have robust processes that support consistent service delivery and informed decision making.
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.

RECOMMENDATION

1. The information be received.
2. Council notes the current limitations of the Local Nuisance and Litter Control Act in addressing the issue of abandoned trolleys and advocates for improvement to the Local Nuisance and Litter Control Act via the Local Government Association and staff submissions to the EPA as part of the Local Nuisance and Litter Control Act review.
3. That the review of By-Law 6 Waste Management By-Law 2015 be deferred until the Local Nuisance and Litter Control Act review has been concluded and any amendments addressing trolleys are implemented and reviewed.

ATTACHMENTS

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

1. Marion Trolley Summit Outcomes
2. Current Trolley Control Measures in Other Jurisdictions

1. BACKGROUND

1.1 At its meeting on 23 March 2019, Council resolved:

- 1 *Staff bring back a report examining the viability of introducing policy to regulate abandoned shopping trolleys.*
- 2 *The report to include the success of other Councils who have already implemented similar policies and various options that may be considered for Salisbury.*

(Resolution 0001/2019)

1.2 Shopping trolleys are provided at every local shopping centre with a supermarket, major retailer or grocery store. It is common for people who walk to and from these stores to take their groceries home in a trolley. Once they have undertaken this activity the trolleys are either responsibly returned or in some cases left in a public location such as the street or footpath. Some of these eventually end up in reserves or waterways.

1.3 The current lack of legislative controls available to Council and Local Government as a whole to address abandoned trolleys has led to a review of legislative powers and possible action that could be taken by Council to address abandoned trolleys.

2. CONSULTATION / COMMUNICATION

2.1 Internal

2.1.1 Manager Field Services, City Infrastructure

2.2 External

2.2.1 City of Marion

2.2.2 Shopping Trolley Forum – hosted by City of Marion

2.2.3 Councils Lawyers

2.2.4 Local Retailers

3. REPORT

3.1 As per previous reports presented in 2015 and 2018, it was concluded that the current legislative controls available to Councils to address abandoned shopping trolleys relate to the *Local Nuisance and Litter Control Act*.

3.2 Under the provisions of the *Local Nuisance and Litter Control Act* the offence for abandoning or dumping a trolley on a public road or public place is covered by the litter provisions. The offence carries a penalty of \$1000 (for 50 litres or more of general litter).

3.3 This legislation puts the onus on the offender and the person who remove the trolley and then abandons it. There is no responsibility on the shopping centres or owners of the trolley to prevent their removal and/or be liable for the prompt collection or face penalty.

3.4 Each of the retailers have collection services with limited emphasis on controls to prevent their removal.

- 3.5 The outcomes presented from the Marion Council Trolley summit identified several options for future action and the outcomes are summarised in attachment 1 to this report. The most promising outcomes for Local Government are associated with legislative change. They include the opportunity to review the Local Nuisance and Litter Control Act and/or development of Local By laws to address the issue of abandoned trolleys to make retailers more accountable.
- 3.6 A recent report presented to Marion Council on this matter resulted in Marion Council pursuing a local By-law to address the concerns around abandoned trolleys and in an effort to prevent their removal from the premises.
- 3.7 Advice from Council's legal advisors has also identified that the creation of a local By-law would enable Council to create a regulatory regime which would require retailers to fit appropriate identification to their trolleys and implement a system to prevent or discourage the removal of such trolleys from shopping centre car parks. The options available are discussed further.
- 3.8 The current practices to deal with trolleys include a combination of reporting to the trolley collecting agencies, and Council removing trolleys found in isolated locations that are not removed in a timely manner.
- 3.9 Council activities associated with trolley removal have declined due to increased reporting, however there is still a need to remove trolleys that are unsafe, in a dangerous location and or have not been removed by the collection companies in a reasonable time frame.

Local Nuisance and Litter Control (LNLC) Act

- 3.10 The controls available to Council under this legislation are limited to taking enforcement action on the offender, that is the person that dumps the trolley, and not against the owner of the trolley.
- 3.11 Under the LNLC Act retailers can be required to prepare a plan of action to the keep a specified area (not exceeding 100 metres) around business premises free from litter, and this includes abandoned trolleys. However within these distances most retailers undertake regular collections and retrieval in a timely manner. It is trolleys abandoned beyond 100 metres from the premises that cause the most concerns. This is why this provision is not considered suitable and it cannot be expanded to control the removal of trolleys as a trolley is not litter until such time that it is abandoned.
- 3.12 A further provision under the LNLC Act is the ability to serve an abatement notice on the retailer/owner of the trolley to remove the trolleys that are identified as abandoned. If they fail to comply, then Council staff can carry out the action and charge for the costs. The concern with this provision is that staff would serve a notice on each and every trolley they identify and would still need to provide reasonable time to comply with the notice. This would not achieve any significant improvements as the current trolley collection services achieve similar responses, and as such this option is not supported as again it focusses on removing an abandoned trolley and not preventing its removal in the first instance.

- 3.13 Legislative changes would be required for the LNLC Act in order to implement controls for all retailers to prevent the escape of trolleys from their premises, To implement legislative changes Council can support and lobby the State Government (via the LGA) to make amendments to the LNLC Act.
- 3.14 Suggested amendments would be in line with interstate legislation (as per attachment 2 to this report) that stipulates that:
- 3.14.1 Notices to be displayed in shopping centres informing shoppers not to remove trolleys.
 - 3.14.2 Compulsory identification of all trolleys.
 - 3.14.3 Compulsory systems to prevent removal eg coin deposit system or perimeter restraint system.
 - 3.14.4 Requirements to collect trolleys by certain days and times otherwise they can be collected , impounded and fees charged by Council for their collection and or return
- 3.15 Ideally state wide legislative changes will offer consistency however as legislative changes can be difficult, and opportunity to introduce similar controls under Local By-laws may be more appropriate.
- 3.16 The EPA has just announced a minor review of the LNLC Act (via LGA circular 28.3) and consultation closes 4 October 2019. Included in the discussion paper as part of the review is a section on Trolleys and it reverences the scheme established by the ACT government as per Attachment 2 to this report.
- 3.17 If the Act is amended to include similar provisions then this would achieve the objectives that could also be achieved by Council by law.

Amendments to Waste Management By-law No. 6

- 3.18 As an alternative to pursuing amendments to the LNLC Act and Regulations, the Council could consider implementing its own by-law requirements pertaining to shopping trolleys.
- 3.19 Under Section 246(2) of the LG Act, the Council has the power to make by-laws for the good rule and government of the area, and for the convenience, comfort and safety of its community. In the High Court of Australia case Attorney-General (SA) v Corporation of the City of Adelaide, the High Court held that that power enables councils to make by-laws in respect of matters of municipal concern which, if left unregulated may affect the welfare and good government of the area and its inhabitants.
- 3.20 In the advice provided by Council's legal advisors, a by-law relating to discarded shopping trolleys would fit the powers prescribed given the environmental nuisance and amenity concerns that such discarded equipment creates.
- 3.21 Council could create a regulatory regime which required retailers to:
- 3.21.1 fit appropriate identification to their trolleys;
 - 3.21.2 implement a system to prevent or discourage the removal of such trolleys from shopping centre car parks (such as a coin deposit system, GPS tracking or a perimeter constraint system); and

- 3.21.3 allow for council to seize and impound trolleys and charge a fee for their retrieval.
- 3.22 A breach of the Waste By-law would be an offence by virtue of Clause 9.1 of the Council's Permits and Penalties By-law 2015.
- 3.23 Similar by-law controls have been implemented by interstate authorities with Marion the only other South Australian Council investigating a by-law option. A summary of other jurisdiction laws are included in Attachment 2 to this report.
- 3.24 A by-law would provide a legal regime for Councils to charge for impounded trolleys as currently this is not possible without a service agreement with the trolley owners.
- 3.25 A review of the By-law would also ensure the required legislative frame work would be implemented regardless of the decision of the EPA and State Government. However any changes to the LNLC Act would make the by-law redundant.

A fee for service agreement

- 3.26 Under the current legislative framework, Council cannot impound trolleys and charge a fee for their collection and/or return. However Council is empowered to enter into a contractual arrangement with a relevant retailer (should they be the owner of the trolleys), pursuant to Sections 36 and 37 of the Local Government Act 1999. Such an agreement would require a meeting of the minds between the Council and the retailer with respect to the services proposed to be undertaken by the Council and the agreed rate to be paid for those services.
- 3.27 A recent survey of all major supermarket retailers in the area in relation to abandoned shopping trolleys asked if retailers would be willing to enter into an agreement with Council to pay for trolleys collected and stored by Council. The return rate from 22 retailers resulted in only 6 (27%) returns and all of these were not in support of any such proposal.

Costs and Resource Implications

- 3.28 The amendment to existing by-laws would require the same process as the development of a new by-law, and includes drafting the by-law, public consultation process of the draft by-law, reviewing feedback and then seeking certification by a legal practitioner, government gazettal and submission to the legislative review committee for endorsement.
- 3.29 The process is approximately 6 months in duration and will cost approximately \$5000 for legal advice, government gazettal and public notification processes. The expenditure for this process would be sourced from current operating budgets.
- 3.30 Dealing with abandoned trolleys would be dealt with the same as currently occurs through Council's Operations Centre and Field Services staff as per the collection of other dumped rubbish. Any offences committed under by-laws would be administered by the Inspectorate Services area.
- 3.31 An indicative cost per trolley collected based on current rates is approximately \$140 per trolley, and this fee would need to be included in Councils fees and charges documentation.

- 3.32 Trolleys would be impounded at Council's Operations Centre and retailers or collection agencies given the opportunity to collect the trolleys by paying the required impound fee as set by Council.
- 3.33 Any unclaimed trolleys would be treated as per unclaimed goods with an opportunity to sell and or otherwise dispose of these goods to recover any outstanding costs.

4. CONCLUSION / PROPOSAL

- 4.1 The combination of services offered by Council in relation to abandoned trolleys and those offered by the retailers provides a service that addresses this issue in a reasonable manner. However there is a community expectation that more needs to be done to prevent trolleys being removed from shopping centre car parks in order to adequately address the problem of abandoned trolleys.
- 4.2 Under current legislative controls there is no accountability on the retailers to do more to prevent trolleys being removed from their sites, and collected if they are subsequently abandoned.
- 4.3 Additional legislative controls are required in order to more effectively reduce the current abandonment of trolleys and to reduce the environmental nuisance and amenity concerns.
- 4.4 Whilst the recent announcement to review the LNLC Act could provide a state wide solution to address trolleys, it may not achieve the required outcomes however Council should continue to support this process and advocate for its change.
- 4.5 A more certain approach and more immediate opportunity is for Council to amend By-Law 6 Waste Management By-law to achieve the same result. The by-law would create a regulatory regime which required retailers to:
- 4.5.1 fit appropriate identification to their trolleys;
 - 4.5.2 implement a system to prevent or discourage the removal of such trolleys from shopping centre car parks (such as a coin deposit system, GPS tracking or a perimeter constraint system); and
 - 4.5.3 allow for council to seize and impound trolleys and charge a fee for their retrieval.
- 4.6 However if the LNLC Act is amended by the State Government to replicate the powers and processes proposed by the by-law then it is likely Council's By-law will become redundant.
- 4.7 Whichever legislative framework is supported it will continue to require an ongoing collaborative approach between Council, the retailers and shopping trolley owners, and the community in order to more effectively resolve concerns arising from abandoned shopping trolleys.

CO-ORDINATION

Officer: EXECUTIVE GROUP
Date: 08.07.19

Marion Shopping Trolley Summit Options

Option	Suggestion Posed	Outcome Achieved
1.1 New by-laws	Councils could introduce a by-law to expiate retailers for each trolley found abandoned. The by-law would be similar to that used by Councils interstate.	LGA-SA are looking at working with the EPA-SA in updating the Local Nuisance and Litter Control Act 2016 (LNLC Act). This is seen as required to more closely define dumping enabling action to be applied.
1.2 Target dumpers	Councils could deploy extra Community Safety Inspectors and expiate people caught dumping trolleys under the Local Nuisance and Litter Control Act 2016. The offence is littering.	Decision for Individual Councils
1.3 Adopt ACT laws	SA Government could introduce Australian Capital Territory-style laws to make all trolleys coin operated.	This has not been applied at this stage.
1.4 Review SA Act	EPA and LGA should work together to incorporate trolley dumping as an offence in any future review of the Local Nuisance and Litter Control Act 2016. Retailers would also be required to have a management plan for trolleys.	As noted in 1.1 LGA & EPA are looking into this. From a council perspective, the Local Nuisance and Litter Control Act 2016 already defines that a function of Council to control littering. Section 27 of the Act also notes that a level of due diligence must be applied with a clear directive that "reasonable steps to prevent or avoid the circumstances that gave rise to the offence including by putting in place any systems or safeguards that might reasonably be expected to be in place" This would allow some focus to be placed on retail towards improved management or trolleys. Discarding items on council land is also an offence under the Local Government Act.
2.1 GPS Tracking	Fit Trolleys with GPS tracking to help retailers locate trolleys that are removed from shopping centres	Coles have by far the largest trolley fleet in the State and are actively researching use of GPS Tracking along with other initiatives. Coles have also commissioned a study focussing on improving the issue of discarded trolleys.
2.2 Coin deposit	All trolleys should be coin operated. The customer receives a refund when they return the trolley.	Presently ALDI are the only local retailer that has this initiative in place, It is doubtful that others will follow suit due to cost. There are also methods of bypassing the need to place a coin these small plastic devices available at very low cost through on line stores. With Westfield's as an example many patrons simply choose to use other non-coin operated trolleys that are readily available around the car parking area.
2.3 Electronic locking	Fit trolleys with a mechanism that automatically locks the wheels if an attempt is made to remove it from a shopping centre car park.	Owing to cost this option is something that should be considered within a new build or major site refurbishment, such as that proposed for the Westfield complex. To this end a submission was made to include this or other options as a consideration within the site re-development.

Marion Shopping Trolley Summit Options

2.4 Retail leases	Make retailers responsible for the timely collection of shopping trolleys as part of their lease agreement with centre management.	Retail already provide a scheduled and reactive collection service. Inclusion of KPI's within lease arrangements would be a decision for the facility owner/manager.
2.5 Trolley hire	Customers needing to take a trolley home would pay a deposit and receive the money back when they returned the trolley.	This suggestion is another one for retail and more so facility management to consider. Best outcome would be to apply the trolley lock system and compliment this through availability of non-locking trolleys for collection from the concierge, providing address details for ease of collection. This would require facility management and retail to look at joint ownership or partnering arrangements.
2.6 Trolley bounty	Retailers to offer a bounty for the return of abandoned trolleys.	This initiative is already in place and is promoted through companies such as Trolley Tracker who undertake collection of trolleys for major retail groups.
2.7 Suburban Bays	Build shopping trolley drop off points around identified dumping hot spots and near public transport, to make collection easier	From a Marion perspective, it is not practical for council to provide collection bays on council land, as this would transfer a portion of liability on to council. Marion are however in discussion with HAS (Housing SA) to identify a suitable location within a Multi-Unit-Dwelling and have advised the possibility to partner in providing Civil Works. Indicative cost to council would be \$2k, with ownership and maintenance sitting with HAS.
2.8 CCTV	Install CCTV cameras to identify offenders.	It needs to be acknowledged that for many reasons some people in our community need to have trolleys available for transportation of groceries. We would need hundreds of CCTV to identify where trolleys have been discarded and would also need to apply hundreds of hours undertaking assessment of captured footage, this initiative is simply not cost effective or viable.
2.9 Reusable trolley	Introduce affordable, reusable trolleys that shoppers can bring to supermarkets similar to reusable shopping bags.	This has not been considered at this stage.
3.1 Baseline research	Identify precise locations of trolley dumping, build a profile of the off enders and undertake broad community research into the attitudes of trolley dumping.	City of Marion currently provides information flyers and signage to problem locations.
3.2 Education	Undertake an Education campaign, including signage, advertising and information sheets written in multiple languages, to reinforce the responsibility to return trolleys.	The City of Marion have erected signage to problem areas and have designed a flyer that advised that dumping is not acceptable and to report offenders. This flyer also notes contact details for reporting discarded trolleys for collection. Flyers are applied by letter drop where trolley dumping is an issue (Marion has also recently updated its Hard Waste information flyer to incorporate a range of languages).

Marion Shopping Trolley Summit Options

<p>3.3 Promote enforcement</p>	<p>Proactively promote any successful prosecutions under the Local Nuisance and Litter Control Act 2016 as a deterrent.</p>	<p>This has not been considered at this stage.</p>
<p>3.4 Dob in a litterer</p>	<p>Set up a hotline to enable the community to dob in trolley dumpers.</p>	<p>Trolley collection companies have setup hot lines to report a trolley for collection. Details are provide within the CoM Website.</p>

CURRENT MEASURES IN OTHER JURISDICTIONS

Some interstate Councils have created By-laws and the Australian Capital Territory (ACT) has Territory-wide legislation, to address issues associated with abandoned shopping trolleys.

