



AGENDA

COUNCIL

*meeting to be held on Monday 26 August 2019 at 6:30 pm
in the Council Chamber, 12 James Street, Salisbury*

Elected Members

Mayor G Aldridge

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

Prayer

Father in heaven

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

Kaurna Acknowledgement

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

Apologies: Cr J Woodman and Cr N Henningsen

Leave of Absence: Cr A Duncan

ITEM 1: PUBLIC QUESTION TIME

ITEM 2: DEPUTATIONS / PRESENTATIONS
2.1 Mr A Jarvis, Anti Poverty Network

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ITEM 3: PETITIONS
No Petitions have been received.

ITEM 4: CONFIRMATION OF MINUTES
22 July 2019 Council Minutes
22 July 2019 Confidential Council Minutes

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ITEM 5: COMMITTEE REPORTS

5.1 Policy and Planning Committee: 19 August 2019 *Page 33*

Cr C Buchanan (Chair)

- 1.0.1 Future Reports for the Policy and Planning Committee
- 1.1.1 Minutes of the Strategic and International Partnerships Sub Committee meeting held on Monday, 12 August 2019
 - SIPSC1 Future Reports for the Strategic and International Partnerships Sub Committee
 - SIPSC2 Terms of Reference Review and Knowledge Transfer Opportunities
 - SIPSC3 Future Delegations to Mobara
 - SIPSC4 City of Salisbury visit to Linyi - Update
- 1.1.2 Minutes of the Youth Council Sub Committee meeting held on Tuesday 13 August 2019
- 1.1.3 Future Reports for the Youth Council Sub Committee
- 1.1.4 Youth Council Project Teams Update
- 1.1.5 Youth Programs and Events Update August 2019
- 1.1.6 Strategic and International Partnerships Sub Committee Terms of Reference Review
- 1.3.1 Salisbury Community Hub - Project and Construction Progress Report

**5.2 Works and Services Committee: 19 August 2019
Cr L Braun (Deputy Chair)**

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- 2.0.1 Future Reports for the Works and Services Committee
- 2.4.1 Landscape Enhancements to Feature Sites
- 2.4.1 Landscape Enhancements to Feature Sites – ***Further Motion***
- 2.5.1 Variation to the Grant of an Easement to SA Power Networks - Portion of Liberator Drive Reserve, Paralowie
- 2.5.2 Road Closure Portion of Port Wakefield Road, Globe Derby Park
- 2.5.3 Amendment of Community Land Management Plan and implementation of a frequently updated register detailing community land owned by Council or in Council's care and control
- 2.5.4 Grant of Easement to SA Power Networks - Portion of Playford Crescent Railway Reserve
- 2.5.5 Reassignment of License from Shahin Property Pty Ltd to OTR 91 Pty Ltd over a portion of Vater Street, Dry Creek
- 2.6.1 Capital Works Report - July 2019
- 2.6.1 Capital Works Report - July 2019 – ***Further Motion***
- 2.7.1 Installation of Slow Points on Daniel Avenue, Globe Derby Park

**5.3 Resources and Governance Committee: 19 August 2019
Cr D Proleta (Chair)**

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- 3.0.1 Future Reports for the Resources and Governance Committee
- 3.2.1 Building Fire Safety Committee
- 3.6.1 Review of Elected Members Records Management Policy
- 3.6.2 Summary Report for Attendance at Training and Development Activity - Cr Julie Woodman
- 3.6.3 Elected Member Training and Development Policy
- R&G-OB1 Increase to Internet Reimbursement for Elected Members
- R&G-OB2 Payment of Elected Member Allowance
- R&G-OB3 Payment to Deputy Chair in the Absence of the Chair
- R&G-OB4 Social Media Training for Elected Members

**5.4 Audit Committee of Council
Cr G Reynolds (Chair)**

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

5.5 Council Assessment Panel

Minutes of the Council Assessment Panel meeting held on 23 July 2019 to be noted by Council.

5.6 Budget and Finance Committee: 19 August 2019 *Page 55*

Cr B Brug (Chair)

- 6.0.1 Future Reports for the Budget and Finance Committee
- 6.0.2 Minutes of the Innovation and Business Development Sub Committee meeting held on Monday 12 August 2019
 - IBDSC1 Future Reports for the Innovation and Business Development Sub Committee
 - IBDSC2 Performance Excellence Program - local government benchmarking
 - IBDSC3 Reforming Local Government in South Australia Discussion Paper - Released by State Government
 - IBDSC-OB1 State Government's Increase to the Solid Waste Levy
 - IBDSC-OB2 Customer Review Dashboard
- 6.1.1 2018-2019 Carried Forward Funds
- 6.1.2 Treasury Report for Year Ended 30 June 2019
- 6.1.3 Event Management Framework and Room Booking Fees & Charges - Salisbury Community Hub
 - * ***Refer Further Information Item*** *Page 97*
 - 6.1.3FI Event Management Framework and Room Booking Fees & Charges - Salisbury Community Hub***
- 6.6.1 Discretionary Rate Rebate Application - Commercial Shops on Diment Road, Salisbury North SA 5108

5.7 Sport, Recreation and Grants Committee: 12 August 2019

Cr C Buchanan (Deputy Chair)

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- 7.0.1 Future Reports for the Sport, Recreation and Grants Committee
- 7.2.1 Youth Sponsorship Applications – July 2019
- 7.2.2 Community Grants Program Applications for August 2019
- 7.2.3 Community Grants Program - Revised Defibrillator Category
- 7.2.4 Minor Capital Works Grant Program - Category B Funding
- 7.2.5 Para Hills Tennis Club - Lighting Assistance Program

Committee decisions made under delegated authority – for Council information:

Nil

5.8 CEO Review Committee
Mayor G Aldridge (Chair)

No CEO Review Committee meeting was held in August 2019.

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- ITEM 6: GENERAL BUSINESS REPORTS** *Page 111*
6.1 Section 270 Review of a Council Decision – 25 September 2017 and 23 July 2018 - To implement a one way road connecting from Correena Avenue to Halba Crescent for use during drop off and pick up times as a "kiss and drop" zone, as well as act as a flood mitigation measure.
- ITEM 7: MOTIONS ON NOTICE** *Page 117*
7.1 Protocol for Correspondence with State and Federal MPs and Members
- ITEM 8: MAYOR'S DIARY** *Page 119*
- ITEM 9: ELECTED MEMBER REPRESENTATION ACTIVITIES**
- ITEM 10: QUESTIONS WITHOUT NOTICE**
- ITEM 11: QUESTIONS ON NOTICE** *Page 121*
11.1 Corellas
- ITEM 12: OTHER BUSINESS / MOTIONS WITHOUT NOTICE**
- ITEM 13: CONFIDENTIAL ITEMS** *Page 123*
13.1 Works and Services Committee – Confidential Recommendations for Council Ratification:
2.9.1 Request for Extension of Confidentiality Order: NAWMA – Appointment of Deputy Chair
13.2 Budget and Finance Committee – Confidential Recommendations for Council Ratification:
6.9.1 Bridgestone Reserve Athletics Facility

CLOSE



John Harry
CHIEF EXECUTIVE OFFICER

ITEM 1: PUBLIC QUESTION TIME

ITEM 2: DEPUTATIONS / PRESENTATIONS

- 2.1 Mr A Jarvis will be in attendance as a deputation from the Anti-Poverty Network in relation to raising the Newstart Allowance.

ITEM 3: PETITIONS

No Petitions have been received.

ITEM 4: CONFIRMATION OF MINUTES



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

22 JULY 2019

MEMBERS PRESENT

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

STAFF

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

The meeting commenced at 6.33 pm.

OPENING PRAYER AND WELCOME

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

The Chief Executive Officer read the Opening Prayer.

The Mayor read the Kaurna Acknowledgement.

APOLOGIES

Apologies were received from Cr L Braun and Cr A Duncan.

LEAVE OF ABSENCE

Nil

ITEM 1: PUBLIC QUESTION TIME

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

ITEM 2: DEPUTATIONS / PRESENTATIONS

2.1 Refusal of Deputation Request

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

Given that the matter related to a development application, the Mayor determined to refuse the request.

1. In accordance with the Code of Practice for Meeting Procedures, Ms Lal was informed of the outcome of the request, and Council planning staff have contacted her to explain the process and advise options she has available to her.

2.2 Deputation - Waste/Rubbish Minimisation

Ms Gail Freeman, Salisbury Heights, addressed Council at the 22 July 2019 Council meeting as a deputation in relation to waste/rubbish minimisation.

ITEM 3: PETITIONS

No Petitions were received.

ITEM 4: CONFIRMATION OF MINUTES

Moved Cr S Reardon

Seconded Cr B Brug

The Minutes of the Council Meeting held on 24 June 2019, be taken and read as confirmed.

**CARRIED
0224/2019**

Moved Cr K Grenfell

Seconded Cr J Woodman

The Minutes of the Confidential Council Meeting held on 24 June 2019, be taken and read as confirmed.

**CARRIED
0225/2019**

ITEM 5: COMMITTEE REPORTS

5.1 Policy and Planning Committee - Recommendations for Council Ratification

Moved Cr S Reardon

Seconded Cr C Buchanan

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

Item 1.5.1 The John Street Improvement Plan - Proposed Early Wins
which was withdrawn to be considered separately:

1.0.1 Future Reports for the Policy and Planning Committee

1. The information be received.

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

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

TVSC1 Future Reports for the Tourism and Visitor Sub Committee

1. The information be received.

TVSC2 Topics for consideration by the Sub Committee

1. That the information be received
2. That the Discover Salisbury Events Calendar be included in the September 2019 meeting agenda for consideration by the subcommittee.
3. That briefings on the other topics be scheduled on future agendas of the Tourism and Visitor Subcommittee as noted in Section 3.6 of this report.
4. A report be brought back to the Sub Committee regarding signage for properties of historical significance.
5. St Kilda kiosk be nominated as one of the sites to include in the information kiosk project and also provision of display brochures.

1.1.1 Salisbury Plays at Bridgestone Reserve

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

1.1.2 City of Salisbury Ability Inclusion Strategic Plan

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

1.3.1 Salisbury Car Parking - Sexton Carpark

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

1.7.1 City Plan Review

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

**CARRIED
0226/2019**

The meeting then proceeded to consider Item 1.5.1 which was withdrawn to be considered separately.

1.5.1 The John Street Improvement Plan - Proposed Early Wins

Moved Cr C Buchanan
Seconded Cr S Ouk

1. That Council approve the “early wins” as proposed in section 4.5 of this report (Policy and Planning, Item 1.5.1, 15/07/2019) for delivery in late 2019, noting that the John Street Improvement plan is being prepared concurrently and is expected to be finalised in the first quarter of 2020.
2. That Council give further consideration of the installation of a loading zone or additional car parks at the front of Mobarra Restaurant.
3. That more shade be provided along John Street, Salisbury.