The City of Ipswich, Queensland

Local Law

https://www.ipswich.qld.gov.au/_data/assets/pdf_file/0007/7684/viewLocalLawPDF.pdf

Local law covers the following:

- must install a shopping trolley perimeter wheel lock containment system
- identify the owner of each trolley.
- Applicable to retailers who have more than 20 trolleys,
- Council can seize, impound and charge a fee to a retailer who wishes to reclaim their trolleys and offence provisions have been created in the By-Law to deal with non-compliance.
- No data was available on the success of the Local Law

The City of Monash, Victoria

Local Law

<https://www.monash.vic.gov.au/files/assets/public/about-us/laws-amp-rules/local-law-no.3-community-amenity-amended-1-december-2017.pdf>

Local law covers the following:

- Applicable to retailers with more than 25 trolleys
- Must put in place proactive measures to reduce the number of abandoned trolleys in the community.
- required to introduce a coin deposit mechanism, or install a perimeter wheel lock containment system.
- The By-Law empowers Council to conduct a regular trolley collection program where trolleys are seized and impounded.
- Trolleys are impounded for 28 days for retailers to reclaim their trolleys.
- Fee of \$97 is charged to retailers who wish to reclaim their trolleys
- Monash reported positive results and improved compliance with the introduction of Local Law and regular trolley collections have declined

The Australian Capital Territory

Territory-wide legislation

<https://www.legislation.act.gov.au/View/a/2010-34/20110302-45096/PDF/2010-34.PDF>

The legislation covers the following:

- identification require don shopping trolleys to assist with their collection if abandoned,
- a proactive trolley collection scheme that allows the Government to respond to a trolley problem in a specific area.
- Includes offences against the improper use of shopping trolleys and for failing to keep a shopping trolley within a shopping centre precinct
- does not apply if the retailer operates and maintains an approved trolley containment system at its premises or takes reasonable steps to ensure a trolley is not removed from a shopping centre precinct.
- the ACT Government also implemented a proactive trolley collection scheme to collect abandoned trolleys where they had not been collected by the retailer. A collection day scheme has been implemented where the Government is able to give retailers two days notice that a trolley collection sweep will be conducted in their area. Any trolleys not collected by retailers before the notified collection day are removed by the Government and impounded in a

retention area. The retailer may then be liable for costs incurred by the Government for handling, removal/storage of the trolley, and any costs

- no update provided on success of legislation

ITEM	3.6.1
	RESOURCES AND GOVERNANCE COMMITTEE
DATE	15 July 2019
HEADING	Annual Report on Internal Reviews of Council decisions in the year ending 30 June 2019 under Section 270 of the Local Government Act 1999
AUTHOR	Joy Rowett, Governance Coordinator, CEO and Governance
CITY PLAN LINKS	4.3 Have robust processes that support consistent service delivery and informed decision making.
SUMMARY	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.

RECOMMENDATION

1. The information be received.

ATTACHMENTS

There are no attachments to this report.

1. BACKGROUND

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

2. REPORT

- 2.1 Pursuant to section 270(8) of the Act, Council is required to initiate and consider, on an annual basis, a report that provides information on internal reviews of Council decisions, taking into account the number of applications for review, kinds of matters, outcomes of the reviews, and other matters as prescribed by the legislation.

2.2 During the 2018/19 financial year Council received six applications for internal review as follows:

2.2.1 The applications for internal review received in 2018/19 were as follows:

- Application for review of a Council administrative decision to install “No stopping line marking” in front of a property in Parafield Gardens. The review has been completed with the decision to implement no standing at the location as upheld.
- Application for review of a Council administrative decision with respect to an expiation notice for an alleged dog attack incident – Review did not proceed as this was dealt with as an informal appeal for the expiation notice in accordance with the Expiation of Offences Act 1996.
- Application for review of a Council administrative decision with respect to a driveway application for a property in Para Hills West – Review did not proceed as the matter was dealt with to the satisfaction of the applicant.
- Application for review of a Council administrative decision with respect to noise and vibrations from an adjoining property in Salisbury Plain. The review has been completed with the original decision of Council being upheld.
- Application for review of a Council administrative decision to install a one way road connecting two roads for use during drop off and pick up times as a “kiss and drop” zone. The review is continuing.
- Application for review of a Council decision to refuse an application for a discretionary rate rebate in respect of commercial properties in Salisbury North. The review has been concluded with the original decision of the Council being upheld.

3. CONCLUSION / PROPOSAL

3.1 In accordance with Section 270(8) of the *Local Government Act 1999*, this report provides information concerning the number of applications for review, kinds of matters, outcomes of the reviews, and other matters as prescribed by the legislation as part of the Internal Review of Council Decisions process in the year ending 30 June 2019.

CO-ORDINATION

Officer: Executive Group
Date: 08/07/2019

ITEM	3.6.2
	RESOURCES AND GOVERNANCE COMMITTEE
DATE	15 July 2019
HEADING	Review of the Code of Practice - Access to Meetings and Documents
AUTHOR	Joy Rowett, Governance Coordinator, CEO and Governance
CITY PLAN LINKS	4.3 Have robust processes that support consistent service delivery and informed decision making.
SUMMARY	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.

RECOMMENDATION

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*.

ATTACHMENTS

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

1. Draft Code of Practice for Access to Meetings and Associated Documents

1. BACKGROUND

- 1.1 The City of Salisbury has adopted a Code of Practice – Access to Meetings and Associated Documents (the Code) which provides information to the community on the City of Salisbury’s commitment to providing access to meetings and associated documents of Council, as prescribed by the *Local Government Act 1999* (the Act).
- 1.2 There are times when, in the broader community interest, it is necessary to restrict public access to discussions or documents and this Code summarises the legal position in relation to such access.

- 1.3 The Code was last reviewed in 2017 and incorporated the changes to legislation as a result of the *Local Government (Accountability and Governance) Amendment Act 2015* (the Amendment Act) which received assent on 17 November 2015 and commenced on 31 March 2016

2. REPORT

- 2.1 The Code has been reviewed and only minor editorial amendments are required.
- 2.2 Pursuant to Section 92(5) of the Act, the Code must be made available for public consultation prior to its adoption by Council. Section 50(4) of the Act determines that public consultation must occur for a minimum of 21 days. Therefore it is proposed that public consultation be undertaken for a 21 day period, from 31 July 2019 to 21 August 2019.
- 2.3 This consultation will take the form of a public notice posted in the Northern Messenger as well as on Council's website and in the Council Offices foyer inviting interested persons to make submissions within the period stated in the notice in accordance with Council's Public Consultation Policy.
- 2.4 In addition, copies of the Code will be made available for inspection and/or purchase at the James Street Civic Centre.
- 2.5 Following the consultation period a further report will be presented to Council outlining any submissions received.
- 2.6 The right to address Council or a Committee of Council by way of deputation in support of any submission may be granted at the discretion of the Mayor or Presiding Member, unless otherwise prescribed in the relevant legislation.

3. CONCLUSION / PROPOSAL

- 3.1 The Code of Practice – Access to Meetings and Documents has been reviewed and only minor editorial amendments are required.
- 3.2 Council is asked to approve the Draft Code of Practice – Access to Meetings and Documents for public consultation for a period of not less than 21 days.

CO-ORDINATION

Officer: Executive Group
Date: 08/07/2019



Code of Practice for Access to Meetings and Associated Documents

Approved By:	Council	Decision No:	635, 2011/521, 2017/2063
Approval Date:	22 October 2007	Most Recent Approval:	25 September 2017 <u>22 July 2019</u>
Review Date:	September 2019 <u>July 2021</u>	Internal Reference No.:	
Department:	CEO and Governance	Division:	CEO and Governance
Function:	9 - Governance	Responsible Officer:	Manager Governance

A - PREAMBLE

1. In fulfilling the role of an effective Council that is responsive to the needs of the community and which operates within the legal framework as prescribed by the *Local Government Act 1999*, the City of Salisbury is fully committed to open and transparent government. It recognises, however, on some occasions it may be necessary, in the broader community interest, to restrict public access to discussions or documents. This only happens after due consideration is given to the matter by the Chief Executive Officer.
2. This Code sets out the commitment of the City of Salisbury to provide public access to meetings of Council and associated documents, and outlines the policies and procedures the City of Salisbury will use the provisions in accordance with relevant provisions of the *Local Government Act 1999* to restrict public access. The Code includes:
 - 2.1 Information on the relevant provisions of the *Local Government Act 1999*;
 - 2.2 Council's principles on public access and participation;
 - 2.3 The process that will be adopted when public access is restricted; and
 - 2.4 Grievance procedures if a member of the public believes that the Council has unreasonably restricted public access on a particular matter.

B - SCOPE

1. This Code of Practice applies to all meetings of Council and associated documents.

C - CODE PURPOSE/OBJECTIVES

1. This Code of Practice clearly states the City of Salisbury's commitment to transparent decision making and provides the community with certainty in relation to access to meetings and associated documents.

D - DEFINITIONS

1. 'Associated documents' refers to agendas, reports, attachments and minutes of meetings of Council.
2. 'Clear Days' means the days between the:
 - Posting of a notice of a meeting and the day the meeting is held excluding both the day on which the notice is given and the day of the meeting, e.g. when notices are given on a Thursday for a following Monday meeting, the clear days are Friday, Saturday and Sunday; or

- Holding of a meeting and the day the minutes are released ~~exelusing~~excluding the day of the meeting and the day the minutes are released.
3. **'Meetings of Council'** refers to sub-committee, committee and council meetings held in accordance with Chapter 6 (Meetings) of the *Local Government Act 1999*.

E – LOCAL GOVERNMENT ACT PROVISIONS

1. Chapter 6 of the *Local Government Act 1999* sets out the arrangements for Meetings of Council. These meetings are to be held in public except where special circumstances exist as prescribed in the Act and a Council or Committee orders that the public be excluded.
2. There are very strict circumstances in which a discussion or document considered in a meeting of Council can be kept confidential. These provisions are covered in the following sections of the Act:
 - 83(5) Council and 87(10) Committee – the Chief Executive may, after consultation with the principal member of Council, or in the case of a Committee the presiding member, indicate on a document or report provided to the members of the Council or the Committee that the matter may, if the Council or Committee so determines, be considered in confidence. The Chief Executive is required to specify at the same time the basis on which such an order can be made.
 - 90(2) and (3) - circumstances where Council may order that the public can be excluded from attendance at a meeting, or part of it, to enable a matter to be considered in confidence. Appendix 1 provides a list of matters which fall into this category.
 - 91(7) – circumstances where a document considered in confidence can be ordered to remain confidential.
 - 91(8) – circumstances where a Council must **not** order that a document remain confidential.
 - 91(9) – the Council or Committee must specify the duration of the order or the circumstances in which the order will cease to apply, or a period after which the order will be reviewed. The power to revoke an order can also be delegated to an employee of Council.
 - 92 – requires the Council to prepare and adopt a Code of Practice relating to access to meetings and documents. Prior to adoption, alteration or substitution the proposed Code (or changes) must be available for inspection and purchase. Council is also required to follow the relevant steps set out in its public consultation policy.
 - 94 – provides that the Ombudsman may, on receipt of a complaint, investigate the use of these provisions.

F - POLICY STATEMENT

1. The City of Salisbury will:
 - 1.1 Act in the best interest of the community, with honesty, integrity and transparency;
 - 1.2 Represent the interests of the Salisbury community through responsible, open and accessible government;
 - 1.3 Ensure confidentiality provisions will only be utilised when considered absolutely necessary;
 - 1.4 Ensure that in all cases, the information be made publicly available at the earliest possible opportunity.
2. The City of Salisbury will conduct all formal meetings of Council in public and will provide public access to all documents considered at those meetings, except where the meeting of Council is clearly satisfied that the need for confidentiality outweighs the principle of open decision making.

At the City of Salisbury the following procedures and practices will apply when considering whether to restrict public access to a Council or Council Committee meeting or a report presented to these meetings:

- 2.1 Where the Chief Executive Officer believes that a matter should be considered in confidence, the nature of the matter and the reasons why it should be considered in confidence will be clearly stated on the agenda for the meeting which is made available to the public.
- 2.2 Information of a confidential nature will be placed in attachments to reports, where possible, so that the report itself can be made available to the public.
- 2.3 Recommendations and resolutions will be framed, where possible, so that public access to the minutes of these meetings does not need to be restricted.
- 2.4 Public access will be restricted for the minimum period of time necessary to allow the matter to be resolved.
- 2.5 Council reports on assessment of tenders for the provision of goods and services to Council will become public as soon as the contract documentation is executed and finalised.
- 2.6 Council and Committee items declared confidential will be recorded in a *Register of Confidential Items* listing the following information:
 - title of the item
 - date of the Council or Committee meeting;
 - reason for holding the matter confidential and the legislative provision to which it applies;
 - dated of release from confidentiality
 and the *Register* will be made available for public inspection.
- 2.7 Council will consider objections by a member of the public that a matter is subject to restricted access and will advise that person of their right to seek a review by the Ombudsman if they disagree with a decision to restrict access.

3. Agenda for Council and Committee Meetings

One of the main opportunities for the community to obtain information about the business of Council is from the agendas for Council and Committee meetings and associated reports and attachments. Therefore public access to Council agenda papers is encouraged. In the City of Salisbury the following procedures apply to encourage public access:

- At least three clear days before an ordinary meeting of Council or Council Committee meeting, a copy of the Agenda for the meeting will be placed on public display ~~in the foyer of the Council Offices~~ in the principal office of Council (the Agenda is defined as being a list of items of business to be considered).
- A copy of associated reports, attachments and recommendations prepared by Council Officers to be considered by the Members will be available for public inspection at the same time and place as the Agenda. Members of the public may request a copy of a particular report or reports for a small fee to cover the costs of duplication.
- Copies of agendas, reports, attachments and minutes of all meetings of Council will be published on Council's Internet site – www.salisbury.sa.gov.au.
- Minutes of Council and Council Committee meetings will be placed on public display in the principal office of Council within five days after the meeting and kept on display for a period of one month.
- If, in the opinion of the Chief Executive Officer, a matter is likely to be required to be dealt with in confidence, that matter will be noted on the Agenda together with the reason that it may need

to be discussed in confidence. The reason must fall within the provisions of Section 90(3) of the *Local Government Act 1999* (as outlined in Attachment 1 to this Policy).

- Where a report has been considered in confidence and restricted from public access, the report will be reviewed internally twice a year being January and July to determine its confidential status for possible release to the public.

4. Public Access to Meetings

In the City of Salisbury, public access to meetings of Council and Council Committees is always available, except where indicated on the Agenda that a matter may need to be discussed in confidence as outlined above. Examples where the public may be excluded include:

- The Council is intending to bid at auction to acquire land and would not want others involved such as the vendor to have prior knowledge of what the Council was setting as an upper limit to bid at the auction, as to do so would prejudice the position of the Council and disadvantage the community [s.90(3)(b)].
- Matters affecting the security of the Council, members or employees of the Council, or Council property, or the safety of any person. [s.90(3)(e)]

The public will only be excluded when considered absolutely necessary and the need for confidentiality outweighs the principle of open decision making.

Section 90(4) of the Act stipulates that Council and Council Committees cannot make an order, that the public be excluded from a meeting only on the basis that discussion of a matter in public may:

- Cause embarrassment to Council, the Committee, Elected Members, independent members of a Committee or employees of the City of Salisbury; or
- Cause a loss of confidence in Council; or
- Involve discussion of a matter that is controversial within the Council area; or
- Make the Council susceptible to adverse criticism.

5. Process to Exclude the Public

The meeting will adopt the following procedure and practices before deciding to exclude the public:

- Before a meeting excludes the public from discussion of a particular matter presented in confidence in the Agenda, the meeting will formally determine if this is necessary and that it falls within the relevant provisions of Section 90 (3) of the Act as a matter justifying treatment in confidence. The meeting will then pass an appropriate resolution to exclude the public.
- The debate on whether or not the public should be excluded will be held in public.
- The public will only be excluded after a motion to that effect is carried.
- If a resolution to exclude the public is made, the grounds for this will be communicated to the public present at the meeting and will be recorded in the Minutes together with the basis on which the information or matter to which the order relates falls within the ambit of each ground on which the order was made and if relevant, the reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contrary to the public interest.
- If this occurs then the public must leave the room in which the meeting is being held.
- For the convenience of the public present at a meeting, where it is resolved to consider a matter in confidence, the matter is to be placed last on the agenda and deferred until all other business has been dealt with. This avoids the need to ask the public to leave the room and wait until the matter is concluded and then allow them to return to the meeting room with the possibility of the same process being repeated for a subsequent matter.
- Once debate on the matter is concluded, the meeting will then consider if it is necessary to make an order that some or all documents associated with the matter remains confidential.

In determining this, the meeting will have regard to the provisions of the Act and this Code. If an order is made the meeting will also determine for what period, or for what circumstances (e.g settlement of land division) the document or portion of the document will remain restricted from public access.

- h. Once discussion on that particular matter is concluded, the public are then permitted to re-enter the meeting. If there is a further matter to be considered in confidence it will be necessary to again undertake the formal determination process and to resolve to exclude the public as outlined above.

6. Informal Gatherings

Designated informal Gatherings or discussions mean an event organised and conducted by or on behalf of the council or chief executive officer to which members of the council or council committee (as the case may be) have been invited and that involves discussion of a matter that is, or is intended to be, part of the agenda for a formal meeting of the council or council committee.

Section 90(8) of the *Local Government Act 1999* allows designated informal gatherings or discussions to be held provided that the discussion does not lead to a decision, or effectively obtain a decision, on a matter that would ordinarily be dealt with at a Council meeting.

A decision to ~~close~~ hold an informal gathering or discussion closed to the public will consider the nature of information to be discussed, including:

- a. whether the content to be discussed falls within the confidentiality provisions of s.90(3) of the *Local Government Act 1999*;
- b. whether the information to be presented constitutes a Training and Development Activity;
- c. a request from an external party involved in the presentation of information that the Informal Gathering not be open to the public.

Where the Chief Executive Officer determines the need for private consideration of information to be discussed at the informal gathering or discussion outweighs the need to provide access to members of the public the informal gathering or discussion will be closed. The reason for this decision will be briefly stated on the City of Salisbury website.

7. Person Requesting a Matter to be kept Confidential

Where a person provides information to the Council and requests that it be kept confidential the Council is not able to even consider this request unless the matter is one that falls within the provisions of Section 90(2) of the Act. If this is the case, Council will then be in a position to consider the request on its relative merits in accordance with the Act and this Code.

8. Public Access to Documents

The City of Salisbury will only order that a document associated with a discussion from which the public are excluded will remain confidential, if it is considered absolutely necessary in the broader community interest. Council can only make orders in relation to documents that were considered in confidence under section 90(3) of the *Local Government Act 1999*.

Any inquiries in relation to the process for seeking access to documents held by the Council should be directed to the Freedom of Information Officer on 8406 8222 or email: city@salisbury.sa.gov.au.

9. Reviewing and Revoking Confidential Orders

Where keeping a document confidential is considered absolutely necessary, a resolution to this effect is required, which shall include the grounds for confidentiality and the duration of the order or circumstances in which the order will cease to apply or when the order must be reviewed.

It is the general practice of this Council to review all confidential orders twice a year (refer paragraph 2.). Depending on the nature of the material, the confidentiality order may be lifted at the time of review, thereby providing access by the public, or another review period may be set. Council may delegate to an officer or employee the authority to revoke a confidential order, and if relevant, may add conditions as to when the delegation can be used.

Example

Council resolved to bid \$100,000 at auction for a parcel of land. An order that this discussion be confidential could be made in accordance with section 90(3)(b). Council resolved that the document containing information on the value of land remain confidential in accordance with section 91(7). Council could delegate that the CEO have the authority to make this information public following the completion of the acquisition of the land in accordance with section 91(9)(c).

9. Person Requesting a Matter to be Kept Confidential

Where a person provides information to the Council and requests that it be kept confidential, the Council is not able to even consider the request unless the matter is one that falls within section 90(3). If this is the case, Council will then be in a position to consider the request on its relative merits.

10. Accountability and Reporting to the Community

Council will report on an annual basis in the Annual Report on its use of all confidentiality provisions. The report will include the following information:

- Number of occasions each of the provisions of section 90(3) and section 91(7) were utilised.
- Number of occasions each of the provisions of section 90(3) and section 91(7) were utilised, expressed as a percentage of total agenda items considered.
- An indication of any particular issues that contributed to the use of confidentiality provisions on more than one occasion e.g. a proposal to acquire parcel of land x was considered on 4 separate occasions.
- An indication of the categories of section 90(3) that were used most frequently.
- Number of occasions that information originally declared confidential has subsequently been made publicly available.

The Annual Report is available on Council's website – www.salisbury.sa.gov.au. Copies can be provided on request.

11. Grievances

In the first instance, any questions or complaints about the use of confidentiality provisions should be raised with the Manager Governance. The question or complaint should be made in writing (wherever possible) to ensure all grievances are considered and acted upon in a proper manner. Questions or complaints should be marked to the attention of the Manager Governance, City of Salisbury, PO Box 8, Salisbury SA 5108 or via email city@salisbury.sa.gov.au. Initially information on the application of confidential provisions and full explanation of the details and circumstances relating to the complaint will be provided. It is anticipated that most, if not all, questions or complaints will be resolved through this process.

Should this not resolve the matter, a formal application for internal review of this decision can be made. This will be dealt with in accordance with Council's Internal Review of Council Decisions Process.

If a person remains aggrieved about an action of Council, they have the option of seeking to have the Ombudsman review the matter. It is hoped that all grievances can be resolved with Council, but if not, Council Staff can provide details of how to contact the Ombudsman if required.

12. Review

The City of Salisbury is required, by the *Local Government Act 1999*, to review this code within 12 months of a periodic election. Council has the ability to review this code at any time if considered necessary.

In accordance with the City of Salisbury's Public Consultation Policy, when being reviewed, a notice will be published in a paper circulating the area and inviting interested persons to make submissions to Council on the code within a period being at least twenty one (21) days from the date of the notice.

13. Further Information

The Contact Officer for further information at the City of Salisbury is the Manager Governance, or in their absence the Governance Coordinator, telephone 8406 8222 or email: city@salisbury.sa.gov.au.

G - LEGISLATION

1. Section 92 of the Local Government Act 1999
2. Chapter 6 of the Local Government Act 1999

H - REFERENCES

1. Internal Review of Council Decisions - *Section 270 Local Government Act 1999*
2. City of Salisbury Code of Practice for Meeting Procedures
3. City of Salisbury Informal Gatherings Policy
4. Local Government Association - Model Code of Practice for Access to Council and Committee Meetings and Documents
5. Local Government Association - Confidentiality Guidelines: How to Apply Section 90 of the *Local Government Act 1999*

Document Control

Document ID	Code of Practice for Access to Meetings and Associated Documents
Prepared by	Joy Rowett
Release	34.0
Document Status	<u>Draft</u>
Issue Date	

APPENDIX 1
MATTERS FOR WHICH COUNCIL, OR A COMMITTEE, CAN ORDER THAT THE PUBLIC BE EXCLUDED

Council, or a committee may order that the public be excluded in the following circumstances:

- a. information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);
- b. information the disclosure of which-
 - (i) 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
 - (ii) would, on balance, be contrary to the public interest;
- c. information the disclosure of which would reveal a trade secret;
- d. commercial information of a confidential nature (not being a trade secret) the disclosure of which-
 - (i) 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
 - (ii) would, on balance, be contrary to the public interest.
- e. matters affecting the security of the council, members or employees of the council, or council property, or the safety of any person;
- f. information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial;
- g. matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty;
- h. legal advice;
- i. information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council;
- j. information the disclosure of which-
 - (i) 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
 - (ii) would, on balance, be contrary to the public interest;
- k. tenders for supply of goods, the provision of services or the carrying out of works;
- m. information relating to a proposed amendment to a Development Plan under the Development Act 1993 before a Plan Amendment Report relating to the amendment is released for public consultation under that Act;
- n. information relevant to the review of a determination of a council under the Freedom of Information Act 1991.

The Act provides for a definition of “personal affairs” being a person’s financial affairs, criminal records, marital or other personal relationships, personal qualities, attributes or health status, or that person’s employment records, employment performance or suitability for a particular position, or other personnel matters relating to the person.

(Local Government Act 1999 – Section 90)

ITEM	3.6.3
	RESOURCES AND GOVERNANCE COMMITTEE
DATE	15 July 2019
PREV REFS	
HEADING	Review of Disposal of Land Policy
AUTHOR	Tim Starr, Coordinator Property, City Infrastructure
CITY PLAN LINKS	4.4 To ensure informed and transparent decision-making that is accountable and legally compliant
SUMMARY	This report presents the Disposal of Land Policy to Council for consideration and endorsement.

RECOMMENDATION

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.

ATTACHMENTS

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

1. Disposal of Land Policy

BACKGROUND

- 1.1 Council's Policy Framework provides for Council Policies to be reviewed within 12 months of a general election and thereafter every two years.
- 1.2 This Policy was endorsed by Council in July 2018 and is now due again for review.

2. CONSULTATION / COMMUNICATION

- 2.1 Internal
 - 2.1.1 Consultation with staff as to the continuing relevance of the Policy and any changes that may be required.
- 2.2 External
 - 2.2.1 Nil

3. REPORT

- 3.1 The Disposal of Land Policy has been reviewed by the Policy Owner. Clause 4.2 concerning the Net proceeds of the sale and where they should be allocated has been added to be consistent with the surplus community land policy together with minor editorial amendments to ensure the continuing relevance of the Policy

4. CONCLUSION / PROPOSAL

- 4.1 The Disposal of Land Policy as contained within Attachment 1 is recommended to Council for endorsement.

CO-ORDINATION

Officer: EXECUTIVE GROUP
Date: 08/07/2019



Disposal of Land Policy

Policy Type:	Policy		
Approved By:		Decision No:	2567/2018
Approval Date:	23 July 2018	Last Reapproval Date:	22 July 2019
Review Date:	July 2020 July 2021	Internal Reference No.:	
Department:	City Infrastructure	Division:	Property & Building
Function:	16 - Property Management	Responsible Officer:	Manager, Property & Building

A - PREAMBLE

- Section 49 of the Local Government Act, 1999 requires that a Council must prepare and adopt policies on contracts and tenders, including policies on the sale of land or other assets.
- Council has an approved policy for the Disposal of Assets other than Land Policy and this policy therefore refers specifically to disposal of land

B - SCOPE

- Section 49 (a1) of the Local Government Act 1999 requires Council to develop and maintain policies, practices and procedures directed towards:
 - Obtaining value in the expenditure of public money; and
 - Providing for ethical and fair treatment of participants; and
 - Ensuring probity, accountability and transparency in all disposal processes.
- Where ~~Property & Buildings Division Council Administration~~ (in consultation with other Departments within Council) believes that:
 - Public land in Council's ownership may be surplus to public requirements;
 - The land provides limited strategic and / or public benefit;
 - Holding the land is an inefficient use of public assets

A report will be presented to Council for consideration of disposal. This will include recommendations to implement public consultation in accordance with Council's Public Consultation Policy

- This policy seeks to:
 - Define the methods by which land are disposed of;
 - Demonstrate accountability and responsibility of Council to ratepayers;
 - Be fair and equitable to all parties involved;
 - Enable all processes to be monitored and recorded; and
 - Ensure that the best possible outcome is achieved for the community
- However this policy does not cover:

- Land sold by Council for the non-payment of rates as this is dealt with in the Local Government Act 1999.

C – POLICY PURPOSE/OBJECTIVES

1. This policy provides direction to staff outlining the principles and processes to be followed in relation to disposal of land vested in Council in fee simple or as a lessee.
2. This policy considers all land held within Council's ownership whether it be held as community land, Council owned land, road and road reserves, any legal interest in land, and any other land-related assets including all buildings (community and operational) on land.
3. This policy also states how net proceeds will be treated

D - DEFINITIONS

1. Land includes community land, Council owned land, roads and road reserves, any legal interest in land, and any other land-related assets including all buildings (community and operational) on land.

E - POLICY STATEMENT

1. **Council must have regard to the following principles in regard to disposal of land;**
 - 1.1 Encouragement of open and effective competition
 - 1.2 Obtaining value for money
 - 1.3 Not restricted to price alone
 - 1.4 An assessment of value for money must include consideration of (where applicable)
 - The contribution to Council's long term financial plan and strategic management plans
 - Any relevant direct and indirect benefits to Council, both tangible and intangible
 - Efficiency and effectiveness
 - The costs of various disposal methods
 - Internal administration costs
 - Risk exposure
 - The value of any associated environmental benefits
 - The direct and indirect economic benefits for the City of Salisbury ie creation of jobs alignment / support of industry direction and transformation
 - 1.5 Ethical Behaviour and fair dealing, behave with impartiality, fairness, independence and integrity in all discussions and negotiations.
 - 1.6 Ensure accountability, transparency and compliance with all relevant legislation.

2. **Considerations Prior to Disposal of the Land**

Any decision to dispose of land will be made after considering where applicable

- 2.1 The value of the land to the community for community uses
- 2.2 The current market value of the land
- 2.3 The annual costs of maintenance
- 2.4 Any alternative future use of the land
- 2.5 Any duplication of the land or the service provided by the land
- 2.6 Any impact the disposal of the land may have on the community
- 2.7 Any cultural or historical significance of the land

- 2.8 The positive and negative impacts the disposal of the land may have on the operations of the Council
- 2.9 The long term plans and strategic direction of the Council
- 2.10 The remaining useful life, particularly of any building infrastructure on the land
- 2.11 A benefit and risk analysis of the proposed disposal
- 2.12 The results of any community consultation process
- 2.13 Any restrictions on the proposed disposal
- 2.14 The content of any community land management plan;
- 2.15 Reserve classification hierarchy; and
- 2.16 Any other relevant plans / policies of the Council including but not limited to;
 - Affordable Housing Policy (Council owned Land)
 - Public Consultation Policy
 - Community Land Management Plan
 - Walkway Closures Policy
 - Unsolicited Proposals Procedure
 - Growth Action Plan

3. Disposal Methods

- 3.1 The Council may resolve to dispose of the land.
- 3.2 Where the land forms or formed a road or part of a road, the Council must ensure that the land is closed under the Roads (Opening and Closing) Act 1991 (SA) prior to its disposal.
- 3.3 Where land is classified as community land, the Council must;
 - Undertake public consultation in accordance with the Local Government Act 1999 and the Council's Public Consultation Policy
 - Ensure the processes for revocation of the community land classification have been concluded prior to disposal
 - Comply with all other requirements under the Local Government Act 1999 in regard to the disposal of community land.
- 3.4 Where Council proposes to dispose of land through the grant of a leasehold interest greater than five years, the Council must have complied with its obligations under the Local Government Act 1999, including the public consultation obligations under Section 292 of the Local Government Act 1999.
- 3.5 The Council will, where appropriate, dispose of land through one of the following methods;
 - Open Market method of sale, - advertisement for disposal of the land through the local paper and where appropriate a paper circulating in the state, or by procuring the services of a licenced real estate agent and / or auctioneer (following compliance with the Council's Procurement Policy);
 - Expressions of interest – seeking expressions of interests
 - Select tender – seeking tenders from a selected group of persons or companies
 - Open tender – openly seeking bids through tenders, including public auctions
 - By negotiation – with owners of adjoining land adjoining the land for sale or others with a pre-existing interest in the land, or where the land is to be used by

a purchaser whose purpose for the land is consistent with the Council's strategic objectives for the land.

- Through a structured marketing process, particularly in relation to Councils Strategic Property Development projects where Council is acting as the developer.

3.6 Selection of a suitable disposal method will include consideration of:

- The number of potential purchasers of the land
- The original intention for the use of the land
- The current and possible preferred future use of the land
- The opportunity to promote local economic growth and development
- Delegation limits, taking into consideration accountability, responsibility, operation efficiency and urgency of the disposal
- The total estimated value of the disposal
- Compliance with statutory and other obligations

3.7 The Council will not dispose of land to any Council Member or employee of the Council who has been involved in any process related to a decision to dispose of the land and / or the establishment of a reserve price.

3.8 If the land is to be auctioned or placed on the open market or disposed of by an expression of interest, then (unless the Council resolves otherwise) at least one independent valuation must be obtained to establish the reserve price for the land.

3.9 The Council will seek to dispose of land at or above current market valuation by whichever method is likely to provide the Council with a maximum return.

3.10 If the disposal is not on the open market, the disposal should be at or above the current market valuation (with due regard to all associated costs to achieve the transaction or such other amount as the Council resolves). Unless there are reasons for the Council to accept a lesser return, which is consistent with the Council's overall strategic direction. The reasons must be documented in writing.

4. Proceeds of Sale

4.1 The sale of any Council properties under the provisions of this policy shall deliver project outcomes detailed in the business case endorsed by Council, with net proceeds transferred to the property disposal reserve, and used to repay debt or reduce future borrowings.

4.2 Net proceeds are the resulting cash surplus from the Land Disposal. This is calculated as the Accounting Profit as determined in accordance with the Australian Accounting Standards, and adding back the land value which is a non-cash impact, and if relevant deducting the cost of any retained infrastructure constructed as part the disposal. Typically sales proceeds net of GST will be reduced by disposal costs, development costs, and if relevant costs of infrastructure assets created as part of the land disposal.

F - LEGISLATION

1. Local Government Act 1999 (SA)
2. Real Property Act 1886 (SA)

3. Land and Business (Sale and Conveyancing) Act 1994 (SA)
4. Development Act 1993 (SA)
5. Retail and Commercial Leases Act 1995 (SA)
6. Residential Tenancies Act 1995 (SA)
7. Crown Land Management Act 2009 (SA)
8. Strata Titles Act 1988 (SA)
9. Community Titles Act 1996 (SA)
10. Roads (Opening and Closing) Act 1991 (SA)
11. Land Acquisition Act 1969 (SA)

Document Control

Document ID	Disposal of Land Policy
Prepared by	Tim Starr
Release	12.00
Document Status	EndorsedDraft
Date Printed	08/07/201904/06/2019

ITEM	3.6.4
	RESOURCES AND GOVERNANCE COMMITTEE
DATE	15 July 2019
PREV REFS	
HEADING	Review of Temporary Road Closures Policy
AUTHOR	Dameon Roy, Manager Technical Services, City Infrastructure
CITY PLAN LINKS	4.4 To ensure informed and transparent decision-making that is accountable and legally compliant
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.