**CARRIED
0227/2019**

5.2 Works and Services Committee - Recommendations for Council Ratification

Moved Cr C Buchanan
Seconded Cr S Reardon

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

2.0.1 Future Reports for the Works and Services Committee

1. The information be received.

2.4.1 Terms of Reference for Asset Management Sub-Committee

1. That the information within this report be received and noted.
2. The Sub-Committee be established for its first meeting to be scheduled for the second Monday of September (09/09/2019)
3. The Draft Terms of Reference and contained in Attachment 1 to this report (Works and Services, Item No. 2.4.1, 15/07/2019) be endorsed with amendments as follows:
 - a. In paragraph 1.1:
 - i. remove the words "*In the first instance...*" and commence the sentence with "*The Sub Committee will...*"
 - ii. revise the first dot point to read: "*Review footpath, playground and streetscape policies for their appropriateness and currency, taking into consideration best practice and sector and other organisations' approaches, and provide recommendations for Council consideration*".
 - iii. revise the second dot point to read: "*Consider the targeted levels of service for key asset classes, namely footpaths, playspaces and streetscapes, taking into consideration best practice in asset management, to ensure they match community expectations and are financially sustainable, and consistent across the city*".
 - iv. Third dot point to include the words "*and current works...*" following the words "*future works*".
 - b. In paragraph 1.2, in the first sentence insert "*innovative*" following the words "*adopt an...*" and remove the second sentence.
 - c. remove paragraph 4.3.
4. The membership of the Asset Management Sub-Committee Sub Committee to comprise:
 - Cr Lisa Braun
 - Cr Shiralee Reardon
 - Cr Natasha Henningsen
 - Cr Adam Duncan
 - Cr Chad Buchanan
5. The Mayor be appointed as an ex-officio member of the Asset Management Sub-Committee.
6. That the Works and Services Committee appoints Cr Lisa Braun as Chair, and the Deputy Chair be appointed at the first meeting of the Asset Management Sub-Committee.

2.5.1 Mawson Lakes Interchange Land - Community Land Revocation

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

2.6.1 Capital Works Report - June 2019

1. Report be received.

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

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

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

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

**CARRIED
0228/2019**

5.3 Resources and Governance Committee - Recommendations for Council Ratification

Moved Cr S Reardon
Seconded Cr J Woodman

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

Item 3.3.1	Abandoned Shopping Trolleys
Item 3.6.5 Meeting:	Local Government Association Annual General 31/10/2019 - Proposed Items of Business and Voting Delegates

which were withdrawn to be considered separately.

3.0.1 Future Reports for the Resources and Governance Committee

1. The information be received.

3.2.1 Council Assessment Panel - Elected Member Representations at Meetings

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

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

1. The information be received.

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

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

3.6.3 Review of Disposal of Land Policy

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

3.6.4 Review of Temporary Road Closures Policy

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

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

1. The information be received.

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

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

**CARRIED
0229/2019**

The meeting then proceeded to consider Items 3.3.1 and 3.6.5, which were withdrawn to be considered separately.

3.3.1 Abandoned Shopping Trolleys

Moved Cr B Brug

Seconded Cr C Buchanan

1. The information be received.
2. That Council notes the current limitations of the Local Nuisance and Litter Control Act in addressing the issue of abandoned trolleys.
3. That Council notes the lack of support from major retailers within the City of Salisbury to voluntarily employ trolley locking systems to prevent pollution of the community by abandoned trolleys.
4. That Council advocates for improvement to the Local Nuisance and Litter Control Act via the Local Government Association, by letter to the relevant Government Minister, Shadow Minister, Government Department, to all local State Members of Parliament and through Council staff submissions to the EPA as part of the Local Nuisance and Litter Control Act review.
5. That Council also monitor the new bylaws implemented by the City of Marion; and report back to Council after six months on the results of their effectiveness.
6. That Staff provide an update to this committee at the conclusion of the Local Nuisance and Litter Control Act review noting any amendments addressing trolleys to be implemented and the likelihood of them coming into effect.
7. Pending no action or willingness by the State Government to tackle this issue, Council review By-Law 6 Waste Management By-Law 2015 and bring a report to Council advising the process to draft changes to this bylaw and/or create a new bylaw to tackle abandoned trolleys in the City of Salisbury.

**CARRIED
0230/2019
UNANIMOUSLY**

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

Moved Cr C Buchanan
Seconded Cr G Reynolds

1. The information be received.

**CARRIED
0231/2019**

5.4 Audit Committee - Recommendations for Council Ratification

Moved Cr B Brug
Seconded Cr D Hood

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

4.0.1 Future Reports of the Audit Committee of Council

1. The information be received.

4.0.2 Actions List

1. The information be noted.

4.2.1 Bentley's Interim Report on Audit Findings

1. The information be received.

4.2.2 Asset Policy Review

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

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

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

4.2.4 Elected Member Risk Management Workshop

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

4.2.5 Risk Management and Internal Controls Activities

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

4.2.6 Update on Internal Audit Plan

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

CARRIED
0232/2019

5.5 Council Assessment Panel

No Council Assessment Panel meeting was held in June 2019.

5.6 Budget and Finance Committee - Recommendations for Council Ratification

Moved Cr B Brug
Seconded Cr M Blackmore

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

Item 6.4.1 Proposed amendment to the NAWMA 2019/20 Service Agreement

which was withdrawn to be considered separately.

6.0.1 Future Reports for the Budget and Finance Committee

1. The information be received.

6.1.1 Council Finance Report – June 2019

1. The information be received.

6.1.2 Certification of the 2019 Annual Financial Statements

1. The information be received.
2. The Mayor and the Chief Executive Officer be authorised by Council to sign the Council Certificate certifying the Annual Financial Statements for the financial year ended 30 June 2019, following the Audit Committee's review of these Statements on 15 October 2019.

6.6.1 Discretionary Rate Rebate Application – Adelaide Benevolent Society

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

**CARRIED
0233/2019**

The meeting then proceeded to consider Item 6.4.1, which was withdrawn to be considered separately.

6.4.1 Proposed amendment to the NAWMA 2019/20 Service Agreement

Cr K Grenfell declared a perceived conflict of interest on the basis of being a deputy member of the NAWMA Board. Cr Grenfell managed the conflict by remaining in the meeting and voting in the best interest of the community.

Cr D Hood declared a perceived conflict of interest on the basis of being a Board member of the Salisbury North Football Club. Cr Hood managed the conflict by remaining in the meeting and voting in the best interest of the community.

Cr C Buchanan declared a perceived conflict of interest on the basis of being an office bearer in a sporting club. Cr Buchanan managed the conflict by remaining in the meeting and voting in the best interest of the community.

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

Cr S Reardon declared a perceived conflict of interest on the basis of being a deputy member of NAWMA. Cr Reardon managed the conflict by remaining in the meeting and voting in the best interest of the community.

Cr J Woodman declared a perceived conflict of interest on the basis of being a member of the NAWMA Board. Cr Woodman managed the conflict by remaining in the meeting and voting in the best interest of the community.

Moved Cr B Brug

Seconded Cr C Buchanan

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

**CARRIED
0234/2019**

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

Cr K Grenfell voted IN FAVOUR of the MOTION.

Cr D Hood voted IN FAVOUR of the MOTION.

Cr C Buchanan voted IN FAVOUR of the MOTION.

Cr G Reynolds voted IN FAVOUR of the MOTION.

Cr S Reardon voted IN FAVOUR of the MOTION.

Cr J Woodman voted IN FAVOUR of the MOTION.

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

Cr B Brug left the meeting at 07:30 pm.

Moved Cr C Buchanan
Seconded Cr D Hood

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

7.0.1 Future Reports for the Sport, Recreation and Grants Committee

1. The information be received.

7.2.1 Youth Sponsorship Applications - June 2019

1. The information be received.

7.2.3 Community Grants Program Applications for July 2019

1. The information be received and noted.

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

1. The information be received and noted.

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

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

**CARRIED
0235/2019**

5.8 CEO Review Committee - Recommendations for Council Ratification

Moved Cr C Buchanan
Seconded Cr D Proleta

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

8.1.1 Future Reports for the CEO Review Committee

1. The information be received

8.1.2 CEO Personal Evaluation System 2018/2019

1. It be acknowledged that the CEO has, to the satisfaction of CEO Review Committee:
 - delivered the requirements of his position;
 - successfully achieved 2018/19 Key Performance Indicators;
 - for the eighth year achieved consistently positive results (in broad terms, performing in the “very good or above” category), in relation to the Performance Appraisal Survey; and as a result
 - achieved Rating 5 as a result of the assessment of CEO Performance according to the Personal Evaluation System.
2. The CEO Position Description as set out in Attachment 2 to this Report, remains unchanged.

8.1.3 Annual Review of CEO Total Remuneration 2018/2019

1. The Committee recognises the consistently high performance of the Chief Executive Officer and the performance rating for 2018/19 of Rating 5 (CEO’s performance exceeded expectations).
2. The Committee also recognises the Council and Community economic and social environment within which it operates, the low wage growth environment and CPI of 1.3%.
3. In accordance with Clause 13 of the Employment Agreement and the delegation of authority granted by Council to the CEO Review Committee, an amendment to the CEO Total Remuneration be made, with that amendment being 1.3% increase to apply from the 2019 anniversary of the CEO Commencement Date (effective 9 May 2019)

**CARRIED
0236/2019**

ITEM 6: GENERAL BUSINESS REPORTS

6.1 South Australia Productivity Commission - City of Salisbury submission

Cr B Brug returned to the meeting at 07:33 pm.

Moved Cr C Buchanan

Seconded Cr D Proleta

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

**CARRIED
0237/2019**

ITEM 7: MOTIONS ON NOTICE

7.1 Motion on Notice - Oval Lights for Local Sporting Clubs

Cr C Buchanan declared a perceived conflict of interest on the basis of being an office bearer (and patron) of sporting clubs. Cr Buchanan managed the conflict by remaining in the meeting and voting in the best interest of the community.

Cr D Hood declared a perceived conflict of interest on the basis of being a board member of a sporting club. Cr Hood managed the conflict by remaining in the meeting and voting in the best interest of the community.

Cr J Woodman declared a perceived conflict of interest on the basis of being a member of the Valley View Tennis Club. Cr Woodman managed the conflict by remaining in the meeting and voting in the best interest of the community.

Cr S Reardon declared a perceived conflict of interest on the basis of being a patron of the Para Hills Tennis Club. Cr Reardon managed the conflict by remaining in the meeting and voting in the best interest of the community.

Moved Cr C Buchanan

Seconded Cr D Hood

That:

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

**CARRIED
0238/2019**

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

Cr C Buchanan voted IN FAVOUR of the MOTION.

Cr D Hood voted IN FAVOUR of the MOTION.

Cr S Reardon voted IN FAVOUR of the MOTION.

Cr J Woodman voted IN FAVOUR of the MOTION.

ITEM 8: MAYOR'S DIARY

MD1 Mayor's Diary

Moved Cr D Proleta
Seconded Cr J Woodman

1. That this information be noted.

**CARRIED
0239/2019**

ITEM 9: ELECTED MEMBER REPRESENTATION ACTIVITIES

Cr J Woodman:

27 June Cr Brug's graduation dinner
1 July Elected Members' walk through Hub
3 July Valley View Secondary School House Naming Ceremony
3 July NAWMA Board meeting
4 July Outgoing Members' Recognition event
9 July Every Life Matters – Board meeting then General meeting
9 July Tourism and Visitor Sub-Committee
9 July CEO Review Committee
10 July Pooraka Farm NAIDOC Celebration
10 July 3.30 Citizenship Ceremony
10 July 6.30 Citizenship Ceremony
15 July Standing Committees
17 July Radio Show re Writers' Festival
17 July Burton Centre Committee meeting
18 July Paralowie Lions re Grant Application
20 July Blanket Salisbury with Love
22 July Meeting with John Devine

Cr K Grenfell:

25th June Parafield Gardens High School Governing Council
26th June Parafield Gardens High School P & F Committee
26th June The Pines School Governing Council
1st July White Ribbon Working Group
4th July Outgoing Elected Members Service Recognition Event
10th July Afternoon Citizenship Ceremony
10th July Evening Citizenship Ceremony
16th July Guest on the Mayors Radio Show
18th July Attended the Cocoon Group Dinner in regards to NDIS housing

Cr N Henningsen:

Attended outgoing EM service recognition event

Cr P Jensen:

Attended Paddocks meeting at Para Hills Community Club

Cr M Blackmore:

1 July: Elected Members' Hub Walkthrough

2 July: Mayor's Radio Show on PBA-FM, discussing Walk for White Ribbon

3 July: Launch of the Northern Adelaide State Secondary Schools' Alliance's (NASSSA)

Welcome to Country video resource

4 July: Outgoing Elected Members' Service Recognition Event

5 July: Tyndale Christian School Junior School's Play, titled Voice Message

21 July: Blanket Salisbury with Love, organised by the Mawson Lakes Lions Branch and Anglicare

Cr S Reardon:

Tour of Para Hills Library with the Libraries Board

Cr S Ouk:

10/7/2019 Citizenship Ceremony, late session

11/7/2019 Intercultural Policy Planning

12/7/2019 Representative event recognition

ITEM 10: QUESTIONS WITHOUT NOTICE

10.1 Little Corellas

Cr S Reardon asked for an update on the recent poisoning of the corellas.

The Question was taken on Notice.

ITEM 11: QUESTIONS ON NOTICE

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

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

The Question was taken on Notice.

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

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

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

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

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

ITEM 12: OTHER BUSINESS / MOTIONS WITHOUT NOTICE

12.1 Heritage Listing

Moved Cr D Proleta
Seconded Cr C Buchanan

That

1. A report be brought back to council regarding heritage listed buildings in Salisbury
2. To look at any other buildings or property in Salisbury that should be placed on the heritage list, and Elected Members and the community have an input into this.
3. The listing to be reviewed every term of Council.

With leave of the meeting and consent of the seconder Cr D Proleta
VARIED the MOTION as follows:

That:

1. A report be brought back to council regarding heritage listed buildings in Salisbury.
2. The report identify a process to look at any other buildings or property in Salisbury that could be placed on the heritage list.
3. The listing to be reviewed every term of Council.

CARRIED
0240/2019

12.2 Bins for Blokes

Cr G Reynolds left the meeting at 08:24 pm.
Cr G Reynolds returned to the meeting at 08:26 pm.
Cr N Henningsen left the meeting at 08:26 pm.
Cr N Henningsen returned to the meeting at 08:29 pm.

Moved Cr B Brug
Seconded Cr J Woodman

1. That a report be prepared providing advice to Council for the City of Salisbury to extend its sanitary bin service into male public toilets.

CARRIED
0241/2019
UNANIMOUSLY

BREAK

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

The meeting reconvened at 9.00 pm.

12.3 Leave of Absence – Cr A Duncan

Moved Cr K Grenfell
Seconded Cr J Woodman

1. That a formal leave of absence be granted to Cr Adam Duncan for the period commencing 22 July 2019 to 26 August 2019, both dates inclusive.

CARRIED
0242/2019

ITEM 13: CONFIDENTIAL ITEMS

13.1 Works and Services Committee - Confidential Recommendations for Council Ratification

Moved Cr S Reardon

Seconded Cr M Blackmore

1. *Pursuant to Section 90(2) and (3)(b)(i) and (b)(ii) and (d)(i) and (d)(ii) of the Local Government Act 1999, the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because:*

- it relates to information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and

- information the disclosure of which would, on balance, be contrary to the public interest; and

- commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and

- commercial information of a confidential nature (not being a trade secret) the disclosure of which would, on balance, be contrary to the public interest.

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

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

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

*On that basis the public's interest is best served by not disclosing the **Works and Services Committee - Confidential Recommendations for Council Ratification** item and discussion at this point in time.*

3. *Pursuant to Section 90(2) of the Local Government Act 1999 it is recommended the Council orders that all members of the public, except staff of the City of Salisbury on duty in attendance, be excluded from attendance at the meeting for this Agenda Item.*

**CARRIED
0243/2019**

The meeting moved into confidence at 9.03 pm.

The meeting moved out of confidence at 9.03 pm.

13.2 CEO Review Committee - Confidential Recommendations for Council Ratification

Moved Cr J Woodman
Seconded Cr C Buchanan

1. *Pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999, the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because:*
 - *it relates to information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).*
2. *In weighing up the factors related to disclosure,*
 - *disclosure of this matter to the public would demonstrate accountability and transparency of the Council's operations*
 - *Non-disclosure would protect information related to the employment terms of the Chief Executive Officer*

*On that basis the public's interest is best served by not disclosing the **CEO Review Committee - Confidential Recommendations for Council Ratification** item and discussion at this point in time.*
3. *Pursuant to Section 90(2) of the Local Government Act 1999 it is recommended the Council orders that all members of the public, and staff of the City of Salisbury on duty in attendance, with the exception of the Chief Executive Officer and the Manager People and Culture, be excluded from attendance at the meeting for this Agenda Item.*

**CARRIED
0244/2019**

The meeting moved into confidence at 9.04 pm.

The meeting moved out of confidence at 9.10 pm.

13.3 Confidential CEO Update - Various matters

Moved Cr K Grenfell
Seconded Cr S Ouk

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

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

**CARRIED
0245/2019**

The meeting moved into confidence at 9.10 pm.

The meeting moved out of confidence and closed at 9.17 pm.

CHAIRMAN.....

DATE.....

ITEM 5: COMMITTEE REPORTS

5.1 Policy and Planning Committee: Recommendations for Council Ratification

Author Joy Rowett, Governance Coordinator, CEO and Governance

Approving Officer Chief Executive Officer

SUMMARY

The Policy and Planning Committee met on 19 August 2019 to consider 8 items on its Agenda. The Policy and Planning Committee agenda and reports were distributed to all Elected Members and made available to the public prior to the Committee meeting.

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

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

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

RECOMMENDATION

That Council adopt the recommendations of the Policy and Planning Committee meeting on 19 August 2019, contained in the report to Council (Item No. 5.1 on the agenda for the Council meeting held on 26 August 2019), and listed below:

1.0.1 Future Reports for the Policy and Planning Committee

1. The information be received.

1.1.1 Minutes of the Strategic and International Partnerships Sub Committee meeting held on Monday, 12 August 2019

1. The information contained in the Strategic and International Partnerships Sub Committee Minutes of the meeting held on 12 August 2019 be received and noted and that the following recommendations contained therein be adopted by Council:

SIPSC1 Future Reports for the Strategic and International Partnerships Sub Committee

1. The information be received.

SIPSC2 Terms of Reference Review and Knowledge Transfer Opportunities

1. That this report be received.
2. That the amended Terms of Reference as contained in Attachment 1 to this report (Item No. SIPSC2, Strategic and International Partnerships Sub Committee, 12/08/2019) be endorsed to include the following changes:

-
- a. Inclusion of “identify opportunities for the City of Salisbury to encourage knowledge transfer across economic, community, cultural and environmental themes” as an objective in the Purpose section.
 - b. Removal of non-voting members in the Membership section.
 - c. Increasing the duration of the chairman and deputy chairman roles from 12 months to 24 months.
 - d. Removing reference to non-voting members from the Quorum section.
 - e. A refinement of the purpose to distinguish formal Sister City/Friendship City relationships from other types of relationship opportunities such as knowledge transfer, cultural exchange and economic development.
 - f. Including more direct reference to investment attraction under economic development.

SIPSC3 Future Delegations to Mobara

1. That this report be received and noted.
2. That the cycle of future delegations is amended in accordance with the proposal presented by the City of Mobara, as follows:
 - a. The next scheduled delegation by the City of Mobara to the City of Salisbury to occur in 2021;
 - b. The next scheduled delegation by the City of Salisbury to the City of Mobara to occur in 2023.

SIPSC4 City of Salisbury visit to Linyi - Update

1. That this information be received.

1.1.2 Minutes of the Youth Council Sub Committee meeting held on Tuesday 13 August 2019

1. The information be received and noted.

1.1.3 Future Reports for the Youth Council Sub Committee

1. The information be received.

1.1.4 Youth Council Project Teams Update

1. That the information be received and noted.

1.1.5 Youth Programs and Events Update August 2019

1. That the information be received and noted.

1.1.6 Strategic and International Partnerships Sub Committee Terms of Reference Review

1. That this report be received and noted.
2. That the amended Terms of Reference as contained in Attachment 3 to this report (Item No. 1.1.6, Policy and Planning Committee, 19/08/2019) be endorsed.

1.3.1 Salisbury Community Hub - Project and Construction Progress Report

1. That the report be received, and the current status of the Salisbury Community Hub project be noted.
2. That the hours of operation to Library Services is increased to provide for the period 8.30am to 9:30am Monday to Friday, with the increase in costs (approximately \$140k) funded through existing salary & wages provision for 2019/20, and a report is brought back as part of the 2020/21 budget process to consider any future funding and service level changes.
3. An assessment of the demand for increased Customer Services and other council services outside core business hours is conducted early 2020.
4. A report is brought back to Council on the assessment of this demand and any implications of increasing the service levels should the demand support an increase in service levels.

OR

That Council adopt the recommendations of the Policy and Planning Committee meeting on 19 August 2019, contained in the report to Council (Item No. 5.1 on the agenda for the Council meeting held on 26 August 2019), and listed above, with the exception of Items:

and

which was/were withdrawn to be considered separately:

(to be determined at meeting as necessary)

ATTACHMENTS

There are no attachments to this report.