RECOMMENDATION

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.

ATTACHMENTS

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

1. Temporary Road Closures Policy

1. BACKGROUND

- 1.1 Council's Policy Framework provides for Council Policies to be reviewed within 12 months of a general election and thereafter every two years.
- 1.2 The Temporary Road Closures Policy was last reviewed in May 2018 and is now again due for review.

2. CONSULTATION / COMMUNICATION

- 2.1 Internal
 - 2.1.1 Consultation with relevant staff has occurred as to the continuing relevance of the Policy and any changes that may be required.

3. REPORT

- 3.1 The Temporary Road Closures Policy has been reviewed by the Policy Owner. Apart from minor editorial changes, no changes of substance are required in the content of the Policy to ensure its continuing relevance.

4. CONCLUSION / PROPOSAL

- 4.1 The Temporary Road Closures Policy as contained within Attachment 1 is recommended to Council for endorsement.

CO-ORDINATION

Officer: Executive Group
Date: 08/07/2019



Temporary Road Closures Policy

Policy Type: Policy

Approved	Council	Decision No:	Min 1825, 2011/522, 2015/0752, 2515/2018
Approval	24 October 2005	Most Recent	28 May 2018 22 July 2019
Review Date:	May 2020 July 2021	Internal Reference No.:	
Department:	City Infrastructure	Division:	Infrastructure Management
Function:	20 - Traffic	Responsible Officer:	Manager, Infrastructure Management

A - PREAMBLE

1. There are instances where temporary road closures may become necessary as part of a special event, or significant occasion. These are implemented for the prime purpose of enhancing road safety through the control of traffic. These closures have associated with them specific times of operation and conditions. They are generally implemented via Section 33 of the Road Traffic Act or less commonly under the *Local Government Act 1999*. However, SAPOL also have delegated powers for this purpose.

B - SCOPE

1. This policy covers all road closures of a temporary nature, introduced for specific purposes. It does not, however, include those closures of a permanent nature that are pursued under the Roads Opening and Closing Act. Nor does it cover temporary road closures implemented as part of local area traffic management schemes, closures as part of road works or closures implemented in emergency situations.

C – POLICY PURPOSE/OBJECTIVES

1. Temporary Road Closures have as their major purpose and objective the enhancement of road safety and the protection of vulnerable road users. This policy sets out the criteria for approving and funding such closures.

D - DEFINITIONS

1. Significant community event – an event that is broadly held for the benefit of the general Community and where there is an expectation that substantial numbers of the community will participate in and/or attend

E - POLICY STATEMENT

1. Council will support and fund Temporary Road Closures for the following events:
 1. Charity fund raising events – i.e. an event that is held for the express purpose of raising funds for charitable purposes and does not result in profit to the organisers.

2. Religious events - Celebrations associated with specific religious festivals such as Easter and Christmas.
3. Significant community events.
 - Each request for support and funding will be considered on its merits.
 - Where requests for funding are approved, Council will meet the cost of providing traffic management, parking control, advertising, administration and co-ordination.
2. Other requests for Temporary Road Closures, generally for private purposes, may be approved however Council will not meet any of the associated costs.
 1. These requests must be in writing to Council at least two months prior to the event to allow items to be placed before full council for approval as required by legislation
 2. The applicant guarantees to meet all costs associated with the process including traffic management and advertising; and
 3. The applicant guarantees to meet any other requirements of the Council.

F - LEGISLATION

1. *Road Traffic Act 1961*
2. *Local Government Act 1999*
3. *Summary Offences Act 1953*

G - REFERENCES

1. Australian Road Rules
2. General Approval and Delegations - issued by the Minister of Transport

Document Control

Document ID	Temporary Road Closures Policy
Prepared by	Dameon Roy
Release	45,0
Document Status	EndorsedDraft
Issue Date	

ITEM	3.6.5
	RESOURCES AND GOVERNANCE COMMITTEE
DATE	15 July 2019
HEADING	Local Government Association Annual General Meeting: 31/10/2019 - Proposed Items of Business and Voting Delegates
AUTHOR	Michelle Woods, Projects Officer Governance, CEO and Governance
CITY PLAN LINKS	4.3 Have robust processes that support consistent service delivery and informed decision making.
SUMMARY	This 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.

RECOMMENDATION

1. The information be received.

ATTACHMENTS

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

1. Considering Proposed Items of Business for LGA General Meetings

1. BACKGROUND

- 1.1 The LGA AGM will be held on Thursday 31 October 2019 at Adelaide Oval. When a draft program for this event is released, it will be made available to all Elected Members to review and determine if they wish to attend.

2. CONSULTATION / COMMUNICATION

2.1 Internal

- 2.1.1 Chief Executive Officer and General Managers.

2.2 External

- 2.2.1 LGA Circular 22.2 was distributed to Elected Members via email on 23/05/2019.

3. REPORT

Process for Submission of Proposed Items of Business

- 3.1 The purpose of the AGM is to consider items of strategic importance to local government and the LGA, as recommended by the SA Region Organisation of Councils (SAROC), the Greater Adelaide Region Organisation of Councils (GAROC) or the Board of Directors.
- 3.2 Member councils may at any time throughout the year propose an item of business for a General Meeting. Proposals should be accompanied by sufficient supporting information to assist SAROC, GAROC and the Board of Directors to make informed decisions and recommendations. Councils are encouraged to discuss proposed items of business with the LGA Secretariat prior to being submitted.
- 3.3 It is at the discretion of councils whether to refer an item to their relevant Regional Organisation of Councils (SAROC or GAROC) or the Board of Directors.
- 3.4 Guidelines on how proposed items of business will be considered are attached for reference.
- 3.5 In order for items of business to be considered for the AGM of 31 October 2019, **proposals must be received no later than 5pm on Monday 5 August 2019.**
- 3.6 All proposed items will then be considered by either SAROC, GAROC or the Board of Directors and must be approved by them for inclusion in the agenda for the AGM.
- 3.7 The AGM agenda will be provided to Councils at least 30 days prior to the meeting.

Topics for Proposed Items of Business

- 3.8 At the 25 February 2019 meeting of Council, when considering possible motions for the National General Assembly of Australian Local Government, it was resolved that:

“Council recommend a motion to the LGA reinforcing our position for weekly putrescible rubbish collection and the LGA establish a sector wide policy that is consistent with that.”
- 3.9 In addition, at the 25 March 2019 meeting of Council, the following was resolved as a Motion on Notice:
 1. *Council note that residents want to retain weekly residential waste collection in the City of Salisbury.*
 2. *Council reinforces its commitment to maintaining a weekly residential general waste collection regime.*
 3. *Council submit a motion to the next state LGA General Meeting calling on all South Australian Councils to support weekly waste collections and to seek State Government commitment to this policy.”*
- 3.10 These resolutions will be submitted as a proposed item of business for the 31 October 2019 LGA AGM.

- 3.11 At the time of writing this report the Chief Executive Officer or General Managers were not aware of any additional issues that warrant submission of a proposed item of business by the City of Salisbury.
- 3.12 Should Council determine otherwise, a recommendation to that effect will need to be added.

Voting Delegates

- 3.13 In November 2018, Council resolved Cr Chad Buchanan be appointed as voting delegate to the LGA for a period of two years. At the same time, Mayor Gillian Aldridge was appointed the deputy voting delegate for a period of two years.
- 3.14 It has been practice that Council direct the City of Salisbury’s voting delegate in relation to voting on LGA General Meeting (Annual and Ordinary) recommendations. To give effect to this resolution a report is prepared prior to each LGA Meeting that provides a summary of the matters being considered and puts forward a recommended position for each, based on advice from the Chief Executive Officer.
- 3.15 Under the LGA Constitution the AGM agenda is due to be distributed 30 days before the meeting (ie 01/10/2019 at the latest).
- 3.16 A report will therefore be presented to the October Resources and Governance Committee, which will include advice from the Chief Executive Officer in relation to each item of business, allowing members to provide direction to the voting delegate.

4. CONCLUSION / PROPOSAL

- 4.1 Council is asked to determine if there are any issues which warrant submission of an item of business to the LGA AGM being held 31 October 2019.
- 4.2 A further report providing the items of business to be considered at the October AGM will be presented to allow Council to provide direction to the voting delegate.

CO-ORDINATION

Officer:	Exec Group	MG
Date:	08/07/19	04/07/19

Considering Proposed Items of Business for LGA General Meetings



Introduction

The Local Government Association of South Australia (LGA) schedules two General Meetings each year for member councils to consider items of strategic importance to local government and the LGA. Proposing and voting on items of business for a General Meeting is one of the important ways that member councils participate in the development of policy and strategy on issues and influence the advocacy agenda for local government in matters affecting councils and their communities.

These guidelines have been prepared to assist the LGA Board of Directors (Board), South Australian Region Organisation of Councils (SAROC) and Greater Adelaide Region Organisation of Council (GAROC) to consider the items of business to be placed upon an agenda for an LGA Ordinary or Annual General Meeting. They also provide guidance to member councils to develop and prioritise proposals to submit for consideration.

The *Considering Proposed Items of Business for LGA General Meetings* Guidelines may be reviewed and amended by the LGA Board of Directors from time to time.

LGA Constitution

Section 16 of the LGA Constitution provides guidance about the matters to be discussed at a General Meeting, and the process by which items of business may be proposed for inclusion on the agenda. The requirements of Section 16 are outlined below.

16. Business of General Meetings

- 16.1 *The business of a General Meeting will be to consider items of strategic importance to local government and the LGA as recommended by SAROC, GAROC or the Board of Directors and matters which must be determined under this Constitution at a General Meeting.*
- 16.2 *Any Member may propose an item of business for an Annual General Meeting or an Ordinary General Meeting to SAROC, GAROC or the Board of Directors.*
- 16.3 *No business shall be brought before a General Meeting of the LGA unless:*
 - 16.3.1 *it has been placed on the agenda of an Annual General Meeting or an Ordinary General Meeting by SAROC, GAROC or the Board of Directors taking into account the purpose of a General Meeting set out in clause 16.1; or*
 - 16.3.2 *the business is as stated in the notice of a Special General Meeting, given in accordance with clause 10.*

In summary, the Constitution provides all member councils with the opportunity to submit a proposed item of business to the Board, SAROC or GAROC for approval to be placed on the agenda of a General Meeting. No item of business will be placed upon the agenda for a General Meeting unless it has been approved by one of the relevant bodies, which must consider whether a matter is of '*strategic importance*' to local government and the LGA'.

Relevant bodies

As outlined in the Constitution, a member council may propose an item of business to SAROC, GAROC or the Board of Directors. This opportunity is also enshrined within the LGA Membership Proposition, which outlines the rights of members to participate in the development of LGA policy and strategy.

While the Constitution refers to members being able to refer items directly to the Board, the Membership Proposition specifically provides for members referring matters relating to policy and strategy development to either SAROC or GAROC (as relevant).

To provide greater clarity to members about the best pathway for submitting an item of business, the following guidance is provided.

LGA Board of Directors

Items should be referred to the Board if related to:

- the LGA Constitution or Ancillary Documents
- a subsidiary of the LGA
- a commercial service provided (or proposed to be provided) by the LGA
- an activity requiring the allocation of significant resources by the LGA
- any LGA operational matter

SAROC or GAROC

Items should be referred to the relevant ROC if related to:

- the development of LGA policy and strategy
- LGA advocacy activities
- an amendment or addition to the LGA Policy Manual
- an operational matter related to SAROC or GAROC

The Board, SAROC and GAROC may choose to refer items submitted by member councils to each other for advice or consideration. Such referrals will be at the discretion of the Board, SAROC and GAROC.

Guiding principles

The following guiding principles have been developed to provide clarity and consistency to the Board, SAROC, GAROC and member councils about the relevant matters that will be considered in determining whether an item of business will be placed on the agenda of a General Meeting.

1. Strategic importance

The matters discussed at General Meetings should be of strategic importance to local government and the LGA. The policies and activities that are resolved at the LGA General Meetings are important in guiding the priorities and work plans of the LGA, and it is important that the association's resources are focussed on the issues that will be of the greatest benefit to councils and communities.

In determining whether a matter is of strategic importance to local government and the LGA, the Board, SAROC and GAROC will consider:

- whether the item has relevance to and will benefit a particular group (eg regional or metro councils) or the sector as a whole;
- alignment with the strategic plans and business plans of the LGA, SAROC and GAROC;
- the level of urgency required to deal with the issue;
- relevance to the role of local government and the potential positive and negative impacts of the issue on councils and communities;

- whether there are other bodies or industry groups that are better placed to address the issue or undertake the proposed activity; and
- the resources required to execute the policies or activities.

2. Supporting evidence

Good public policy positions need to be supported by solid evidence that the issues are well understood and that the proposed course of action provides the most efficient and effective solution. A strong evidence base is critical to successful advocacy, particularly when trying to change government policy, influence public opinion or attract additional funding.

The Board, SAROC and GAROC will consider whether there is sufficient evidence provided in support of the policy position or course of action being sought. In some instances, an item may be referred back to the submitting council with a request for further information.

In many cases the evidence needed to support a position might not be readily available. In these circumstances it is best for a motion to seek further investigation of an issue and/or further consultation with councils, rather than seeking endorsement of a specific policy position or action. The Board, SAROC and GAROC may propose an alternative course of action, in consultation with the submitting council.

3. Alignment with LGA policy

The LGA Policy Manual is a compendium of principles and policies that have been developed and endorsed by a majority vote of member councils at previous General Meetings. There are a wide range of policies addressing a number of priority issues for the sector.

The policies act as a guide for advocacy and best practice in the sector. In most cases, the LGA Policy Manual can provide councils with a broad direction on how an issue can be resolved and whether further development of a policy position is required.

The Board, SAROC and GAROC will consider the LGA Policy Manual in determining whether a new or amended policy position is required to be endorsed by members to enable the LGA to take the requested action. If the LGA already has a supportive policy position in relation to the proposed item, further consideration by members at a General Meeting may not be required.

4. Resourcing

In some cases, the items of business put forward by members require significant resources to be allocated in order to achieve the desired outcome. Resources may not be available through the LGA to tackle every issue.

Before determining to place an item on the agenda of a General Meeting; the Board, SAROC and GAROC will consider:

- whether resources are available within the LGA to achieve the desired outcome;
- other resources that may be available;
- potential impacts on the LGA budget and business plan; and
- the level of input that will be required by councils or other stakeholders to progress the item.

The Board, SAROC and GAROC may determine not to proceed with (or defer) an item of business if the resourcing required would detract from the achievement of outcomes of greater priority for members.

Determinations by the Board, SAROC and GAROC

After considering a proposed item of business against these guiding principles and having regard to any other relevant factors, the Board, SAROC and GAROC may determine to:

- approve an item of business for inclusion on the agenda of a General Meeting;
- approve an amended item of business for inclusion on the agenda of a General Meeting (in consultation with the submitting councils);
- take no further action;
- request additional information from the submitting council;
- refer an item back to the submitting council or regional LGA for action if it relates to a local or regional issue;
- resolve that the matter be dealt with by the LGA, SAROC or GAROC without progressing to a General Meeting (such as matters requiring urgent attention or actions that can be progressed immediately due to alignment with existing policies and work plans); or
- defer the item to a future General Meeting

The submitting council will be advised in writing of the determination of their proposed item of business.

ITEM	3.6.6
	RESOURCES AND GOVERNANCE COMMITTEE
DATE	15 July 2019
HEADING	Summary Report for Attendance at Training and Development Activity - Cr Beau Brug
AUTHOR	Michelle Woods, Projects Officer Governance, CEO and Governance
CITY PLAN LINKS	4.3 Have robust processes that support consistent service delivery and informed decision making.
SUMMARY	The Elected Member Training and Development Policy sets out requirements for reports to be presented by members after attendance at certain activities.