1. COMMITTEE RECOMMENDATIONS FOR COUNCIL RATIFICATION

COMMITTEE AGENDA ITEM NO. and TITLE	EXECUTIVE SUMMARY AND COMMITTEE RECOMMENDATION TO COUNCIL
<p><u>Item No. 1.0.1</u> Future Reports for the Policy and Planning Committee</p>	<p>SUMMARY: The item details reports to be presented to the Policy and Planning Committee as a result of a previous Council resolution. Reports to be deferred to a subsequent month will be indicated, along with reason for the deferral.</p> <p>COMMITTEE RECOMMENDATION: 1. The information be received.</p>
<p><u>Item No. 1.1.1</u> Minutes of the Strategic and International Partnerships Sub Committee meeting held on Monday, 12 August 2019</p>	<p>SUMMARY: The minutes of the Youth Council Sub Committee meeting held on Tuesday 13 August 2019 and cancelled due to the unavailability of members resulting in a lack of quorum are presented for Policy and Planning Committee's information. All business items scheduled to be presented to the Youth Council are presented to the Policy and Planning Committee on 19 August 2019 under separate reports.</p> <p>COMMITTEE RECOMMENDATIONS: 1. The information contained in the Strategic and International Partnerships Sub Committee Minutes of the meeting held on 12 August 2019 be received and noted and that the following recommendations contained therein be adopted by Council:</p> <p>SIPSC1 Future Reports for the Strategic and International Partnerships Sub Committee 1. The information be received.</p> <p>SIPSC2 Terms of Reference Review and Knowledge Transfer Opportunities 1. That this report be received. 2. That the amended Terms of Reference as contained in Attachment 1 to this report (Item No. SIPSC2, Strategic and International Partnerships Sub Committee, 12/08/2019) be endorsed to include the following changes: a. Inclusion of “identify opportunities for the City of Salisbury to encourage knowledge transfer across economic, community, cultural and environmental themes” as an objective in the Purpose section. b. Removal of non-voting members in the Membership section.</p>

	<ul style="list-style-type: none"> c. Increasing the duration of the chairman and deputy chairman roles from 12 months to 24 months. d. Removing reference to non-voting members from the Quorum section. e. A refinement of the purpose to distinguish formal Sister City/Friendship City relationships from other types of relationship opportunities such as knowledge transfer, cultural exchange and economic development. f. Including more direct reference to investment attraction under economic development. <p>SIPSC3 Future Delegations to Mobara</p> <ul style="list-style-type: none"> 1. That this report be received and noted. 2. That the cycle of future delegations is amended in accordance with the proposal presented by the City of Mobara, as follows: <ul style="list-style-type: none"> a. The next scheduled delegation by the City of Mobara to the City of Salisbury to occur in 2021; b. The next scheduled delegation by the City of Salisbury to the City of Mobara to occur in 2023. <p>SIPSC4 City of Salisbury visit to Linyi - Update</p> <ul style="list-style-type: none"> 1. That this information be received.
<p><u>Item No. 1.1.2</u> Minutes of the Youth Council Sub Committee meeting held on Tuesday 13 August 2019</p>	<p>SUMMARY: This item details reports to be presented to the Youth Council Sub Committee as a result of a previous Council resolution. If reports have been deferred to a subsequent month, this will be indicated, along with a reason for the deferral.</p> <p>COMMITTEE RECOMMENDATIONS:</p> <ul style="list-style-type: none"> 1. The information be received and noted.
<p><u>Item No. 1.1.3</u> Future Reports for the Youth Council Sub Committee</p>	<p>SUMMARY: This item details reports to be presented to the Youth Council Sub Committee as a result of a previous Council resolution. If reports have been deferred to a subsequent month, this will be indicated, along with a reason for the deferral.</p> <p>COMMITTEE RECOMMENDATIONS:</p> <ul style="list-style-type: none"> 1. The information be received.

<p><u>Item No. 1.1.4</u> Youth Council Project Teams Update</p>	<p>SUMMARY: This report will provide an update on the Youth Council Project teams.</p> <p>COMMITTEE RECOMMENDATIONS: 1. That the information be received and noted.</p>
<p><u>Item No. 1.1.5</u> Youth Programs and Events Update August 2019</p>	<p>SUMMARY: The report provides an update of youth focused programs and events for 12-25 year olds.</p> <p>COMMITTEE RECOMMENDATIONS: 1. That the information be received and noted.</p>
<p><u>Item No. 1.1.6</u> Strategic and International Partnerships Sub Committee Terms of Reference Review</p>	<p>SUMMARY: This report provides amended Terms of Reference for the Strategic and International Partnerships Subcommittee for Council endorsement.</p> <p>COMMITTEE RECOMMENDATIONS: 1. That this report be received and noted. 2. That the amended Terms of Reference as contained in Attachment 3 to this report (Item No. 1.1.6, Policy and Planning Committee, 19/08/2019) be endorsed.</p>
<p><u>Item No. 1.3.1</u> Salisbury Community Hub - Project and Construction Progress Report</p>	<p>SUMMARY: The Salisbury Community Hub is a significant strategic project that will redefine how we provide services and interact with our community, while also contributing towards the delivery of Council's endorsed Salisbury City Centre renewal agenda. The final Community Hub Council decision point at approximately 50% design completion was achieved in December 2017 with the decision to proceed to tender and construction. Hansen Yuncken were confirmed as the Principal Contractor following a competitive tender process in May 2018, under a Design & Construct procurement model. This report provides the fifth quarterly construction progress report through the Salisbury Community Hub construction period as per Recommendation 2 (Item 1.3.3, Policy and Planning, 21/05/2018):</p> <p style="text-align: center;"><i>Recommendation 2: That quarterly information and status reports be provided to Council through the Salisbury Community construction period.</i></p> <p>This update report has been brought one month early to provide an update on the current forecast project Practical Completion Date combined with an update on the organisational preparation for relocation and opening.</p>

	<p>COMMITTEE RECOMMENDATIONS:</p> <ol style="list-style-type: none"> 1. That the report be received, and the current status of the Salisbury Community Hub project be noted. 2. That the hours of operation to Library Services is increased to provide for the period 8.30am to 9:30am Monday to Friday, with the increase in costs (approximately \$140k) funded through existing salary & wages provision for 2019/20, and a report is brought back as part of the 2020/21 budget process to consider any future funding and service level changes. 3. An assessment of the demand for increased Customer Services and other council services outside core business hours is conducted early 2020. 4. A report is brought back to Council on the assessment of this demand and any implications of increasing the service levels should the demand support an increase in service levels.
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CO-ORDINATION

Officer:
Date:

MG

5.2 Works and Services Committee: Recommendations for Council Ratification

Author Joy Rowett, Governance Coordinator, CEO and Governance

Approving Officer Chief Executive Officer

SUMMARY

The Works and Services Committee met on 19 August 2019 to consider 10 items on its Agenda. The Works and Services Committee agenda and reports were distributed to all Elected Members and made available to the public prior to the Committee meeting.

Nine (9) recommendations of the Committee and Two (2) Further Motions are provided in this report to Council. The corresponding Executive Summary of each report to the Committee is also provided as a prompt. One (1) recommendation, presented to the Works and Services Committee in confidence, forms part of Council's Confidential Agenda.

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

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

RECOMMENDATION

That Council adopt the recommendations of the Works and Services Committee meeting on 19 August 2019, contained in the report to Council (Item No. 5.3 on the agenda for the Council meeting held on 26 August 2019), and listed below:

2.0.1 Future Reports for the Works and Services Committee

1. The information be received.

2.4.1 Landscape Enhancements to Feature Sites

1. The information be received.

2.4.1 Landscape Enhancements to Feature Sites – FURTHER MOTION

1. That staff bring back a further report on costings and design options on upgrading all major entry sites of the City of Salisbury.

2.5.1 Variation to the Grant of an Easement to SA Power Networks - Portion of Liberator Drive Reserve, Paralowie

1. Council grant a variation to the previous endorsement to SA Power Networks for an easement regarding the installation of a switching cubicle and associated underground cables over portion of Liberator Drive Reserve identified as Allotment 1000 in Deposited Plan 30780 as described in Certificate of Title Volume 5376 Folio 82 for \$5,000 plus GST, and delineated in red in Attachment 2 to this report (Works and Services Committee, 19/08/2019, Item 2.5.1) with SA Power Networks to be responsible for all costs.
2. The Manager Property and Buildings be authorised to liaise with SA Power Networks in regards to the requested easements and arrange consent of the Letter of Agreement and Grant of Easement documentation.

2.5.2 Road Closure Portion of Port Wakefield Road, Globe Derby Park

1. This report be received and noted.
2. Staff be authorised to implement the required provisions of the Roads (Opening and Closing) Act 1991 to commence a process for closure of a portion of Port Wakefield Road, Globe Derby Park as marked “A” on the Plan contained in Attachment 1 to this report (Works and Services Committee, 19/08/2019, Item No. 2.5.2).
3. Staff undertake public consultation by placing notices in the local Messenger Newspaper and a further notice in the State Government Gazette in accordance with the provisions of the Roads (Opening and Closing) Act 1991 as well as sending notices to affected residents within the area
4. Pursuant to Section 193 (4) of the Local Government Act 1999, the portion of Port Wakefield Road marked “A” on the attached plan (Attachment 1, Item 2.5.2) be excluded from classification as Community Land and be exchanged for a similar sized portion of land marked “B” on the Plan contained in Attachment 1 to this report (Works and Services Committee, 19/08/2019, Item No. 2.5.2) which is to be dedicated as road.
5. The Chief Executive Officer be delegated to authorise the road closure and land swap as outlined in the report if there are no objections raised as part of the consultation process. In the event objections are made on the road closure, a further report will be presented to Council following the public consultation period for consideration of any objections.

2.5.3 Amendment of Community Land Management Plan and implementation of a frequently updated register detailing community land owned by Council or in Council's care and control

1. The Community Land Management Plans as contained in Attachments 1 and 2 to this report (Works and Services Committee, 19/08/2019, Item No. 2.5.3) be received.
2. The Manager Property and Buildings be authorised to undertake public consultation as required by Section 197 of the Local Government Act 1999 and in accordance with Council’s Public Consultation Policy.
3. Following the public consultation and review of any submissions, a further report be presented to Council for consideration of any submissions.
4. In the event that no objections are received, the Community Land Management Plans contained in Attachments 1 and 2 to this report (Works and Services Committee, 19/08/2019, Item No. 2.5.3) be adopted.

2.5.4 Grant of Easement to SA Power Networks - Portion of Playford Crescent Railway Reserve

1. Council grant to SA Power Networks an easement for the installation of an underground fibre optic cable over portion of Playford Crescent Railway Reserve identified as Allotments 205 and 207 in Deposited Plan 62150 as described in Certificate of Title Volume 5895 Folios 530 and 532 for \$5,000 plus GST, and delineated in red in Attachment 1 to this report (Works and Services Committee, 19/08/2019, Item No. 2.5.4) with SA Power Networks to be responsible for all costs.
2. The Manager Property and Buildings be authorised to liaise with SA Power Networks in regards to the requested easements and arrange consent of the Letter of Agreement and Grant of Easement documentation.

2.5.5 Reassignment of License from Shahin Property Pty Ltd to OTR 91 Pty Ltd over a portion of Vater Street, Dry Creek

1. Council consents to reassign the License between the City of Salisbury and Shahin Properties Pty Ltd to OTR 91 Pty Ltd over portions of Council land as delineated in red in Attachment 1 to this report (Works and Services Committee, 19/08/2019, Item No. 2.5.5).
2. All costs associated with the reassignment of this License are to be borne by Shahin Properties Pty Ltd and OTR 91 Pty Ltd.
3. The Manager Property and Buildings be authorised to arrange Council consent to all necessary documentation granting the reassignment of the License.
4. Pursuant to Section 38 of the Local Government Act 1999, the Council of the City of Salisbury authorise the Mayor and the Chief Executive Officer to attest to the affixation of the Common Seal of the City of Salisbury to the necessary documents.

2.6.1 Capital Works Report - July 2019

1. Include within the 2019/20 First Quarter Budget Review the budget adjustments required to reflect the unsuccessful funding associated with PR25059 Mawson Lakes Central CCTV.
2. That option 2 as detailed within Clause 3.5 of this report (Works and Services Committee, 19/08/2019, Item No. 2.6.1). be endorsed.