RECOMMENDATION

1. The information be received.

ATTACHMENTS

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

1. Cr Brug Summary Report on Attendance at 2019 National General Assembly of Local Government, Canberra
2. 2019 National General Assembly of Local Government Resolutions
3. 2019 National General Assembly of Local Government Speech by Infrastructure Australia CEO, Romilly Madew

1. BACKGROUND

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

25. *Following attendance at a conference Elected Members must prepare and submit to Council a written report in relation to their attendance at the conference.*

2. CONSULTATION / COMMUNICATION

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

3. REPORT

- 3.1 In accordance with the Elected Member Training and Development Policy (the policy), Cr Beau Brug attended the National General Assembly of Local Government in Canberra from the 16 to 19 June 2019.
- 3.2 As detailed in the policy, Cr Brug has provided the attached summary of his attendance.
- 3.3 Cr Brug has asked the following references be included for information:
- 3.3.1 National General Assembly Program (52 pages):
<https://www.nga19.com.au/NGA19-Handbook-Web.pdf>
- 3.3.2 National General Assembly Business Papers (201 pages):
<https://cdn.alga.asn.au/wp-content/uploads/Electronic-Business-Paper.pdf>
- 3.3.3 National General Assembly Resolutions (attached to this report):
https://cdn.alga.asn.au/wp-content/uploads/Resolutions_Web.pdf
- NGA Resolutions will be considered by the ALGA Board and where appropriate, will be pursued with the Federal Government and the Opposition as well as being drawn on by ALGA as part of its ongoing advocacy.
- 3.3.4 Speech by Infrastructure Australia CEO, Romilly Madew (attached to this report): <https://www.infrastructureaustralia.gov.au/news-media/speeches-presentations/Speech-2019-ALGA-national-general-assembly.aspx>
- 3.3.5 Monday 17 June presentations: <https://alga.asn.au/nga-monday-17-june-presentations/>
- 3.3.6 Tuesday 18 June presentations: <https://alga.asn.au/nga-tuesday-18-june-presentations/>
- 3.3.7 Wednesday 19 June presentations: <https://alga.asn.au/nga-wednesday-19-june-2019/>

4. CONCLUSION / PROPOSAL

- 4.1 Council is asked to receive Cr Brug's attendance report.

CO-ORDINATION

Officer:	Exec Group	MG
Date:	08/07/19	04/07/19

The Australian Local Government Association's National General Assembly

Attendance Report and Summary – Councillor Beau Brug

Executive Summary:

The Australian Local Government Association is the national voice of local government, representing 560 councils across the country. In structure, ALGA is a federation of state and territory local government associations.

The Australian Local Government Association's National General Assembly themed "Future Focused" featured a busy program of important speakers including addresses, workshops and business sessions which included voting and debate on over 130+ motions on issues that affect local government across Australia. This Assembly considered what councils can do today to get ready for the challenges, opportunities and changes that lie ahead, namely – climate change/adaptation, affordable housing and infrastructure funding.

It is the largest, most influential local government conference in Australia and occurs just once a year and attracts more than 870 representatives from councils across the states and territories.

I attended the Australian Local Government Association's National General Assembly as the sole City of Salisbury representative and Council Voting Delegate from 16/06/2019 - 19/06/2019 which was held at the National Convention Centre, Canberra. I note that other councils sent a significant delegation of their Mayor, several Councillors, CEO and other staff.

I was pleased and grateful that Council endorsed my attendance The Australian Local Government Association's National General Assembly which was an important and valuable learning experience.

Attendance Report and Summary:

Mayor David O'Loughlin, ALGA President opened the event and summarised the event and its focusses in his speech text below:

"Welcome to the 25th National General Assembly of Local Government where you will meet and share with delegates from across the country as we explore this year's Assembly theme, Future Focused.

This NGA provides the first opportunity to probe and influence the policies Scott Morrison's renewed Federal Government will implement over the next three years. Debate on council motions will allow you to shape our relationship with the government and make clear our requests for partnerships, policies and leadership.

As 2019 marks the International Year of Indigenous Languages, it's an honour for ALGA to host a special panel on first languages in Australia on June 17. Melinda Holden, Karina Lester and Geoff Anderson will share their expertise on Unlocking the Treasure of Australia's First Languages.

Addressing affordable housing remains a major concern for local governments across Australia. On Tuesday June 18, Alan Morris of the University of Technology Sydney will discuss affordability impacts in our largest cities and regional and rural centres. He will be followed by two PhD candidates, Laura Hodgson, and Lenka Thompson, who will share their respective research on their research on how Airbnb has changed housing markets, and how councils can assist with affordable housing.

Other challenging and exciting discussions include community and council experiences with alcohol and drug problems, and dealing with recycling and climate change.

The NGA also provides a chance for delegates to meet our exhibitors and discover the latest developments in recycling technologies, LED lighting, indigenous procurement, government funding, and much more. With lots of discussion about electric vehicles and what the technology means for the future of transport in Australia, we're delighted to announce that Nissan Australia has provided two of its newest electric cars, the second generation Leaf, to the Assembly, two months before it goes on sale. I look forward to test driving it, and encourage you too to get behind the wheel.

As with every year, delegates will also have the opportunity for networking. The NGA is the only event on the local government calendar that truly brings councils together nationwide to meet, celebrate, learn and build relationships.

The 25th NGA is the biggest yet. I want to thank our ALGA team and Conference Coordinators for all their hard work in drawing this event together. I also wish to thank our foundation sponsors McArthur, JLT and the Department of Infrastructure, Transport, Cities and Regional Development, without whose support our Assembly would not be possible.

I hope you enjoy the Assembly, feel inspired and challenged by our speakers, meet our exhibitors and fellow delegates, and can apply some of what you've learned to your local community. Here's to a successful NGA!"

General Assembly Business Paper:

Copy of the Business Paper includes the rules for debate, all Motions that have been accepted, last years resolutions and the Ministerial responses to the 2018 Resolutions - <https://cdn.alga.asn.au/wp-content/uploads/Electronic-Business-Paper.pdf>

A copy of the motions and the voting records should be made available soon, but were not at the time of writing. I voted in accordance with the guidance received from the City of Salisbury.

General Assembly Exhibitors:

Copy of General Assembly exhibitors and the exhibition prospectus: <https://www.nga19.com.au/2019-Sponsorship-Exhibition-Prospectus.pdf>

General Assembly Program:

Copy of the General Assembly program: <https://www.nga19.com.au/NGA19-Handbook-Web.pdf>

General Assembly Presentations:

*note not all presentations were uploaded but at the time of writing, these links are for all presentations that had been uploaded at the time.

Monday 17 June 2019

Lifesaving Communications During Natural Disasters by Eileen Deemal-Hall, CEO, Wujal Wujal Aboriginal Shire Council – video: <https://vimeo.com/275764320>

Tuesday 18 June 2019

The Role of Local Government in Housing Australians in the 21st Century by Andrew Beer, Dean of Research and Innovation, University of South Australia – pdf: <https://cdn.alga.asn.au/wp-content/uploads/Tuesday-18-June-Andrew-Beer-local-governments-as-stewards-of-the-community.pdf>

Why and how local government and the private sector should work together to increase affordable housing by Robert Prandolin, Founding Board Member, Housing All Australians and Gary Spivak, Housing Development Officer, City of Port Phillip – pdf: <https://cdn.alga.asn.au/wp-content/uploads/Spivak-NGA-2019.pdf>

Disasters – Are You Ready? By Naomi Westwood, Acting Assistant Commissioner Business Registry, Australian Taxation Office – pdf: <https://cdn.alga.asn.au/wp-content/uploads/Tuesday-18-June-Naomi-Westwood.pdf>

Housing Your Community -

Australia’s Local Governments: Comparing Sydney And Melbourne With Other Metro, Regional And Rural Centres by Allan Morris, University of Technology Sydney – pdf: <https://cdn.alga.asn.au/wp-content/uploads/Tuesday-18-June-Concurrent-Housing-Alan-Morris-presentation.pdf>

The Impact of AirBnB on Housing Markets by Laura Hodgson, PHD Scholar University of South Australia – pdf: <https://cdn.alga.asn.au/wp-content/uploads/Tuesday-18-June-Concurrent-Housing-Alan-Morris-presentation.pdf>

How Councils Can Assist with Affordable Housing by Lenka Thompson, PHD Scholar, UTS – pdf: <https://cdn.alga.asn.au/wp-content/uploads/Tuesday-18-June-Concurrent-Housing-Lenka-Thompson.pdf>

Your Community, Your Environment -

How The Australasian Recycling Label Will Assist Local Government In Reducing Recycling Contamination Rates by Peter Brisbane, Government Partnership Manager, APCO and Ryan Collins, Head of Sustainable Resource Programs, Planet Ark pdf: <https://cdn.alga.asn.au/wp-content/uploads/Tuesday-18-June-Concurrent-Environment-APCO.pdf>

Wednesday 19 June 2019

Six Layers of Intentional Leadership by David Pich, Chief Executive, Institute of Managers and Leaders – pdf: <https://cdn.alga.asn.au/wp-content/uploads/David-Pich-NGA-2019.pdf>

Concluding Remarks:

I draw special attention to important addresses by Acting Prime Minister's Address - The Hon Michael McCormack MP; ALGA President's Address - David O'Loughlin, ALGA President, The Hon Mark Coulton MP - the Minister for Regional Services, Decentralisation and Local Government and the Opposition Spokesman's Address by Hon Jason Clare MP - Shadow Minister for Regional Services, Territories and Local Government.

Delegates keenly listened to the priorities of ALGA (see attached ALGA President's Address - David O'Loughlin) and importantly to that of the Federal Government and the Federal Oppositions' perspectives on local government.

Spokespeople for both of the political parties spoke about around future collaboration, partnership building and the Acting Prime Minister advised of potential Federal infrastructure funding that may be given to Councils in the future in light of a future economic downturn to help stimulate the economy. Councils were thus encouraged to prepare business cases for projects to ensure they are "shovel ready" and to provide them to Infrastructure Australia for assessment.

Councils were reminded at the conference to say "thank you" to local Federal Members of Parliament for their current level of federal funding and to appreciate any extra that they receive, and lobby for.

On a State level, it was also great to network and meet other like-minded Councillors and hear about their exciting projects and initiatives, there was approximately 90+ delegates from SA. It was also interesting to be altogether as the news broke from the State Government's State Budget that they would be increasing the Solid Waste Levy substantially, which is a situation for many Councils to action and address when they return home.

Please include in this report for all Councillors -

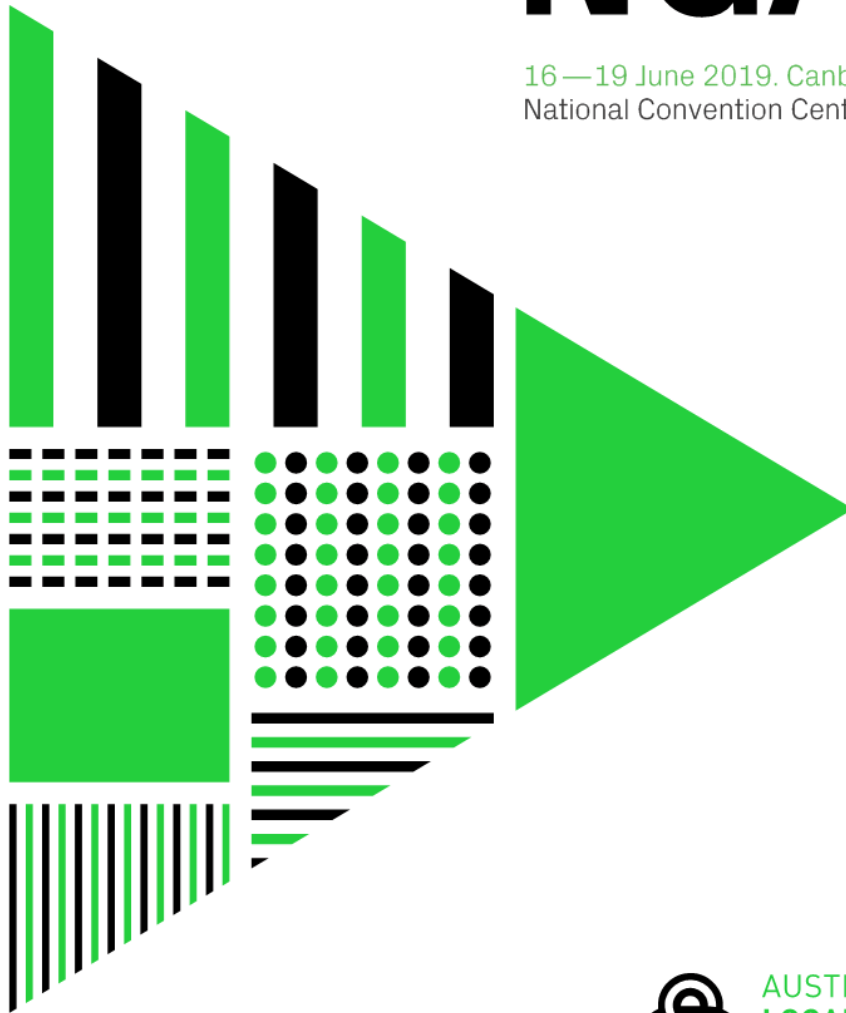
General Assembly Business Paper: <https://cdn.alga.asn.au/wp-content/uploads/Electronic-Business-Paper.pdf> including a copy of the motions that passed if available

General Assembly Program: Copy of the General Assembly program: <https://www.nga19.com.au/NGA19-Handbook-Web.pdf>

Future
Focused

NGA 19

16—19 June 2019. Canberra
National Convention Centre



AUSTRALIAN
LOCAL GOVERNMENT
ASSOCIATION

Celebrating 25 Years of NGA

Resolutions

Special Urgent Motion**Byron Shire Council, NSW****Carried**

That the National General Assembly acknowledges the crucial role our public broadcaster plays across Australia, particularly in remote, rural and regional communities, and calls on the Federal Government to cease cuts and embark on a program to restore more adequate funding to the ABC.

1 Toowoomba Regional Council, QLD**Carried**

That the National General Assembly request the Commonwealth Government to initiate a Referendum at the earliest opportunity seeking agreement for recognition of Local Government in the Australian Constitution.

2 Boulia Shire Council, QLD**Carried**

That the National General Assembly calls on the Federal Government to restore Financial Assistance Grants (FAGs) funding to at least one percent of total Commonwealth taxation revenue.

3 Moree Plains Shire Council, NSW**Carried**

That the National General Assembly calls on the Federal Government to remove Part 1 Sec 6 2b of the Local Govt Financial Assistance Act 1995 to remove the minimum per capita amount grant

4 Cumberland Council, NSW**Carried**

That this National General Assembly calls on the Federal Government to urgently review the current methodology in calculating the allocation of Federal Assistance Grants, to ensure that no amalgamated Councils are disadvantaged as a result of boundary alterations.

5 Murrindindi Shire, VIC**Carried**

That the National General Assembly calls on the Federal Government to commit to the funding of Councils through the Financial Assistance Grants (FAGS) Program on set dates each year in order to avoid smaller Councils, particularly small rural Councils, being forced to incorrectly report deficit budgets to their communities.

6 Wyndham City, VIC**Carried**

That the National General Assembly calls on the Federal, State, and Territory Governments to engage with ALGA to explore more flexible and sustainable arrangements for debt models and vehicles to fund Local Infrastructure in light of growing community expectations for Councils to increasingly provide more services for less.

7 South Burnett Regional Council, QLD**Carried**

That this National General Assembly calls on the Federal Government to support an economic stimulus for rural and outer regional Councils by developing a split competitive and allocative model of funding for projects such as the Building Better Regions Fund.

That the Assembly recommends to the Fed Govt that the BBRF guidelines be amended to include projects for scoping, planning and feasibility funding.

1

8 Knox City, VIC**Carried**

That the National General Assembly calls on the Federal Government to provide a financial contribution to local government in recognition of its role in the administration of the Australian citizenship program.

9 Forbes Shire Council, NSW**Carried**

That the National General Assembly calls for the traffic control and insurance costs currently paid by RSL clubs/sub branches to conduct Anzac Day events to be resourced by the Federal Government.

10 Penrith City Council, NSW**Carried**

That the National General Assembly call on the Federal Government to direct Infrastructure Australia and the Infrastructure and Project Financing Agency to work with state infrastructure providers to identify risks and barriers to sustainable growth of cities.

11 Maroondah City, VIC**Carried**

That this National General Assembly calls upon the Federal Government to provide a funding stream that can be accessed by Metropolitan Councils for major infrastructure projects.

12 Toowoomba Regional Council, QLD**Carried**

That the National General Assembly request the Commonwealth Government to enhance zonal taxation rebates to foster decentralisation of industry and commerce.

13 Gladstone Regional Council, QLD**Carried**

That the National General Assembly supports the Roads of Strategic Importance (ROSI) policy of the Australian Government and the associated future budget commitments.

14 Hobart Council, TAS**Carried**

That this National General Assembly calls on the Australian Government to establish an infrastructure fund for the construction of active transport initiatives including pedestrian and bicycle facilities.

15 Brisbane City Council, QLD**Carried**

That the National General Assembly calls on the Australian Government to develop a national Mobility as a Service (MaaS) framework and establish a fund to support and incentivise cooperation across state and local governments, the private sector and community organisations to deliver better, integrated mobility options for the community.

16 Town of Cottesloe, WA**Carried**

That this National General Assembly calls on the Australian Local Government Association Board to advocate to the relevant authorities including the Federal Minister for Infrastructure and Transport, Austroads and the Australian Road Research Board that they consider a policy on traffic speeds in urban Australia which meets the needs of current and future Australians based on national and international evidence regarding safety, amenity, illness prevention and sustainability.

2

That the policy be used to progress speed reform in urban Australia at a Federal and State level.

17 Wyndham City, VIC

Carried

That the National General Assembly call on the COAG Transport and Infrastructure Council to conduct a public review of Trackless Tram technologies from Europe and China as an autonomous, more timely and affordable option to fixed or light rail.