2.6.1 Capital Works Report - July 2019 – FURTHER MOTION

1. The Asset Management Sub Committee consider autism friendly playground locations and scope as part of Council’s Place Activation Strategy.

2.7.1 Installation of Slow Points on Daniel Avenue, Globe Derby Park

1. Council note that, based on the results of the preliminary consultation concerning the installation of local area traffic management along the length of Daniel Avenue, Globe Derby Park, it has been identified that residents would welcome road safety improvements along the road network within this area.
2. That Council note the installation of up to three (3) Slow Point Treatments be installed in series along the length of Daniel Avenue, Globe Derby Park as contained in Attachment 1 of this report.
3. Council to undertake further consultation and detail design during the 2019/2020 financial year.
4. A non-discretionary bid be considered for \$390,000 for the installation of up to three (3) Slow Point Treatments for funding during the second quarter of this financial year as part of a proposed traffic management strategy to improve road safety along the length of Daniel Avenue, Globe Derby Park.

OR

That Council adopt the recommendations of the Works and Services Committee meeting on 19 August 2019, contained in the report to Council (Item No. 5.3 on the agenda for the Council meeting held on 26 August 2019), and listed below, with the exception of Item(s):

and

which was/were withdrawn to be considered separately:

(to be determined at meeting as necessary)

ATTACHMENTS

There are no attachments to this report.

1. COMMITTEE RECOMMENDATIONS FOR COUNCIL RATIFICATION

<p align="center"><u>COMMITTEE AGENDA ITEM NO. and TITLE</u></p>	<p align="center"><u>EXECUTIVE SUMMARY AND COMMITTEE RESOLUTION RECOMMENDED TO COUNCIL</u></p>
<p><u>Item No. 2.0.1</u> Future Reports for the Works and Services Committee</p>	<p>SUMMARY: This item details reports to be presented to the Works and Services Committee as a result of a previous Council resolution. If reports have been deferred to a subsequent month, this will be indicated, along with a reason for the deferral.</p> <p>COMMITTEE RECOMMENDATION: 1. The information be received.</p>
<p><u>Item No. 2.4.1</u> Landscape Enhancements to Feature Sites</p>	<p>SUMMARY: This report provides a summary and photos of landscape enhancements completed to twelve (12) feature landscape sites within the City during 2018/19, with the aim of improving Community Pride.</p> <p>COMMITTEE RECOMMENDATION: 1. The information be received.</p> <p>FURTHER MOTION: 1. That staff bring back a further report on costings and design options on upgrading all major entry sites of the City of Salisbury.</p>
<p><u>Item No. 2.5.1</u> Variation to the Grant of an Easement to SA Power Networks - Portion of Liberator Drive Reserve, Paralowie</p>	<p>SUMMARY: This report seeks an alteration to Council's previous endorsement to grant an easement over a portion of Council land known as Liberator Drive Reserve, Paralowie to SA Power Networks.</p> <p>COMMITTEE RECOMMENDATION: 1. Council grant a variation to the previous endorsement to SA Power Networks for an easement regarding the installation of a switching cubicle and associated underground cables over portion of Liberator Drive Reserve identified as Allotment 1000 in Deposited Plan 30780 as described in Certificate of Title Volume 5376 Folio 82 for \$5,000 plus GST, and delineated in red in Attachment 2 to this report (Works and Services Committee, 19/08/2019, Item 2.5.1) with SA Power Networks to be responsible for all costs. 2. The Manager Property and Buildings be authorised to liaise with SA Power Networks in regards to the requested easements and arrange consent of the Letter of Agreement and Grant of Easement documentation.</p>

<p><u>Item No. 2.5.2</u> Road Closure Portion of Port Wakefield Road, Globe Derby Park</p>	<p>SUMMARY: This report recommends that Council endorse staff to commence a road closure process for portion of Port Wakefield Road and exchange this land for a portion of privately owned land situated at 1 to 19 Globe Derby Drive, Globe Derby Park. This land is required to facilitate construction of a future access road to the salt fields and Northern Connector.</p> <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. This report be received and noted. 2. Staff be authorised to implement the required provisions of the Roads (Opening and Closing) Act 1991 to commence a process for closure of a portion of Port Wakefield Road, Globe Derby Park as marked “A” on the Plan contained in Attachment 1 to this report (Works and Services Committee, 19/08/2019, Item No. 2.5.2). 3. Staff undertake public consultation by placing notices in the local Messenger Newspaper and a further notice in the State Government Gazette in accordance with the provisions of the Roads (Opening and Closing) Act 1991 as well as sending notices to affected residents within the area 4. Pursuant to Section 193 (4) of the Local Government Act 1999, the portion of Port Wakefield Road marked “A” on the attached plan (Attachment 1, Item 2.5.2) be excluded from classification as Community Land and be exchanged for a similar sized portion of land marked “B” on the Plan contained in Attachment 1 to this report (Works and Services Committee, 19/08/2019, Item No. 2.5.2) which is to be dedicated as road. 5. The Chief Executive Officer be delegated to authorise the road closure and land swap as outlined in the report if there are no objections raised as part of the consultation process. In the event objections are made on the road closure, a further report will be presented to Council following the public consultation period for consideration of any objections.
<p><u>Item No. 2.5.3</u> Amendment of Community Land Management Plan and implementation of a frequently updated register detailing community land owned by Council or in Council's care and control</p>	<p>SUMMARY: As per Section 196 of the Local Government Act 1999, Council is required to maintain Community Land Management Plans which detail how community land is managed, be it vacant or affected by leases, licenses and permits.</p> <p>This report considers the City of Salisbury’s existing Community Land Management Plans pursuant to Section 198 of the Local Government Act, as well as the matters identified in recent Court cases, to ensure that the City of Salisbury’s existing Plans meet and exceed legislative requirements.</p>

	<p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. The Community Land Management Plans as contained in Attachments 1 and 2 to this report (Works and Services Committee, 19/08/2019, Item No. 2.5.3) be received. 2. The Manager Property and Buildings be authorised to undertake public consultation as required by Section 197 of the Local Government Act 1999 and in accordance with Council’s Public Consultation Policy. 3. Following the public consultation and review of any submissions, a further report be presented to Council for consideration of any submissions. 4. In the event that no objections are received, the Community Land Management Plans contained in Attachments 1 and 2 to this report (Works and Services Committee, 19/08/2019, Item No. 2.5.3) be adopted.
<p><u>Item No. 2.5.4</u> Grant of Easement to SA Power Networks - Portion of Playford Crescent Railway Reserve</p>	<p>SUMMARY: This report seeks Council’s endorsement to grant an easement over a portion of Council land known as Playford Crescent Railway Reserve to SA Power Networks.</p> <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. Council grant to SA Power Networks an easement for the installation of an underground fibre optic cable over portion of Playford Crescent Railway Reserve identified as Allotments 205 and 207 in Deposited Plan 62150 as described in Certificate of Title Volume 5895 Folios 530 and 532 for \$5,000 plus GST, and delineated in red in Attachment 1 to this report (Works and Services Committee, 19/08/2019, Item No. 2.5.4) with SA Power Networks to be responsible for all costs. 2. The Manager Property and Buildings be authorised to liaise with SA Power Networks in regards to the requested easements and arrange consent of the Letter of Agreement and Grant of Easement documentation.
<p><u>Item No. 2.5.5</u> Reassignment of License from Shahin Property Pty Ltd to OTR 91 Pty Ltd over a portion of Vater Street, Dry Creek</p>	<p>SUMMARY: This report seeks Council’s endorsement of a reassignment of the License between the City of Salisbury and Shahin Properties Pty Ltd over portions of Council land known as Green Fields Wetlands and Vater Street Reserve to OTR 91 Pty Ltd.</p> <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. Council consents to reassign the License between the City of Salisbury and Shahin Properties Pty Ltd to OTR 91 Pty Ltd over portions of Council land as delineated in red in Attachment 1 to this report (Works and Services Committee, 19/08/2019, Item No. 2.5.5). 2. All costs associated with the reassignment of this License are to be borne by Shahin Properties Pty Ltd and OTR 91 Pty Ltd.

	<p>3. The Manager Property and Buildings be authorised to arrange Council consent to all necessary documentation granting the reassignment of the License.</p> <p>4. Pursuant to Section 38 of the Local Government Act 1999, the Council of the City of Salisbury authorise the Mayor and the Chief Executive Officer to attest to the affixation of the Common Seal of the City of Salisbury to the necessary documents.</p>
<p><u>Item No. 2.6.1</u> Capital Works Report - July 2019</p>	<p>SUMMARY: The following monthly status report is presented for information. Within this report it notes key achievements associated with the successful completion of the 2018/19 Capital Works Program, and the works undertaken to establish the 2019/20 program.</p> <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. Include within the 2019/20 First Quarter Budget Review the budget adjustments required to reflect the unsuccessful funding associated with PR25059 Mawson Lakes Central CCTV. 2. That option _____ as detailed within Clause 3.5 of this report (Works and Services Committee, 19/08/2019, Item No. 2.6.1). be endorsed. <p>FURTHER RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. The Asset Management Sub Committee consider autism friendly playground locations and scope as part of Council’s Place Activation Strategy.
<p><u>Item No. 2.7.1</u> Installation of Slow Points on Daniel Avenue, Globe Derby Park</p>	<p>SUMMARY: Council has received concerns relating to speeding traffic along Daniel Avenue, Globe Derby Park. Initial engagement with local residents along the street has indicated that there is a significant number of the residents in favour of some type of traffic management treatment to reduce hoon driving.</p> <p>Subject to Council endorsement, it is proposed to consult with residents on a preferred treatment, then complete the design process. Subject to this public consultation a New Budget Bid will be prepared for the 2020/2021 financial year to install the traffic calming devices or slow points on Daniel Avenue, Globe Derby Park.</p> <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. Council note that, based on the results of the preliminary consultation concerning the installation of local area traffic management along the length of Daniel Avenue, Globe Derby Park, it has been identified that residents would welcome road safety improvements along the road network within this area.

	<ol style="list-style-type: none">2. That Council note the installation of up to three (3) Slow Point Treatments be installed in series along the length of Daniel Avenue, Globe Derby Park as contained in Attachment 1 of this report.3. Council to undertake further consultation and detail design during the 2019/2020 financial year.4. A non-discretionary bid be considered for \$390,000 for the installation of up to three (3) Slow Point Treatments for funding during the second quarter of this financial year as part of a proposed traffic management strategy to improve road safety along the length of Daniel Avenue, Globe Derby Park.
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CO-ORDINATION

Officer: MG

Date:

5.3 Resources and Governance Committee: Recommendations for Council Ratification

Author Joy Rowett, Governance Coordinator, CEO and Governanc

Approving Officer Chief Executive Officer

SUMMARY

The Resources and Governance Committee met on 19 August 2019 to consider 5 items on its Agenda. The Resources and Governance Committee agenda and reports were distributed to all Elected Members and made available to the public prior to the Committee meeting.

The recommendations of the Committee, including 4 other business items, are provided in this report to Council. The corresponding Executive Summary of each report to the Committee is also provided as a prompt.