18 Darebin City, VIC

Carried

That the National General Assembly call on the Australian Government to:

- Fund a \$800 million Grey-spot program that provides pedestrian infrastructure in locations where there are older Australian (+65) to address high proportion of pedestrian deaths experience by older Australians.
- Better manage pedestrian injury and risk, through a deeper understanding of the causes of death, injury and the operation of high risk locations.
- Use the Principle Pedestrian Network Tool to map future and potential pedestrian demand across our cities.
- Introduce polices to support the rapid up-take of electric vehicles;
- Re-align the proportion of transport federal funding so that the three levels of Government in Australia have a more efficient and equitable match between their public responsibilities and their finances;
- Support funding for other infrastructure to ensure safe walking routes for older pedestrians such as:
 - Rest areas and seats
 - Mobile battery charge stations
 - Crossing refuges
 - Water fountain

19 Gladstone Regional Council, QLD

Carried

That the National General Assembly calls on the Australian Government to consider appropriate support to regional airports in order to provide affordable travel.

20 Lake Macquarie City Council, NSW

Carried

That this National General Assembly call on the Federal Government to move from high-level vision to delivery for connecting major metropolitan centres through high speed rail. This infrastructure would transform Australia, enabling better connectivity between cities, regional centres and international gateways and improving the lives of most Australians.

21 Lockyer Valley Regional Council, QLD

Carried

That the National General Assembly call on the Australian Government to establish a fund specifically targeted at those local government areas that are bearing the brunt of significant impacts of the Inland Rail project to partly compensate for their loss, hardship and the long term amenity impacts.

22 Shoalhaven City Council, NSW**Carried**

That the National General Assembly calls for:

1. The Australian Government to recognise that the escarpment crossings of the Great Dividing Range connecting the coastal plain highways to the inland highway networks are roads that are of vital importance to the economic development of Australia and the regions.
2. The escarpment crossings that support, or can induce, a significant freight task should be earmarked to be upgraded to ensure compliance for HML freight vehicles and that these key freight links be included in the National Freight and Supply Chain Strategy and National Action Plan.

23 Moree Plains Shire Council, NSW**Carried**

That the National General Assembly call on the Federal Government to provide sustainable funding that will allow Councils to strategically plan for the maintenance, to an all-weather standard local roads, that form essential "first and last mile" links in modern logistics chains for agriculture and other time-sensitive goods. Further, that such funding be based on the productivity benefits of improved logistics together with an assessment of the benefits of a shift to rail, in particular to the Inland Rail project.

24 Bega Valley Shire Council, NSW**Carried**

That the National General Assembly call on the Federal Government to commit to a review of the nation's freight hubs and analyse where the creation of new/upgraded Ports, rail corridors, highway duplications and airports will best service the country, in line with a commitment to decentralisation.

25 Tweed Shire Council, NSW**Carried**

That National General Assembly calls on COAG to develop a National strategy for the rollout of fast charging stations to facilitate the growth of the electric vehicle market and to encourage their broader uptake by the Australian community.

26 District Council of Streaky Bay, SA**Carried**

That the National General Assembly calls on the Federal Government to establish a regional focus through the provision of funding models for waste management systems with an aim to develop a more entrepreneurial framework.

27 Moyne Shire, VIC**Carried**

That the National General Assembly calls on Federal Members of Parliament in support of actions listed in the MAV "Rescue Our Recycling action plan being:

Action 1 - Mandate Product Stewardship

Introduce mandatory product stewardship for all products that generate waste. Put clear and binding targets within the Product Stewardship Act to drive action by industry. This approach would align with the polluter-pays principle, incentivising designers and producers to take responsibility for the environmental impacts of their products.

Action 2 - Tackle Consumer Packaging

4

In partnership with state and territory ministers, review the National Environment Protection (Used Packaging Materials) Measure 2011 to impose mandatory participation and binding obligations across the consumer packaging chain. As an interim measure, clarify obligations on industry so that it is easier to hold them to account.

Action 3 - Strengthen the National Waste Policy

In partnership with state and territory ministers, adopt an action plan for the national Waste Policy that includes firm and ambitious targets and timelines to fast-track our transition to a circular economy.

Action 4 – Regulate/ Ban Production and Importation of Hard to Recycle Materials.

Action 5 – Standardise Package Labelling and Certify Use of Recycled Content

Mandate adoption of the Australasian Recycling Label for all consumer packaging sold in Australia and adopt a certification system for recycled content in line with the US or European models.

28 Alice Springs Town Council, NT

Carried

The National General Assembly (NGA) call on the Australian Government to develop a national approach to recycling textiles and clothing waste to minimise waste being sent to landfills.

29 Darebin City, VIC

Carried

That the National General Assembly call on the Australian Government to:

- Declare a Climate Emergency
- Establish a \$10 billion dollar national fund for councils to build the resilience of climate change vulnerable communities.
- Commit to providing maximum protection for all people, economies, species, ecosystems, and civilisations, and to fully restoring a safe climate
- Mobilise the required resources and take effective action at the necessary scale and speed across Australia,
- Transform the economy to zero emissions and make a fair contribution to drawing down the excess carbon dioxide in the air, and
- Encourage all other governments around the world to take these same actions.

30 Shoalhaven City Council, NSW

Carried

That the National General Assembly call on the Australian Government to establish a consistent framework and provide guidance on measures (including planning controls and asset protection) to be taken by all levels of Government including Local Government with respect to climate-change.

31 Parkes Shire Council, NSW

Carried

That the National General Assembly calls upon the Federal Government to:

- Agree that they have a significant obligation to recognise the scientific consensus that the climate system continues to be affected by known activity, and;

- That a Minister be appointed, and funds be allocated, to assist Councils in their strategic response to the potential impacts of a changing environment.

32 Willoughby City Council, NSW**Carried**

That the National General Assembly calls on the Australian Government to:

Establish a National Strategy for climate change adaptation and resilience comprising the following:

1. Processes for the integration of climate change adaptation into local/state strategic planning.
2. A system for gathering, storing and reporting information/mapping on climate change risks, exposure, impacts and vulnerability.
3. Establish sea level rise benchmarks and associated policy and implementation guidelines for Local and State Governments.
4. Clarification of liability issues in relation to coastal inundation, present and future.
5. Strategies for engaging the community and all relevant stakeholders in climate change adaptation projects.
6. Engagement/education materials for communities in becoming climate change resilient, building on work done through the 'Resilient Sydney' project.

33 Hobart Council, TAS**Carried**

That this National General Assembly calls on the Australian Government to give consideration to indemnifying Councils that undertake climate change mitigation initiatives.

34 Tweed Shire Council, NSW**Carried**

That the National General Assembly calls on the Federal Government to establish a Task Force on climate - related Financial Disclosures for inclusions in annual reports for all levels of Government, including Councils. This report is to utilise and be based upon the Financial Stability Boards Task Force on Climate-related Financial Disclosures (TCFD) recommended framework.

35 Bega Valley Shire Council, NSW**Carried**

That the National General Assembly encourages Councils to join the Climate Council's Cities Power Partnership or similar program, to share information and foster local government projects to tackle climate change.

36 Blue Mountains City Council, NSW**Carried**

That the National General Assembly calls on the Federal Government to work with ALGA to provide advice on how councils across Australia can approach the aim of achieving carbon neutrality in as much of the sector as possible.

37 Bass Coast Shire, VIC**Carried**

That the National General Assembly calls on the Australian Government to support initiatives by councils to develop and implement coastal climate change adaptation plans, to improve the sustainability and resilience of coastal settlements vulnerable to increasing climate change risks.

6

38 East Gippsland Shire, VIC**Carried**

That the National General Assembly call on the Australian Government to review and clarify the Natural Disaster Funding Arrangements for protective coastal infrastructure having regards for:

- The critical role that protective coastal infrastructure has in ensuring the social and economic functioning of coastal communities;
- The changing climate and forecast increase in the frequency and intensity of coastal storm related events and coastal flooding; and
- The quantum of investment in protective coastal infrastructure across Australia by Local Government.

39 Willoughby City Council, NSW**Carried**

That the National General Assembly calls on the Australian Government to commit to:

1. The establishment of National Coastcare Program, facilitated by Local Government and/or regional/state government facilitators to support local community coastal conservation and education initiatives; including the development of a long-term financial investment plan and state government grant program to fund Coastcare.
2. Undertake a review of the future costs to local government associated with managing risks and liabilities of coastal hazards
3. Establish national Coastcare program with funding (funding model provided under the NSW Coastal Management Program with a view to providing long-term funding for local councils and reviewing the appropriateness of the 50/50 grant funding contribution requirement).

40 Tenterfield Shire Council, NSW**Carried**

That the National General Assembly calls for the drought affecting most of the country be escalated to Natural Disaster status, thus facilitating Disaster Recovery finance arrangements to be enacted.

41 South Burnett Regional Council, QLD**Carried**

That this National General Assembly calls on the Federal government to continue to promote opportunities for the sustainable delivery of water for urban, commercial and agricultural development and security of current supplies and calls on the Federal Government to amended Legislation and Regulation to allow for immediate funding for capital projects where business cases have been completed and approved by State Governments and Water Authorities

42 Brewarrina Shire Council, NSW**Carried**

That the National General Assembly call on the Federal and State Government Ministers to address the urgent need for action on the Darling Barwon river system to ensure that the supply of safe drinking water and flows for stock and domestic use is the priority at all times, including priority over and above the release of water from dams for large scale irrigation, irrespective of the circumstances in which allocations have been pre-purchased or pre-allocated for large scale irrigation.

43 Wentworth Shire Council, NSW**Carried**

7

That the National General Assembly actively lobby the Prime Minister and Leader of the Opposition to call for a Royal Commission into the Murray Darling Basin.

44 Wentworth Shire Council, NSW

Carried

That the National General Assembly call on the Minister for Agriculture and Water Resources and the Murray Darling Basin Authority to do complete accounting of all water storages, including open channels, diversions and on-farm storages holding unmetered or temporary water.

45 Wentworth Shire Council, NSW

Carried

That the National General Assembly call for an immediate assessment and complete public reporting of all groundwater Basin supplies, storages and recharge capabilities from the Minister for Agriculture and Water.

46 Toowoomba Regional Council, QLD

Carried

That the National General Assembly request the Commonwealth Government to create a national strategy to enhance water security in inland Australia.

47 Wentworth Shire Council, NSW

Carried

That the National General Assembly calls on the Minister for Trade to do a complete public report detailing all foreign investment and holdings in Australian water industries, infrastructure and trading operations.

48 Wentworth Shire Council, NSW

Carried

That the National General Assembly calls on the Prime Minister, Leader of the Opposition and Water Minister, to recognise concerns from indigenous groups, traditional owners and custodians that:

- they are unable to continue cultural practices, due to lack of cultural flows;
- there is an increased financial impost on high indigenous population towns for drinking water, where same is unavailable, or of poor quality;
- a lack of genuine, integrated and informed consultation has been the norm in matters of water management and projects which directly affect native title holders, traditional custodians and Land Council groups and individuals, combined with lack of feedback or Minutes from meetings with Government representatives and agencies; and
- local First Nations people hold knowledge from greater timelines than current records about flows, floods, movement and interplay of the entire riverine ecology, yet there is a resistance to engaging with that knowledge, utilising the skills and management practices used for many centuries (45,000 years in our region), despite clear desire from most groups to assist and play a more active role in water and land management.

49 District Council of Streaky Bay, SA

Carried

That the National General Assembly calls on the Federal Government to provide incentives for rural / regional Councils to create micro systems which allow for effective and efficient water storage and management systems to accommodate domestic use.

50 Willoughby City Council, NSW**Carried**

That the National General Assembly calls on the Australian Government to undertake to:

1. Develop an Urban Water Policy and an Integrated Water Management Strategy for the Greater Sydney region (and other cities) addressing water security solutions and best practice water management principles for urban areas.
2. Incorporate best practice Water Sensitive Urban Design model provisions /Sustainable Urban Water Management Principles into the standard planning instruments (LEP/DCP or equivalent).
3. Review BASIX (or equivalent.) to enhance and ensure the best practice implementation of Water Sensitive Urban Design into all new developments and retrofitting into existing developments.
4. Commit to a long-term investment program for the management and maintenance of water infrastructure in cities.
5. Introduce a standard requiring Water Utilities, as a minimum, to undertake secondary treatment of sewage released from ocean outfalls.

51 Tweed Shire Council, NSW**Carried**

That the National General Assembly calls on the Federal Government to substantially increase levels of funding for the environment in the 2019/20 Budget and to increase future funding for the environment with the aim of achieving at least 5% of the Federal budget's dedicated to environmental protection.

52 Inner West Council, NSW**Carried**

That the National General Assembly calls on the Federal Government to:

1. review the national limit for PM 2.5 in light of the fact that recent scientific evidence finds there is no safe level of PM 2.5.
2. take immediate steps to protect vulnerable people, for example school children from exposure to PM 2.5 air pollution.
3. release all reports, submissions and analysis including health studies on all major infrastructure projects in the future and to all current projects under construction.

53 Moree Plains Shire Council, NSW**Carried**

That the National General Assembly call on the Federal Government to review the current Federal/State disaster arrangements to assess:

- The need to ensure that disaster recovery places most emphasis on infrastructure that improves flood resilience as compared to simple replacement of the infrastructure in place at the time of the flood;
- The appropriateness of the current cost thresholds which trigger disaster arrangements and the degree to which these amounts are manageable by local government;
- The role of the insurance industry in sending price signals, but also the impacts of those price signals on insurance affordability for existing landholders.

54 Hobart Council, TAS**Carried**

That this National General Assembly calls on the Australian Government to review the National Disaster Relief and Recovery Arrangements to consider broadening the definition of essential assets to include assets that are currently regarded as non-essential.

9

55 Darebin City, VIC**Carried**

That the National General Assembly call on COAG Energy Council to commit to a Trajectory for the improvement of energy performance in existing homes by the end of 2019, including commitment to work with State, Territory and local governments to:

- a. Introduce mandatory disclosure of energy performance for all buildings when they are sold and leased;
- b. Mandate minimum energy efficiency performance standard for rental properties, as part of broader standards for what constitutes healthy and habitable rental housing;
- c. Develop and implement programs to improve the energy efficiency of all social housing, including community housing;
- d. Provide information and equitable incentives for home owners to upgrade their homes, with targeted support for upgrades to people on low incomes; and
- e. Progress related measures including obligations on energy companies to achieve annual energy efficiency reductions, disclosure and information obligations on real estate companies and lending institutions.

56 Port Phillip City, VIC**Carried**

That National General Assembly (NGA) calls on all Federal political parties, to commit to increased funding and action to address the growing problem of homelessness in Australia, by:

Developing a national plan to reduce homelessness which:

- Places the provision of affordable and social housing at the centre of the plan to reduce homelessness
- Is informed by Housing First principles of providing stable housing and quality, personalised support
- Includes the expansion of evidence based models, which have demonstrated success in ending homelessness, such as Youth Foyers and Common Ground
- Establishes specific targets and strategies to reduce homelessness among indigenous Australian, who currently comprise 20% of Australians experiencing homelessness
- Includes sub strategies for people rough sleeping, women and children escaping family violence, older people, particularly older women, young people exiting care and juvenile justice, people exiting corrections and those with multiple and complex needs.

Developing a national Housing Plan which:

- Makes affordable and social housing a priority with a long-term national housing plan with associated Ministerial portfolio to drive integrated reform across Government, at all levels of Government and across industry sectors.
- Delivering housing related taxation instruments, and other incentives, that will increase the supply of affordable housing by attracting institutional and private investment with models like an enhanced 'build to rent' scheme that will create affordable private rental housing.
- Addressing the funding gap between costs and rental income for low income households with subsidised rental, e.g. longer-term 'NRAS' type models, access to affordable finance etc.
- Direct Government investment to grow the supply of community housing, and build the capacity of the community housing sector (e.g. Nation Building program).

Carried

10

56.2 Darebin City, VIC**Lost**

That the National General Assembly calls for:

1. a coordinated, national response to housing issues, incorporating all levels of government.
2. mandatory controls in planning schemes, in the form of inclusionary zoning, to require affordable housing contributions as part of private development.

56.3 Bega Valley Shire Council, NSW**Carried**

That the National General Assembly call on the Federal Government to encourage State and Territory Governments to include a definition of tiny houses in planning legislation, to offer a flexible, legitimate housing model.

57 Melbourne City, VIC**Carried**

That the National General Assembly call on the Australian Government to:

1. Recognise the national significance of the financial implications of cladding rectification for building owners.
2. Establish a rectification relief fund, providing access to grants and low or interest-free loans to expedite unsafe cladding removal.
3. Provide for a streamlined small claims process that minimises the cost to owners to seek remedies against the developer/builder

57.1 Blacktown City Council, NSW**Carried**

That the National General Assembly calls for the Commonwealth and all State Governments to provide a consistent and uniform national regulatory approach with workable methodologies to address the fire safety risks posed by combustible external cladding and the use of non-conforming building products on certain types of buildings.