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

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

RECOMMENDATION

That Council adopt the recommendations of the Resources and Governance Committee meeting on 19 August 2019, contained in the report to Council (Item No. 5.3 on the agenda for the Council meeting held on 26 August 2019), and listed below:

3.0.1 Future Reports for the Resources and Governance Committee

1. The information be received.

3.2.1 Building Fire Safety Committee

1. That the following persons be appointed to the City of Salisbury Building Fire Safety Committee for a period of three (3) years, concluding 31 August 2022:

Members

- Mr Jeff Shillabeer (City of Salisbury staff) – an accredited Building Surveyor;
- Mr Bahaa Tabet (City of Salisbury staff) – an accredited Building Surveyor;
- Mr Peter Hilhorst – Member nominated by the Chief Officer South Australian Metropolitan Fire Service.

Deputy Members

- Mr Andrew Sharred – Deputy for Peter Hilhorst nominated by the Chief Officer South Australian Metropolitan Fire Service.
2. That once established, the Building Fire Safety Committee appoint an appropriate Presiding Member (Chairperson) and Deputy Presiding Member, and review its Terms of Reference including where necessary alterations to the terms of reference to be consistent with the State Government's "*Guide to Council Building Fire Safety Committees*".
 3. That Staff provide a further report on the appointment of an independent member with expertise in the area of fire safety.

3.6.1 Review of Elected Members Records Management Policy

1. The Information be received.
2. The Elected Members Records Management Policy as set out in Attachment 1 to this report (Item No. 3.6.1, Resources and Governance Committee, 19/08/2019), be endorsed.

3.6.2 Summary Report for Attendance at Training and Development Activity - Cr Julie Woodman

1. The information be received.

3.6.3 Elected Member Training and Development Policy

1. That the information be received.
2. Council adjust the budget allocation for Elected Members' training and development, Council delegate activities, and attendance at conferences and seminars, by March CPI at the beginning of each financial year.

R&G-OB1 Increase to Internet Reimbursement for Elected Members

That a report be prepared to provide advice to Council about amending the Elected Member Allowances, Facilities and Support Policy for increasing the maximum reimbursement limit for broadband connection that is privately provided by Elected Members from \$60 to \$90 per month

R&G-OB2 Payment of Elected Member Allowance

That individual Elected Members can request for a single payment of their monthly Elected Member allowance to be paid in advance, at the discretion of the Chief Executive Officer.

R&G-OB3 Payment to Deputy Chair in the Absence of the Chair

That, when the Chairperson of a sub committee is absent and is unable to Chair a meeting of the sub committee, then the Deputy Chair will be paid a sitting fee for that meeting.

R&G-OB4 Social Media Training for Elected Members

That a training workshop on the use of social media be provided to Elected Members by the end of November 2019.

OR

That Council adopt the recommendations of the Resources and Governance Committee meeting on 19 August 2019, contained in the report to Council (Item No. 5.3 on the agenda for the Council meeting held on 26 August 2019), and listed below, with the exception of Item(s):

and

which was/were withdrawn to be considered separately:

(to be determined at meeting as necessary)

ATTACHMENTS

There are no attachments to this report.

1. COMMITTEE RECOMMENDATIONS FOR COUNCIL RATIFICATION

<u>COMMITTEE AGENDA ITEM NO. and TITLE</u>	<u>EXECUTIVE SUMMARY AND COMMITTEE RESOLUTION RECOMMENDED TO COUNCIL</u>
<p><u>Item No. 3.0.1</u> Future Reports for the Resources and Governance Committee</p>	<p>SUMMARY: This item details reports to be presented to the Resources and Governance Committee as a result of a previous Council resolution. If reports have been deferred to a subsequent month, this will be indicated, along with a reason for the deferral.</p> <p>COMMITTEE RECOMMENDATION: 1. The information be received.</p>
<p><u>Item No. 3.2.1</u> Building Fire Safety Committee</p>	<p>SUMMARY: The Building Fire Safety Committee (the BFSC) is established under the Development Act 1993, with specific requirements and limitations as to the membership. Its primary role is to ensure the fire safety of all buildings in the City. It is recommended that the Council appoint persons with the requisite skills to be members (and deputy members) of the BFSC for a term not exceeding three years.</p> <p>A new nominee, along with a Deputy, has been proposed by the Chief Officer of the South Australian Metropolitan Fire Service. It is recommended that Council accept these nominations, and confirm appointment to the BFSC.</p> <p>Mr Jeffrey Shillabeer, City of Salisbury Team Leader Building and Mr Bahaa Tabet, City of Salisbury Senior Building Officer, are recommended to be reappointed to the BFSC.</p> <p>COMMITTEE RECOMMENDATION: 1. That the following persons be appointed to the City of Salisbury Building Fire Safety Committee for a period of three (3) years, concluding 31 August 2022:</p> <p>Members</p> <ul style="list-style-type: none"> • Mr Jeff Shillabeer (City of Salisbury staff) – an accredited Building Surveyor; • Mr Bahaa Tabet (City of Salisbury staff) – an accredited Building Surveyor; • Mr Peter Hilhorst – Member nominated by the Chief Officer South Australian Metropolitan Fire Service. <p>Deputy Members</p> <ul style="list-style-type: none"> • Mr Andrew Sharred – Deputy for Peter Hilhorst nominated by the Chief Officer South Australian Metropolitan Fire Service. <p>2. That once established, the Building Fire Safety Committee appoint an appropriate Presiding Member (Chairperson) and Deputy Presiding Member, and review its Terms of Reference including where necessary alterations to the terms of reference to be</p>

	<p>consistent with the State Government’s “Guide to Council Building Fire Safety Committees”.</p> <p>3. That Staff provide a further report on the appointment of an independent member with expertise in the area of fire safety.</p>
<p><u>Item No. 3.6.1</u> Review of Elected Members Records Management Policy</p>	<p>SUMMARY: This report presents the Elected Members Records Management Policy to Council for consideration and endorsement. The Policy has been reviewed and no changes of substance are required.</p> <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. The Information be received. 2. The Elected Members Records Management Policy as set out in Attachment 1 to this report (Item No. 3.6.1, Resources and Governance Committee, 19/08/2019), be endorsed.
<p><u>Item No. 3.6.2</u> Summary Report for Attendance at Training and Development Activity - Cr Julie Woodman</p>	<p>SUMMARY: The Elected Member Training and Development Policy sets out requirements for reports to be presented by members after attendance at certain activities.</p> <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. The information be received.
<p><u>Item No. 3.6.3</u> Elected Member Training and Development Policy</p>	<p>SUMMARY: The Elected Member Training and Development Policy requires staff to report on progress against the expenditure of the Elected Member Training and Development budget on an annual basis. This report presents information on progress against the expenditure for the 2018/2019 financial year.</p> <p>The report also provides information in response to a resolution of Council from April 2019 calling for a report “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”.</p> <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. That the information be received. 2. Council adjust the budget allocation for Elected Members’ training and development, Council delegate activities, and attendance at conferences and seminars, by March CPI at the beginning of each financial year.
<p>R&G-OB1 Increase to Internet Reimbursement for Elected Members</p>	<p>COMMITTEE RECOMMENDATION: That a report be prepared to provide advice to Council about amending the Elected Member Allowances, Facilities and Support Policy for increasing the maximum reimbursement limit for broadband connection that is privately provided by Elected Members from \$60 to \$90 per month.</p>

R&G-OB2 Payment of Elected Member Allowance	COMMITTEE RECOMMENDATION: That individual Elected Members can request for a single payment of their monthly Elected Member allowance to be paid in advance, at the discretion of the Chief Executive Officer.
R&G-OB3 Payment to Deputy Chair in the Absence of the Chair	COMMITTEE RECOMMENDATION: That, when the Chairperson of a sub committee is absent and is unable to Chair a meeting of the sub committee, then the Deputy Chair will be paid a sitting fee for that meeting.
R&G-OB4 Social Media Training for Elected Members	COMMITTEE RECOMMENDATION That a training workshop on the use of social media be provided to Elected Members by the end of November 2019.

CO-ORDINATION

Officer: MG
Date:

5.4 **Audit Committee of Council: Recommendations for Council Ratification** *No Audit Committee of Council meeting was held in August 2019.*

5.5 **Council Assessment Panel** *Council notes the Minutes of the Council Assessment Panel meeting held on Tuesday 23 July 2019.*

5.6 Budget and Finance Committee: Recommendations for Council Ratification

Author Joy Rowett, Governance Coordinator, CEO and Governance

Approving Officer Chief Executive Officer

EXECUTIVE SUMMARY

The Budget and Finance Committee met on 19 August 2019 to consider 7 items on its Agenda. The Budget and Finance Committee agenda and reports were distributed to all Elected Members and made available to the public prior to the Committee meeting.

Six (6) recommendations of the Committee item are provided in this report to Council. The corresponding Executive Summary of each report to the Committee is also provided as a prompt. One (1) recommendation, presented to the Budget and Finance Committee in confidence, forms part of Council's Confidential Agenda.

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

A draft recommendation has been provided for each approach.

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

RECOMMENDATION

That Council adopt the recommendations of the Budget and Finance Committee meeting on 19 August 2019, contained in the report to Council (Item No. 5.6 on the agenda for the Council meeting held on 26 August 2019), and listed below:

6.0.1 Future Reports for the Budget and Finance Committee

1. The information be received.

6.0.2 Minutes of the Innovation and Business Development Sub Committee meeting held on Monday 12 August 2019

1. The information contained in the Innovation and Business Development Sub Committee Minutes of the meeting held on 12 August 2019 be received and noted and that the following recommendations contained therein be adopted by Council:

IBDSC1 Future Reports for the Innovation and Business Development Sub Committee

1. The information be received.

IBDSC2 Performance Excellence Program - local government benchmarking

1. That the information be received.
2. That the data for all seven categories of the data matrix used for local government benchmarking be provided to Council for information.

**IBDSC3 Reforming Local Government in South Australia Discussion Paper
- Released by State Government**

1. The information contained in this report be received.
2. Council make a formal submission to State Government on the *Reforming Local Government in South Australia Discussion Paper*.
3. Subject to recommendation 2 above, approve the process suggested in this report for Council to consider the proposed reforms and inform the preparation of a formal submission to State Government, to be submitted for Council approval at its meeting in October 2019.

IBDSC-OB1 State Government's Increase to the Solid Waste Levy

1. Council note the negative impact of the State Government's increase of the Solid Waste Levy for the 2019/20 financial year.
2. Council acknowledge the net financial impact on its operating budget for 2020/21 is likely to be \$1.3 million.
3. A report be prepared, with advice from NAWMA and other constituent Councils, that provides options for Council to consider ways of reducing the impact of the Solid Waste Levy on our operating budget for the 2020/21 financial year.

IBDSC-OB2 Customer Review Dashboard

1. That, in order to regularly monitor customer service performance, an update report on the "Customer Review Dashboard" be a standing item on the agenda for the Innovation and Business Development Sub Committee, and be provided at each meeting.

6.1.1 2018-2019 Carried Forward Funds

1. The information be received.
2. The 2019/20 budget be adjusted with \$12,719,500 funds carried forward to be applied as detailed in Schedule of Funds Carried Forward from 2018/19 to 2019/20 in Attachment 1 to this report (Item No. 6.1.1, Budget and Finance Committee, 19/8/2019).
3. The 2018/19 project expenditure budgets be reduced to reflect returned funds of \$4,545,700, as per Schedule of Funds Returned to Council 2018/19 in Attachment 2 to this report (Item No. 6.1.1, Budget and Finance Committee, 19/8/2019)
4. Council approve the following budget adjustments associated with unsuccessful grant funding applications, and lower levels of contributions, which result in a decrease in both income and expenditure budgets.
 - PR21558 Sportsfield Lighting Assistance Program no contributions required in the year to support sporting clubs with provision of matching funds for grant application for lighting, resulting in a \$50,000 decrease in income and a \$100,000 decrease in expenditure budgets.

-
- PR14804 Bicycle Network Improvement Program, unsuccessful grant funding associated with bicycle direction signage resulting in \$10,000 decrease in income and expenditure budgets
 - PR13725 Traffic Improvement Program reduction in grant funding due to Wright & Dulkara Road T-Junction traffic improvement project delivered below budget estimates resulting in \$34,900 reduction income and expenditure.
 - PR25437 Footpath Trading Pedestrian Protection, no Council contributions were required to match business contributions in the year resulting in a \$35,000 decrease in income and a \$70,000 decrease in expenditure budgets.
 - PR22512 Drainage and Waterways Preplanning, unsuccessful grant funding resulting in decrease in income and expenditure budgets of \$60,000
 - PR20787 Tuflow Modelling reduction in income budget \$187k and \$110k reduction in the expenditure budget.
 - PR20995 Salisbury Escarpment Stormwater Management Plan reduction in income budget of \$35k and reduction in expenditure budget of \$5k.
 - PR20996 Cobbler Creek Stormwater Management Plan reduction in income budget of \$10k, and an increase in the expenditure budget of \$110k to enable the project to be closed (completed in 2016).
 - PR23921 Salisbury Oval Masterplan Implementation unsuccessful grant funding associated with CCTV Salisbury Oval resulting in a \$25,000 decrease in income and a \$50,000 decrease in expenditure budgets.
 - PR25017 Smart City Initiatives, unsuccessful grant funding resulting in a \$250,000 decrease in income and expenditure budgets.
5. Council approve the following budget over expenditures to be offset within 2019/20 Program budget allocations.
- PR12000 Road Reseal / Reconstruction Program - \$155,800 (operating component)
 - PR25042 Greater Edinburgh Parks Regional Drainage (Capital) - \$70,300
6. To balance completed programs and projects, and appropriately align budgets for carry forward purposes Council approves the following 2018/19 Budget Transfers:
- From PR21478 Public Lighting Program to PR17754 Sportsfield Lighting Program \$10,700
 - From PR12000 Road Reseal / Reconstruction Program to PR22515 Transportation Program Area \$20,900
 - From PR22159 Salisbury Water Disinfection System \$119,100 to PR24996 Distribution Main Kentish Green \$104,800 and PR25173 Groundwater Community Bores Program \$14,300.
 - Transfer \$20,700 from PR22256 Salisbury Community Hub Feasibility Project and \$152,000 from PR25000 Salisbury Community Hub, to PR23890 SCH Land Acquisition for the total amount of \$172,700
 - Transfer \$10,000 from operating to capital within the PR25000 Salisbury Community Hub, associated with art installation, with no change to in the overall budget.

-
- Transfer \$76,000 from Capital to Operating within PR23140 Salisbury Oval Residential and PR23921 Salisbury Oval Masterplan Implementation
 - Transfer \$109k from City Infrastructure Admin Contractual Services and \$17k from City Infrastructure Admin Consulting Services being operating budgets, to PR23476 Asset Management Improvement Project with \$79k being allocated to operating components, and \$48k to capital.
7. Council approve the following budget adjustments associated with successful grant funding applications:-
- City Wide Trails PR17190 - creation of income of \$1,000,000 and expenditure budgets of \$208,000 in the 2018/19 financial year, and the carry forward of the expenditure budget, noting that income budgeted in 2019/20 of \$652,000 will be declared as an income loss in the first quarter budget review, and the 2019/20 expenditure budget of \$1,040,000 will be combined with the \$208,000 carried forward to result in an expenditure budget of \$1,248,000.
 - PR13600 Minor Traffic Program (East Para Primary School project) creation of income budget of \$6,900
 - Confidential Item PR25444 - creation of income budget of \$162,500 and expenditure budgets of \$325,000 in the 2018/19 financial year, and the carry forward of the expenditure budget.

6.1.2 Treasury Report for Year Ended 30 June 2019

1. Information be received.

6.1.3 Event Management Framework and Room Booking Fees & Charges - Salisbury Community Hub

1. That the components of the Room Booking Policy as provided in Attachment 3 is endorsed and staff finalise the components into the standard policy template.
2. That the Prioritisation Parameters as listed in section 7.3 of this report (Item No. 6.1.3, Budget & Finance Committee, 19/08/2019) are endorsed.
3. That the Fee structure for room bookings and event bookings as provided in Attachment 5 is endorsed and updated into Council's Fees and Charges register.
4. That the Manager Community Experience and Relationships is delegated authority to exercise discretion as to applying the proposed Room Booking Policy
5. That a report on the operation of the Event and Room Booking Framework be brought back to Council following 12 months of operation from the opening of the Salisbury Community Hub.

6.6.1 Discretionary Rate Rebate Application - Commercial Shops on Diment Road, Salisbury North SA 5108

1. The Budget and Finance Committee recommends to Council that:
 - (a) No rate rebate should be granted in respect of the commercial premises known as Shops 1 to 7 (inclusive), 116 Diment Road, Salisbury North SA 5108; and
 - (b) The rate rebate application lodged by Mr John Pegoli dated 12 July 2019 should be dismissed.

OR

That Council adopt the recommendations of the Budget and Finance Committee meeting on 19 August 2019, contained in the report to Council (Item No. 5.6 on the agenda for the Council meeting held on 26 August 2019), and listed above, with the exception of Items:

and

which was/were withdrawn to be considered separately:

(to be determined at meeting as necessary)

ATTACHMENTS

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

- 1. Budget and Finance Committee - Item 6.6.1 Discretionary Rebate Application - Commercial Shops on Diment Road, Salisbury North

1. COMMITTEE RECOMMENDATIONS FOR COUNCIL RATIFICATION

<u>COMMITTEE AGENDA ITEM NO. and TITLE</u>	<u>EXECUTIVE SUMMARY AND COMMITTEE RESOLUTION RECOMMENDED TO COUNCIL</u>
<p><u>Item No. 6.0.1</u> Future Reports for the Budget and Finance Committee</p>	<p>SUMMARY: This item details reports to be presented to the Budget and Finance Committee as a result of a previous Council resolution. If reports have been deferred to a subsequent month, this will be indicated, along with a reason for the deferral.</p> <p>COMMITTEE RECOMMENDATION: 1. The information be received.</p>
<p><u>Item No. 6.0.2</u> Minutes of the Innovation and Business Development Sub Committee meeting held on Monday 12 August 2019</p>	<p>SUMMARY: The minutes and recommendations of the Innovation and Business Development Sub Committee meeting held on Monday 12 August 2019 are presented for Budget and Finance Committee's consideration.</p> <p>COMMITTEE RECOMMENDATIONS: 1. The information contained in the Innovation and Business Development Sub Committee Minutes of the meeting held on 12 August 2019 be received and noted and that the following recommendations contained therein be adopted by Council: IBDSC1 Future Reports for the Innovation and Business Development Sub Committee 1. The information be received. IBDSC2 Performance Excellence Program - local government benchmarking 1. That the information be received. 2. That the data for all seven categories of the data matrix used for local government benchmarking be provided to Council for information.</p>

	<p>IBDSC3 Reforming Local Government in South Australia Discussion Paper - Released by State Government</p> <ol style="list-style-type: none"> 1. The information contained in this report be received. 2. Council make a formal submission to State Government on the <i>Reforming Local Government in South Australia Discussion Paper</i>. 3. Subject to recommendation 2 above, approve the process suggested in this report for Council to consider the proposed reforms and inform the preparation of a formal submission to State Government, to be submitted for Council approval at its meeting in October 2019. <p>IBDSC-OB1 State Government’s Increase to the Solid Waste Levy</p> <ol style="list-style-type: none"> 1. Council note the negative impact of the State Government’s increase of the Solid Waste Levy for the 2019/20 financial year. 2. Council acknowledge the net financial impact on its operating budget for 2020/21 is likely to be \$1.3 million. 3. A report be prepared, with advice from NAWMA and other constituent Councils, that provides options for Council to consider ways of reducing the impact of the Solid Waste Levy on our operating budget for the 2020/21 financial year. <p>IBDSC-OB2 Customer Review Dashboard</p> <ol style="list-style-type: none"> 1. That, in order to regularly monitor customer service performance, an update report on the “Customer Review Dashboard” be a standing item on the agenda for the Innovation and Business Development Sub Committee, and be provided at each meeting.
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Item No. 6.1.1
2018-2019 Carried Forward
Funds

SUMMARY:

This report and the associated attachments summarise the operating and infrastructure budgets that are required to be carried forward from the 2018/19 Financial Year to the 2019/20 Financial Year.

COMMITTEE RECOMMENDATIONS:

1. The information be received.
2. The 2019/20 budget be adjusted with \$12,719,500 funds carried forward to be applied as detailed in Schedule of Funds Carried Forward from 2018/19 to 2019/20 in Attachment 1 to this report (Item No. 6.1.1, Budget and Finance Committee, 19/8/2019).
3. The 2018/19 project expenditure budgets be reduced to reflect returned funds of \$4,545,700, as per Schedule of Funds Returned to Council 2018/19 in Attachment 2 to this report (Item No. 6.1.1, Budget and Finance Committee, 19/8/2019)
4. Council approve the following budget adjustments associated with unsuccessful grant funding applications, and lower levels of contributions, which result in a decrease in both income and expenditure budgets.
 - PR21558 Sportsfield Lighting Assistance Program no contributions required in the year to support sporting clubs with provision of matching funds for grant application for lighting, resulting in a \$50,000 decrease in income and a \$100,000 decrease in expenditure budgets.
 - PR14804 Bicycle Network Improvement Program, unsuccessful grant funding associated with bicycle direction signage resulting in \$10,000 decrease in income and expenditure budgets
 - PR13725 Traffic Improvement Program reduction in grant funding due to Wright & Dulkara Road T-Junction traffic improvement project delivered below budget estimates resulting in \$34,900 reduction income and expenditure.
 - PR25437 Footpath Trading Pedestrian Protection, no Council contributions were required to match business contributions in the year resulting in a \$35,000 decrease in income and a \$70,000 decrease in expenditure budgets.
 - PR22512 Drainage and Waterways Preplanning, unsuccessful grant funding resulting in decrease in income and expenditure budgets of \$60,000
 - PR20787 Tuflow Modelling reduction in income budget \$187k and \$110k reduction in the expenditure budget.
 - PR20995 Salisbury Escarpment Stormwater Management Plan reduction in income budget of \$35k and reduction in expenditure budget of \$5k.