58 Lake Macquarie City Council, NSW**Carried**

That the National General Assembly calls on the Council of Australian Governments to ensure all state and territory governments implement in full the recommendations of the 'BUILDING CONFIDENCE: Improving the effectiveness of compliance and enforcement systems for the building and construction industry across Australia' report by Peter Sherrod and Bronwyn Weir.

59 City of Mitcham, SA**Carried**

That the National General Assembly calls on ALGA to work with the federal government to develop and implement a national framework for mandatory building specifications to reduce non permeable surfaces and increase domestic rainwater harvesting and re-use, for all new residential developments.

11

60 Darebin City, VIC**Carried**

The National General Assembly urges:

1. State and Territory Building Ministers to implement the Trajectory recommendations through the National Construction Code to be implemented in 2022, including:
 - a) A step change in minimum energy performance standards to at least a 7-star NATHERS equivalent and the introduction of an energy usage budget (whole-of-building approach);
 - b) Enabling renewable energy to contribute to the energy usage budget but not replace energy efficiency measures;
 - c) Extend the National Construction Code to include minimum performance standards for fixed appliances;
 - d) Strengthen the requirements of the National Construction Code to apply to a greater number of major renovations in existing homes;
 - e) Work with industry to ensure effective compliance with minimum standards through skills training and incentives, and improved mechanisms for dispute resolution and redress.
 - f) Provide a well-resourced regulator with adequate tools and powers to address non-compliance; and
 - g) Provide additional funding and assistance to ensure all new social housing complies with minimum energy performance standards.

61 Brimbank City, VIC**Carried**

That this National General Assembly calls on the Federal Government to ensure three year old and four year old children can access quality early education through permanent ongoing funding to the national pre-school and kindergarten program for all four year old's, and progressive extension of the program to cover all three year old's.

The National General Assembly calls on the Federal Government to work with Local Government to ensure proper planning, to have facilities built and upgraded and teachers recruited and trained, to enable the success of the expanded program.

62 Wyndham City, VIC**Withdrawn**

That the National General Assembly calls on the new Federal Government to commit to ongoing funding, highlighting that Australia is already the most expensive country for childcare costs according to the OECD.

63 Forbes Shire Council, NSW**Carried**

That the National General Assembly call on the Minister to provide additional 'Drought Relief Payments' to regionally based child care centres, mobile pre-schools and Preschools to pass onto families as free pre-school places and attendance for 2-5 year old's.

64.2 Cumberland Council, NSW**Carried**

That this National General Assembly of Local Government calls on the Federal Government to urgently review the current restrictive eligibility requirements for the Status Resolution Support Scheme with a

view to restoring access to this program to all people seeking asylum until a resolution of their status is complete.

65 East Gippsland Shire, VIC

Carried

That the National General Assembly call on the Australian Government to:

- The development of a comprehensive national primary health policy and plan that would articulate and benchmark the health services that should be available in all areas throughout Australia based on need;
- Reform of the Primary Healthcare system in order to address the unequal distribution of the primary healthcare workforce by seeking to allocated Medicare provider numbers based on need; and
- Learning from overseas experience about developing more robust primary health services that can treat people in a community primary health environment rather than in an expensive acute setting.

65.1 South Burnett Regional Council, QLD

Carried

That this National General Assembly calls on the Federal Government to review the funding and support to community health services with particular emphasis on outer regional, rural and remote communities.

66 Leeton Shire Council, NSW

Carried

That this National General Assembly calls on the Federal Government to address the shortage of medical professionals in rural and regional areas of Australia by adopting the Australian Medical Association's five key priority areas being:

1. Encourage students from rural areas to enrol in medical school and provide medical students with opportunities for positive and continuing exposure to regional/rural medical training;
2. Provide a dedicated and quality training pathway with the right skill mix to ensure doctors are adequately trained to work in rural areas;
3. Provide a rewarding and sustainable work environment with adequate facilities, professional support and education, personal comfort, and flexible work arrangements, including locum relief;
4. Provide family support that includes spousal opportunities/employment, educational opportunities for children's education, subsidy for housing/relocation and/or tax relief; and
5. Provide financial incentives including rural loadings to ensure competitive remuneration.
6. Cease offering 12 month government contracts and projects and move them to longer terms that encourage health professionals to relocate to regional areas.

67 Mitchell Shire, VIC

Carried

The National General Assembly calls on the Federal Government to reorient the mental health services system funding in rural and regional communities, invest in long term stable funding arrangements focused on operating a continuum of services across the life stages prevention, early intervention and tertiary services.

68 Frankston City, VIC **Carried**
That the National General Assembly calls on both the Government and Opposition to ensure that there are tangible outcomes of/from the \$300M+ National Ice Taskforce.

69 Gladstone Regional Council, QLD **Carried**
That the National General Assembly calls on the Australian Government to commit to a productivity commission review into private health insurance.

70 Gladstone Regional Council, QLD **Carried**
That the National General Assembly calls on the Australian Government to review the policy around rebate structures for bulk billing services particularly to address the lacking services available to people in regional and rural centres.

71 Darebin City, VIC **Carried**
That the National General Assembly calls for:

1. The maintenance of block funding for the delivery of the Commonwealth Home Support Program beyond June 2020,
2. States, Territories and the Commonwealth Governments to grant an exemption to local government providing home care services from the National Competition Policy.

72 Darebin City, VIC **Carried**
That the National General Assembly calls on the Federal Government to introduce two new Home Care subsidies to medication management, and nursing services. This will allow Home Care Packages recipients to receive these two crucial services and maintain care in the community.

73 Frankston City, VIC **Carried**
That the National General Assembly expresses its concern to both the Government and Opposition on current deficiencies in the current NDIS funding arrangements and calls on both the Government and Opposition to make funding arrangements offered by the government to providers more attractive.

74 Town of Port Hedland, WA **Carried**
That this National General Assembly advocate to the Federal Government through the Minister for Regional Development, that appropriate policies are put in place to support centres located in and around mining areas in terms of population growth, investment and job creation.

75 Parramatta Council, NSW **Carried**
That this National General Assembly call on the Federal Government to provide support and funding to address the significant risks posed, nationwide, by asbestos contamination in public lands and buildings.

76 Whitsunday Regional Council, QLD **Carried**

That this National General Assembly call on the Federal Government to develop a national regulation approach to short-term holiday letting, such as AirBNB, which could be administered at the local level.

77 Nillumbik Shire, VIC

Carried

That this National General Assembly calls on the Australian Government to provide direct funding to assist local government to address the risks of climate change through the development of renewable energy facilities and support related community actions.

78 Gladstone Regional Council, QLD

Carried

That the National General Assembly calls on the Australian Government to commit to investment in the development of future energy sources in order to ensure diversity of alternative sources of dispatchable power.

79 Bega Valley Shire Council, NSW

Carried

That the National General Assembly calls on Councils to facilitate and support the establishment of community renewable energy hubs in their municipalities.

80 Penrith City Council, NSW

Carried

That the National General Assembly call on the Federal and state governments to implement the recommendations of the Parliamentary Inquiry into the Australian Government's role in the development of Cities, to provide financial support, in the form of grants, to projects which demonstrate potential to generate significant employment growth for all communities including the rapidly expanding, outer suburban communities of Australian cities and also where there is infill development.

81 Wyndham City, VIC

Carried

That the National General Assembly calls on the Federal Government to develop City Deals or Partnerships or an equivalent funding and delivery vehicle to:

1. Address opportunities and threats presented by rapid technological change
2. Better integrate economic, physical, infrastructure and employment assets
3. Improve governance and collaboration across all levels of government to ensure more resilient innovation and employment hubs that embrace the "4th Industrial Revolution" and create opportunities for young people and at risk workers.

82 District Council of Streaky Bay, SA

Carried

That the National General Assembly calls on the Federal Government to provide funding and support for migrant workers with Science, Technology, Engineering and Maths (STEM) backgrounds to expedite transition of the recognition of their skills, making the available to re-enter the workforce, with an emphasis to filling rural demands where these skills are in critical shortage.

83 Town of Port Hedland, WA

Carried

That this National General Assembly call on the Federal Government to continue extensive consultation with local and state governments, the community sector, medical experts and other relevant stakeholders with a view of creating and implementing appropriate policies to manage anti-social

15

behaviour to support people, families and communities in places where high levels of welfare dependence, and drug and alcohol abuse, co-exist with high levels of social harm.

84 Blue Mountains City Council, NSW

Carried

That the National General Assembly calls on the Commonwealth Government to address the financial impact of visitation on local councils by exploring additional revenue raising options, including differential rates for tourism businesses, bed taxes and Federal/State funding programs specifically for tourism infrastructure renewal and maintenance.

85 Yarra City, VIC

Carried

That the National General Assembly calls on the Federal Government to:

1. Establish a Royal Commission into the gambling industry and the \$24 billion in annual gambling losses nationally, the highest in the world in per capita terms; and
2. Embrace national harm minimisation policies to reduce gambling harm in Australia such as:
 - I. Following the lead of the UK Labour Party in supporting a ban on credit card usage with online gambling companies;
 - II. Introducing further restrictions on gambling advertising, emulating the approach taken with the tobacco industry;
 - III. Establishing a national ombudsman scheme to process consumer complaints and resolve customer disputes with online gambling companies; and
 - IV. Introducing a ban on federally registered political parties from owning gambling licences issued by Australian governments, including for the operation of poker machine venues.

86 Brimbank City, VIC

Carried

That this National General Assembly, recognising the impact of gambling harm on local communities around Australia, calls on the Federal Government to introduce more stringent classification of video games that include loot boxes or similar items, to reduce the harm that arises from the convergence of gaming and gambling, and the consequent normalisation of gambling.

That this National General Assembly also calls on the Federal Government to close existing loopholes which enable gambling advertisements to be broadcast on television and radio during children's viewing and listening hours.

87 Wyndham City, VIC

Carried

That the National General Assembly calls on the Federal Government to work with State and Territory Governments to develop new and/or updated systems to collect and publish online gambling expenditure data at a municipal level.

88 Manningham City, VIC

Carried

That the National General Assembly call on

- The Australian Government to provide grant funding for local governments who have adopted 'Smart City' parking sensor technology to implement infrastructure to enable the data to be

made available in near real time to Open Data Platforms and technology providers to increase the benefit of this information to the community.

- All local governments with parking sensor technology, in the absence of any additional Commonwealth funding, to develop programs to provide information in near real time to Open Data Platforms and technology providers to increase the benefit of this information to the community.

89 Albury City Council, NSW

Carried

That the National General Assembly calls for state and territory local government associations to take a leadership role in developing and supporting members in their transition to Smart Communities; and for Australian, State and Territory Government bipartisan support for integrated policies and programs which encourage and support the development of Smart Communities.

90 Central Highlands Regional Council, QLD

Carried

That the National General Assembly calls on the Federal Government to, at the very least, maintain but preferably increase funding for the mobile blackspot programme to connect regional Australia to the digital economy.

90.3 Litchfield Council, NT

Carried

That the National General Assembly calls on the Federal Government to include identified mobile black spot sites from the Northern Territory in its Mobile Black Spot Program – Priority Locations.

91 Port Phillip City, VIC

Carried

That the National General Assembly (NGA) calls on the Commonwealth Government to amend the Telecommunications Act 1997, to improve the existing standards for the delivery of so called “low impact” facilities, by introducing guidelines or other regulation that requires enhanced consultation with the community and other stakeholders and consideration of community amenity in the design and placement of facilities.

91.1 City of Adelaide, SA

Carried

That the National General Assembly call on the Australian Government for changes to the Telecommunications Act 1997 (Cth) and/or the Telecommunications (Low-Impact facilities) Determination 2018 to either:

- Remove public payphones from the definition of “low-impact facility”, or
- Otherwise require planning approval for payphones.

92 Manningham City, VIC

Carried

That the National General Assembly call on the Australian Government to provide grant funding to support development of Local Government data warehouses, master data management repositories, and associated canonical data models. This support would be on the basis that the developments would be used to contribute to a nationwide standard for Local Government data definitions and data warehousing, and could be leveraged by other Councils.

17

93 Albury City Council, NSW**Carried**

That the National General Assembly calls on Standards Australia to provide more affordable access to the full suite of Australian Standards for the Local Government sector and requests the Australian Government to support that access.

94 Whitsunday Regional Council, QLD**Carried**

That this National General Assembly call on the Federal, State and Territory Governments to develop a national approach to Local Law infringement management for the sharing of information cross-state boundaries to enable debt recovery.

95 Albury City Council, NSW**Carried**

That the National General Assembly call on the Australian Government to modernise the provisions in the Copyright Act 1968 to reflect exemptions to local government authorities that are the same as Commonwealth and State government.

96 City of Adelaide, SA**Carried**

That the National General Assembly calls on the Australian Government, to develop Australian standards for the provision of national standards for cycling infrastructure including separated bikeways.

97 Blacktown City Council, NSW**Carried**

That the National General Assembly calls on the Commonwealth Government to:

1. Immediately set up an investigation into electricity and gas pricing and specifically their impact on local government and all communities.
2. Take effective action with energy providers for reduction in the cost of energy, in order to assist local government and communities to reduce their escalating expenditure.

98 Darebin City, VIC**Carried**

That the National General Assembly calls on local government associations to develop and implement a national communications campaign to raise the level of awareness and understanding of the work Councils do in regional and metropolitan Australia and rebuilds the trust in local government as an institution.

99 Shire of Christmas Island, WA**Carried**

That the National General Assembly of Local Government (NGA) supports the local governments in the External Territories (Norfolk Island and the Shire of Christmas Island) in their attempt to be able to access comparative funding from the Commonwealth to that of other local governments in Australia, which have access to funding opportunities from their respective State Governments.

100 Central Highlands Regional Council, QLD**Carried**

That the National General Assembly calls on the Australian Government to support the reinvigoration of core horticultural research disciplines within all states of Australia, to service the needs of the horticulture sector that is facing ever increasing challenges in profitable production, export market access and biosecurity (to name just a few).

18

101 Leeton Shire Council, NSW **Carried**

That the National General Assembly requests the Australian Government to honour its intention contained within its reservation (1) to the International Convention on the Elimination of All Forms of Racial Discrimination and enact legislation to specifically implement the terms of article 4 (a) being:

(a) Shall declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin, and also the provision of any assistance to racist activities, including the financing thereof;

Further, that in keeping with the terms of Article 4 (c) the Australian Government prohibit a member of parliament from utilising parliamentary resources for the purposes to promote or incite racial discrimination.

102 City of Onkaparinga, SA **Carried**

That the National General Assembly calls on the Federal Government to significantly raise Newstart, Youth Allowance and all underfunded social security payments and that all payments be indexed at the same rate as the pension, as this has been recognised as an absolute minimum standard of living.

102.1 Roper Gulf Regional Council, NT **Carried**

That the National General Assembly calls for the Australian Government to work with local government to look into future energy needs and costs for Regional Councils throughout Australia to build-up resilience to environmental factors.

103 Wyndham City, VIC **Carried**

That the National General Assembly calls on the Council of Australian Governments (COAG) Transport and Infrastructure Council to expand their Terms of Reference to include the prioritisation of identified Employment and Innovation Hubs across Australia as places to bring together new high-value and innovative businesses, educational institutions and researchers.

104 Roper Gulf Regional Council, NT **Carried**

That the National General Assembly calls on the Australian Government to support the provision of essential aged care and disability services and infrastructure in regional and remote towns.

105 Frankston City, VIC **Carried**

That the National General Assembly call on the Australian Government to address the need for strong food security measures to protect the public from food contamination. This request is to be made due to various instances of interference in food security (i.e. needles found in vegetables) over the past twelve months.

106 Cabonne Council, NSW **Carried**

That the National General Assembly call on the Australian and state and territory governments to ensure food security and sustainability for future generations, including introduction of national legislation to protect the 'right to farm'.

Moved en bloc

Carried

107 Darebin City, VIC

That the National General Assembly calls on the Federal Government to implement measures that aim to relieve local government infrastructure funding pressures, including:

- The creation of a dedicated funding program for local government community infrastructure
- A more equitable distribution of infrastructure funding to the states, that takes into account population distribution and growth impacts.

108 Horsham Rural City, VIC

That the National General Assembly call upon the Federal Government to develop a long-term plan for investment in regional cities as a key to maintaining the liveability of the regions they support, attract business investment and to provide high quality health, education, recreation and cultural facilities.

109 Mitchell Shire, VIC

That National General Assembly call on the Federal Government to:

1. Increase the Roads to Recovery funding to \$800 million per annum
2. Broaden the Bridges Renewal Program criteria.

109.2 Somerset Regional Council, QLD

That the National General Assembly calls on the Federal Government to continue the Bridge Renewal Program to ensure security of transport networks for industry and connected communities alike.

110 Central Highlands Regional Council, QLD

That the National General Assembly calls on the Minister of Home Affairs to ensure that any new regulatory security requirements imposed by the Federal Government on regional airports that result in significant cost increases, should be offset with funding assistance opportunities to ensure regional communities are not further disadvantaged.

111 Melbourne City, VIC

That the National General Assembly calls on the Australian Government to:

1. Formally review and rewrite procurement policies for all Australian Government departments to require a level of recyclable content in materials procured, to assist in the creation of domestic markets.
2. Pass new legislation during 2019 that applies strong national product stewardship laws, creating significant disincentives to companies to mass produce or import products (including packaging) that are not economically recyclable.

112 Parkes Shire Council, NSW

That the National General Assembly calls upon the Federal Government to:

1. Increase aid to farmers and business affected by the current drought as it intensifies; and

20

2. That a transparent drought response policy be formalised with learning from the current drought, which includes proactive response as well as reactive.

113 Forbes Shire Council, NSW

That the National General Assembly calls on the Federal Government to provide ongoing assistance for drought preparedness in the form of low interest innovation, water infrastructure and drought assistance loans, training and professional development in business management for farmers and continued support for Rural Financial counsellors to work with farmers long term, with the understanding that drought is part of the normal cycle of farming and needs to be planned for.

114 Sunshine Coast Regional Council, QLD

That the National General Assembly calls on the Federal Government to develop options (in partnership with local governments, state governments, bulk water providers and water retailers) that improve drought resilience across Australia – particularly with regard to the agricultural sector – through more efficient storage, movement and use of all types of water, including recycled water and storm/rain water.

115 Lockyer Valley Regional Council, QLD

That the National General Assembly call on the Australian Government to simplify administrative arrangements for Federal drought related funding for local governments to ensure more flexibility and more appropriate time periods for local governments to prepare project applications to assist those people and communities affected by drought.

116 Mitchell Shire, VIC

That the National General Assembly call on the Federal Government to develop a comprehensive National Housing Strategy.

117 Gladstone Regional Council, QLD

That the National General Assembly calls on the Australian Government to consider appropriate initiatives to support employment in regional and rural Australia.

118 Penrith City Council, NSW

That the National General Assembly call on the Federal Government to adopt an integrated and sustainable planning framework for the rapid population growth in Australia's cities and regions including a National Settlement Plan.

119 Shoalhaven City Council, NSW

That the National General Assembly calls on the NSW Government and Federal Government to ensure the role Local Government plays in the management of assets, infrastructure and communities is adequately addressed in the Beyond Tourism 2020 Steering Committee Report.

120 Hobart Council, TAS

That this National General Assembly calls on the Australian Government to extend and increase the funding of the Smart Cities and Suburbs Program.

Carried

121 Manningham City, VIC

That the National General Assembly call on the Australian Government to support local government to collaborate, be entrepreneurial and embrace innovation through the provision of incubator grants.



[LATEST UPDATES \(/NEWS-MEDIA/LATEST-NEWS/\)](#)

[MEDIA RELEASES \(/NEWS-MEDIA/MEDIA-RELEASES/INDEX.ASPX\)](#)

[SPEECHES AND PRESENTATIONS \(/NEWS-MEDIA/SPEECHES-PRESENTATIONS/INDEX.ASPX\)](#)

[NEWSLETTERS \(/NEWS-MEDIA/NEWSLETTERS/INDEX.ASPX\)](#)

2019 ALGA NATIONAL GENERAL ASSEMBLY

18 June 2019

Good morning everyone. Thank you to the Australian Local Government Association, for the opportunity to speak here today at this year's National General Assembly.

I want to begin by acknowledging the traditional custodians of the land in which we meet here today, and pay respect to the elders, past and present, of all Australia's Aboriginal and Torres Strait Islander peoples.

I also want to acknowledge the Mayors, Councilors and all our distinguished guests from across government, industry and the community.

It is an honour to speak at ALGA's National General Assembly, and a pleasure to address such a vital group of stakeholders so soon after beginning my tenure as Chief Executive of Infrastructure Australia.

For those who aren't familiar with what we do, Infrastructure Australia is the nation's independent infrastructure advisor.

<https://www.infrastructureaustralia.gov.au/news-media/speeches-presentations/Speech-18/07/2019>

It is our job to champion the 'big picture' view of Australia's infrastructure investment and reform needs, something which is becoming increasingly important as Australia grows and changes.

I commenced as Chief Executive of Infrastructure Australia in April, after 13 years leading Green Building Council of Australia.

As you would expect, I am excited to build on the work Infrastructure Australia has already done around resilience and sustainability in the infrastructure sector, but what really drives me is the broader opportunity to improve quality of life for each and every Australian.

Front of mind for me as I take on this new role is driving a community-centred approach to infrastructure planning and delivery.

And across all Australian levels of government, it is local governments that understand the needs of their communities' best.

While federal and state governments have an important role to play in funding and delivering major infrastructure, councils work to create well-planned, liveable spaces that harness existing assets and meet individual community needs.

That's why, in our view, it is vital that local governments are included in our strategic planning process.

They are the ones who engage most closely with communities, and are the ones who make decisions which translate these strategic national and state-level visions i

Greater inclusion of local government at the strategic planning stage also means that communities have a greater opportunity to have a say about the kind of places they want to live in and their future infrastructure needs.

To support this, community engagement needs to be ongoing – not just on a one off basis for particular projects or developments once they have already been planned and designed.

We need frank, two-way conversations about the needs of the community, at the strategic planning stage, to support effective infrastructure planning and delivery now and into the future.

<https://www.infrastructureaustralia.gov.au/news-media/speeches-presentations/Speech-2/07/2019>

This is increasingly important as it becomes more and more clear that our infrastructure needs to work harder to support Australia into the future.

When it comes to the infrastructure people rely on, and how these services are delivered, Australians have told us what matters most.

It comes down to three things – access, quality and cost.

But unfortunately too often, our infrastructure doesn't meet these expectations.

Congestion, overcrowding, rising bills, outages and declining service standards are undermining confidence in our infrastructure.

This decline in service standards also comes at a time of significant change for Australia.

FUTURE TRENDS

We are at a unique point in our history, and this has significant implications for how we plan for Australia's infrastructure.

We are facing climatic and weather extremes, a re-ordering of the world economy, and a reshaping of global institutions and norms.

Closer to home, the structure of Australia's economy is shifting, our population is growing and changing and rapid technological advancements are fundamentally reshaping our day-to-day lives. Long-known as the 'Lucky Country', Australia has enjoyed a record-breaking 28 years of uninterrupted economic growth.

Much of this recent economic growth has been accommodated in our largest cities.


More than 70% of GDP growth between 2000-01 and 2015-16 has occurred in our fast growing cities of Sydney, Melbourne, Perth and Brisbane.

An even higher percentage is urbanised when you include satellite cities, like Geelong, Wollongong, Newcastle and the Central Coast.

The population of our major cities is also growing rapidly. By 2034, Australia's population will grow by 24% to reach 31 million, with more than three quarters of this growth projected to occur in Sydney, Melbourne, Brisbane and Perth.

<https://www.infrastructureaustralia.gov.au/news-media/speeches-presentations/Speech-2/07/2019>

The scale of this growth is significant compared to major western economies.

 Australia is growing at 1.6% roughly double the rate of the US (0.7%), France (0.4%), Germany (0.4%) and the UK (0.6%).

As well as growth, the structure of where we live and work is also changing.

The 70 year dominance of growth at the urban fringe has ended in Sydney, Melbourne and Brisbane.

Infill represents three quarters of growth in Sydney and Melbourne and two-thirds in Brisbane, while in Perth by contrast 70% of growth is occurring on the fringe.

So too, the structure of the workforce is also changing, moving from the middle suburbs to the inner core – challenging the capacity of legacy transport networks.

Subsequently, our national productivity and global competitiveness is increasingly reliant on the quality of our urban infrastructure networks, and there are signs that we are falling behind.

The make-up of our population is also changing.

Australia's baby boomers are ageing, with the number of people over 65 expected to grow from 4 to 5.9 million by 2034.

With these people leaving the workforce, the millennials are emerging as dominant.

They have a stronger focus on flexible work hours, and are participating in and driving innovation in new industries and segments of the economy.

Another factor that will play a decisive role in coming years is rapid technological change.

While technology has underpinned substantial progress over the past century, the speed of change today and its impact on the way we live and work, is unprecedented.

The benefits are immense - from improving quality of life and providing better access to services, to enhancing the efficiency of our infrastructure and developing brand new industries.

<https://www.infrastructureaustralia.gov.au/news-media/speeches-presentations/Speech-2019-07-2019>

For example, ride-sharing services and on-demand public transport in our cities offer users greater flexibility, choice and convenience than ever before, while extending the reach of legacy networks to poorly serviced areas – particularly on the urban fringe.

However, the pace of change also creates challenges for the way we plan, design and deliver infrastructure, and of course – impacts consumer preferences.

Australians increasingly want more choice and flexibility in the services they receive.

We are living increasingly connected and digital lives. We are engaging more with the world around us, and we are also expecting more from service providers as well.

The expectations we place on infrastructure are changing, and this has significant impacts when it comes to selecting the investments and reforms we prioritise now and into the future.

2019 AUSTRALIAN INFRASTRUCTURE AUDIT

Crucially, preparing for these changes requires more than just keeping pace with demand.

To deliver high-quality, world-class infrastructure for all Australians, we need to be smarter in our decision-making.

We must be forward thinking, and prioritise strategic investments that seize the opportunities in front of us.

In this context, Infrastructure Australia's work in providing independent, evidence-based advice to governments, industry and the community, is crucial.

It's timely that the theme of this year's General Assembly is Future Focused, because Infrastructure Australia's investment and reform agenda is squarely focused on ensuring Australia's infrastructure can meet the challenges and opportunities ahead.

We are currently developing the 2019 Australian Infrastructure Audit.

This is a core piece of work for us as an agency.

The Audit is best thought of as an evidence base, highlighting the infrastructure challenges and opportunities across the country.

<https://www.infrastructureaustralia.gov.au/news-media/speeches-presentations/Speech-2/07/2019>

It will show us what Australia's infrastructure needs are, and strategically assess the drivers of future demand – forming an evidence base that will shape the next 15 years of infrastructure planning.

Crucially, this evidence base will be available to governments, infrastructure owners and builders, and the wider community.

Our hope is that it will enable better decision making, empowering governments and communities with the data required to deliver the infrastructure our growing communities require.

It covers the major infrastructure sectors of energy, transport, telecommunications, and water – and for the first time, also social infrastructure.

This means the parks, waterways, active transport pathway, beaches, libraries, and arts and cultural facilities that are vital to the livability of our cities and regions.

These are also pieces of infrastructure that are commonly owned and operated by local governments.

We will examine the challenges in delivering these facilities, and opportunities they present to our communities.

We will examine the broad social and economic benefits green and blue infrastructure bring to a place, particularly in regional areas, and also the significant challenge of delivering new and improved facilities in cities that are increasingly densifying.

Acknowledging that the pressure to maintain this infrastructure often falls to local government, the Audit will also examine the issues around funding and financing these services.

Across the sector, new and emerging infrastructure challenges will also be surveyed, from achieving objectives around active transport, to managing local roads, integrating new technologies in service delivery, and delivering efficient and sustainable water, wastewater and waste services.

In order to identify these challenges and opportunities, we have applied a user focus, and looked at how these findings will impact Australians in terms of the access, quality and cost of their infrastructure.

<https://www.infrastructureaustralia.gov.au/news-media/speeches-presentations/Speech-2/07/2019>

A FOCUS ON PLACE



We have also introduced a focus on place, and identified how these findings will impact the different geographies in Australia, which we have categorised as

- Fast-growing cities, like Sydney and Melbourne.
- Smaller cities & regional centres, which covers our smaller capitals like Adelaide and Hobart right through to our regional centres home to more than 10,000 people.
- Small towns, regional communities & remote areas

Developing regions & northern Australia

This focus on place means the document will speak to the infrastructure experiences of Australia's diverse geographies.

For example the Audit has found that:

- In our fast growing cities infrastructure is failing to keep pace with rapid population growth, particularly on the urban fringe.
- Our smaller cities and regional centres are growing as service hubs for their neighbouring region, including supporting growth as satellites of fast growing cities.
- While in rural and remote communities the quality of infrastructure, particularly for in remote communities does not meet the standards Australians expect.
- And in our developing regions there is a clear role for infrastructure to catalyse quality of life or productivity by improving connectivity and efficiency.

ACCESSIBLE TO THE COMMUNITY

Importantly, the Audit seeks to provide a detailed overview of our infrastructure that is relevant and easily accessible to all Australians.

We have adopted this approach to enable everyone—from industry experts to members of the community—to access a common set of evidence and analysis.

<https://www.infrastructureaustralia.gov.au/news-media/speeches-presentations/Speech-2/07/2019>

And whether you are reading it from the perspective of government, industry or the community—this Audit is intended to provoke robust discussion about the future of Australia's infrastructure.

For example, one of the challenges we highlight is that reporting on infrastructure does not adequately reflect community experiences, and does not consistently measure performance against outcomes that matter to users—that is access, quality and cost.

Across many parts of the country, and most sectors, there is a lack of reliable and user-focused information.

This makes tracking progress against these user-focused outcomes difficult.

It also means that decisions may fail to focus on the long-term interests of users, or may not accurately project changes in demand.

This makes assessing the performance of assets, networks and services difficult, and limits our ability to make informed choices about the infrastructure we use.

Without this information, how can we track the impacts of infrastructure on the wellbeing of communities over time?

This is an issue across all sectors, and impacts our ability to deliver long-term benefits for our communities—which is all the more important given the significant period of change I have just outlined.

Again, our focus will be on the outcome for users.

And with this at the forefront, local governments will have an opportunity to use our Audit as an evidence base to guide better infrastructure decision-making.

CONCLUDING REMARKS

The 2019 Australian Infrastructure Audit paints a clear picture of the future trends that will affect how Australia grows over the next 15 years and beyond.

It's also a fantastic opportunity for us to engage with you, our valued stakeholders across local government, on what you see as the key challenges and opportunities ahead for our country.

<https://www.infrastructureaustralia.gov.au/news-media/speeches-presentations/Speech-2/07/2019>

Public submissions will be invited in response to the Audit, and we warmly invite all stakeholders and the public to provide feedback and submissions.

It's critical that we receive a diversity of views, as it will help us to identify the right infrastructure solutions to support Australia's growth and development.

All Australians share a common need for high-quality infrastructure that is accessible and affordable.

But beyond these high-level outcomes, these needs differ greatly between people, places and industries.

As everyone in the audience here today will appreciate, infrastructure must respond to local needs, and planning for the future will require different approaches for different regions.

This is something we have worked hard to reflect in the 2019 Audit, but we need your input – to inform a genuinely community-centred agenda for investment and reform.

Our consultation following the release of the Audit will inform the development of the next Australian Infrastructure Plan, which will outline a blueprint for infrastructure reform.

It's certainly a busy time ahead for Infrastructure Australia, but I am very pleased to have an opportunity to speak to you here today in my new capacity as Chief Executive.

I look forward to working closely with you as we seek to improve Australia's infrastructure.

Thank you.

<https://www.infrastructureaustralia.gov.au/news-media/speeches-presentations/Speech-2/07/2019>

ITEM	3.6.7
	RESOURCES AND GOVERNANCE COMMITTEE
DATE	15 July 2019
HEADING	Local Government Finance Authority Annual General Meeting: 31 October 2019 - Council Representatives, Board Nominations and Notices of Motion
AUTHOR	Michelle Woods, Projects Officer Governance, CEO and Governance
CITY PLAN LINKS	4.3 Have robust processes that support consistent service delivery and informed decision making.
SUMMARY	This 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.

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.

ATTACHMENTS

There are no attachments to this report.

1. BACKGROUND

- 1.1 Correspondence has been received from the Local Government Finance Authority (LGFA) advising their Annual General Meeting (AGM) will be held on Thursday 31 October 2019 at Adelaide Oval. This meeting will again coincide with the Annual General Meeting of the Local Government Association of SA, with the commencement time to be advised.
- 1.2 The LGFA are seeking advice on a Council appointed representative (voting delegate) and submission of any Notices of Motion.

2. CONSULTATION / COMMUNICATION

- 2.1 Internal
 - 2.1.1 Nil.
- 2.2 External
 - 2.2.1 Nil.

3. REPORT

3.1 Council Appointed Representative (Voting Delegate)

3.1.1 Section 15(1) of the *Local Government Finance Authority of South Australia Act 1983* provides that ‘Every Council is entitled to appoint a person to represent it at a general meeting of the Authority’.

3.1.2 In November last year Council resolved:

Cr Natasha Henningsen be appointed as voting representative to the Local Government Finance Authority of SA, with Cr Lisa Braun appointed as the deputy.

3.2. Nominations for Members of the Board

3.2.1 A representative member of the Board currently holds office for a term of two years and, as an election took place last year, nominations for members of the Board are not being sought this year.

3.3 Notice of Motion

3.3.1 Council has the opportunity to submit a notice of motion to the LGFA AGM, stating the motion, the reason for the motion and any suggested action.

3.3.2 The General Manager Business Excellence is not aware of any issue that warrants a notice being submitted.

3.3.3 Should Council determine otherwise, a recommendation to that effect will need to be added.

4. CONCLUSION

4.1 Council is asked to consider whether any Notice of Motion should be submitted to the LGFA AGM.

CO-ORDINATION

Officer:	Executive Group	A/MG
Date:	08/07/19	10/07/2019