	<ul style="list-style-type: none"> • PR20996 Cobbler Creek Stormwater Management Plan reduction in income budget of \$10k, and an increase in the expenditure budget of \$110k to enable the project to be closed (completed in 2016). • PR23921 Salisbury Oval Masterplan Implementation unsuccessful grant funding associated with CCTV Salisbury Oval resulting in a \$25,000 decrease in income and a \$50,000 decrease in expenditure budgets. • PR25017 Smart City Initiatives, unsuccessful grant funding resulting in a \$250,000 decrease in income and expenditure budgets. <p>5. Council approve the following budget over expenditures to be offset within 2019/20 Program budget allocations.</p> <ul style="list-style-type: none"> • PR12000 Road Reseal / Reconstruction Program - \$155,800 (operating component) • PR25042 Greater Edinburgh Parks Regional Drainage (Capital) - \$70,300 <p>6. To balance completed programs and projects, and appropriately align budgets for carry forward purposes Council approves the following 2018/19 Budget Transfers:</p> <ul style="list-style-type: none"> • From PR21478 Public Lighting Program to PR17754 Sportsfield Lighting Program \$10,700 • From PR12000 Road Reseal / Reconstruction Program to PR22515 Transportation Program Area \$20,900 • From PR22159 Salisbury Water Disinfection System \$119,100 to PR24996 Distribution Main Kentish Green \$104,800 and PR25173 Groundwater Community Bores Program \$14,300. • Transfer \$20,700 from PR22256 Salisbury Community Hub Feasibility Project and \$152,000 from PR25000 Salisbury Community Hub, to PR23890 SCH Land Acquisition for the total amount of \$172,700 • Transfer \$10,000 from operating to capital within the PR25000 Salisbury Community Hub, associated with art installation, with no change to in the overall budget. • Transfer \$76,000 from Capital to Operating within PR23140 Salisbury Oval Residential and PR23921 Salisbury Oval Masterplan Implementation • Transfer \$109k from City Infrastructure Admin Contractual Services and \$17k from City Infrastructure Admin Consulting Services being operating budgets, to PR23476 Asset Management Improvement Project with \$79k being allocated to operating components, and \$48k to capital. <p>7. Council approve the following budget adjustments associated with successful grant funding applications:-</p> <ul style="list-style-type: none"> • City Wide Trails PR17190 - creation of income of \$1,000,000 and expenditure budgets of \$208,000 in the 2018/19 financial year, and the carry forward of the expenditure budget, noting that income budgeted in
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	<p>2019/20 of \$652,000 will be declared as an income loss in the first quarter budget review, and the 2019/20 expenditure budget of \$1,040,000 will be combined with the \$208,000 carried forward to result in an expenditure budget of \$1,248,000.</p> <ul style="list-style-type: none"> • PR13600 Minor Traffic Program (East Para Primary School project) creation of income budget of \$6,900 • Confidential Item PR25444 - creation of income budget of \$162,500 and expenditure budgets of \$325,000 in the 2018/19 financial year, and the carry forward of the expenditure budget.
<p><u>Item No. 6.1.2</u> Treasury Report for Year Ended 30 June 2019</p>	<p>SUMMARY: This report, in accordance with the Local Government Act 1999 and Council’s Treasury Management Policy, provides Council with a summary of the investment performance and loan facilities for the 2019 Financial Year.</p> <p>COMMITTEE RECOMMENDATIONS:</p> <ol style="list-style-type: none"> 1. Information be received.
<p><u>Item No. 6.1.3</u> Event Management Framework and Room Booking Fees & Charges - Salisbury Community Hub</p>	<p>SUMMARY: This report provides Council with an overview of the proposed Event and Room Booking Frameworks and seeks consideration and endorsement of the key components of the framework, namely:</p> <ul style="list-style-type: none"> • Room booking Policy • Prioritisation Parameters • Fee Structure. <p>COMMITTEE RECOMMENDATIONS:</p> <ol style="list-style-type: none"> 1. That the components of the Room Booking Policy as provided in Attachment 3 is endorsed and staff finalise the components into the standard policy template. 2. That the Prioritisation Parameters as listed in section 7.3 of this report (Item No. 6.1.3, Budget & Finance Committee, 19/08/2019) are endorsed. 3. That the Fee structure for room bookings and event bookings as provided in Attachment 5 is endorsed and updated into Council’s Fees and Charges register. 4. That the Manager Community Experience and Relationships is delegated authority to exercise discretion as to applying the proposed Room Booking Policy 5. That a report on the operation of the Event and Room Booking Framework be brought back to Council following 12 months of operation from the opening of the Salisbury Community Hub.

<p><u>Item No. 6.6.1</u> Discretionary Rate Rebate Application - Commercial Shops on Diment Road, Salisbury North SA 5108</p>	<p>SUMMARY: An application for Council to consider a 49% Discretionary Rate Rebate has been received from Mr Pegoli who is one of the owners of the seven commercial shops located at 1-7/116 Diment Road, Salisbury North SA 5108. The application is requesting Council consider providing a 49% Discretionary Rate Rebate on each of the commercial shops.</p> <p>The rebate is being requested under Section 166 (1) (b) of the Local Government Act. This request follows the previous request from Mr Pegoli that a 75% rate rebate be provided in relation to these commercial shops that was not supported by Council.</p> <p>COMMITTEE RECOMMENDATIONS:</p> <ol style="list-style-type: none"> 1. The Budget and Finance Committee recommends to Council that: <ol style="list-style-type: none"> (a) No rate rebate should be granted in respect of the commercial premises known as Shops 1 to 7 (inclusive), 116 Diment Road, Salisbury North SA 5108; and (b) The rate rebate application lodged by Mr John Pegoli dated 12 July 2019 should be dismissed.
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CO-ORDINATION

Officer: MG
Date:

ITEM	6.6.1
	BUDGET AND FINANCE COMMITTEE
DATE	19 August 2019
HEADING	Discretionary Rate Rebate Application - Commercial Shops on Diment Road, Salisbury North SA 5108
AUTHOR	Kathryn Goldy, Team Leader Revenue, Business Excellence
CITY PLAN LINKS	4.3 Have robust processes that support consistent service delivery and informed decision making.
SUMMARY	<p>An application for Council to consider a 49% Discretionary Rate Rebate has been received from Mr Pegoli who is one of the owners of the seven commercial shops located at 1-7/116 Diment Road, Salisbury North SA 5108. The application is requesting Council consider providing a 49% Discretionary Rate Rebate on each of the commercial shops.</p> <p>The rebate is being requested under Section 166 (1) (b) of the Local Government Act. This requests follows the previous request from Mr Pegoli that a 75% rate rebate be provided in relation to these commercial shops that was not supported by Council.</p>

RECOMMENDATION

1. The Budget and Finance Committee recommends to Council that:
 - (a) No rate rebate should be granted in respect of the commercial premises known as Shops 1 to 7 (inclusive), 116 Diment Road, Salisbury North SA 5108; and
 - (b) The rate rebate application lodged by Mr John Pegoli dated 12 July 2019 should be dismissed.

ATTACHMENTS

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

1. Attachment 1 - City of Salisbury Rate Rebate Policy
2. Attachment 2 - Discretionary Rate Rebate Application Form, dated 12 July 2019

1. BACKGROUND

- 1.1 In March 2019, an application was presented to the Budget and Finance Committee to consider a 75% Discretionary Rate Rebate from Mr Pegoli who is one of the owners of the seven commercial shops located at 1-7/116 Diment Road, Salisbury North SA 5108. The decision by Council at this time was not to provide any Discretionary Rate Rebate in relation to these properties (Resolution Number: 0119/2019).

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- 1.2 Following the decision by Council the applicant chose to lodge a Section 270 Internal Review under the Local Government Act (the Act). An independent review of the matter was conducted by Minter Ellison.
- 1.3 The Section 270 Internal Review was considered by Council on 24 June 2019. At this meeting Mr Pegoli was provided with the opportunity to address Council directly. The final determination at this time was not to grant a discretionary rate rebate on these commercial properties. (Resolution Number: 0204/2019)
- 1.4 Council endorsed a Rate Rebate Policy in February 2019 (0103/2019) (Attachment 1) along with the endorsement of Discretionary Rebates for 2019/20 and 2020/21.
- 1.5 At this time details of all mandatory and discretionary rate rebates were provided to Council. In 2019/2020 Council has provided rebates of \$1,214,619 with \$1,185,690 being mandatory. The Council endorsed discretionary rebates in total \$28,928 for 2019/20 for the following entities:

Facilities & Service for Young Children/Youth	Address	Rebate %	Value of Rebates 2019/20
Salisbury Lutheran Church Kindergarten Inc.	6-10 Waterloo Corner Road , Salisbury SA 5108	100%	1,836.10
Salisbury Occasional Child Care Centre Inc.	25-27 Ann Street , Salisbury SA 5108	100%	2,391.20
St Francis Community Child Care Inc.	306 Waterloo Corner Road, Paralowie SA 5108	100%	2,356.20
Minister For Economic Development (NFP Kindy) Mawson Lakes Park Way Child Care Centre	5 Park Way , Mawson Lakes SA 5095	100%	3,287.90
Guides Association SA Inc.	5 Guerin Lane , Salisbury SA 5108	100%	1,473.15
Scouts SA	1909-1911 Main North Road , Salisbury Heights SA 5109	100%	1,216.95
Scouts SA	18 Canna Road , Ingle Farm SA 5098	100%	1,016.00
Scouts SA	7 Kalimna Crescent , Paralowie SA 5108	100%	1,016.00
Scouts SA	20 Jackson Street , Parafield Gardens SA 5107	100%	1,016.00
Guides Association SA Inc.	21 Melville Road , Salisbury East SA 5109	100%	1,195.60
Mawson Lakes Garden Terrace Child Care Centre	12-28 Garden Terrace , Mawson Lakes SA 5095	100%	3,476.85
TOTAL			20,281.95

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Council Endorsed Discretionary Rebates	Rationale	Rebate %	Value of Rebates 2019/20
Meals on Wheels SA Inc.*receives a 75% mandatory rebate as well. In total 100%	Provides a benefit or service to the Local Community	25%	254.00
John Street Salisbury Pty Ltd (Northern Volunteering SA Inc.)	Provides a benefit or service to the Local Community	100%	1,016.00
SA Water (St Kilda Tram Museum Depot)	Preservation of buildings or places of historic significance	100%	1,456.55
Military Vehicle Preservation Society of SA Inc. (National Military Vehicle Museum)	Preservation of buildings or places of historic significance	100%	1,302.35
Australian Migrant Resource Centre	Provides a benefit or service to the Local Community	100%	2,407.90
Marra Murranga Kumangka Inc.	Provides a benefit or service to the Local Community	100%	2,209.75
TOTAL			8,646.55

- 1.6 Council has the power to provide a Discretionary Rate Rebate under Section 166 (1) (b) of the Act where the rebate is desirable for the purpose of assisting or supporting a business in its area.

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

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

2. REPORT

- 2.1 The following application has been received for a discretionary rate rebate from one of the owners being G D Pegoli for the commercial shops listed below:

- Shop 1 / 116 Diment Road , Salisbury North SA 5108
- Shop 2 / 116 Diment Road , Salisbury North SA 5108
- Shop 3 / 116 Diment Road , Salisbury North SA 5108
- Shop 4 / 116 Diment Road , Salisbury North SA 5108
- Shop 5-7 / 116 Diment Road , Salisbury North SA 5108

These shops are owned in full by D Rugari and S Rugari and G D Pegoli and M B Pegoli and A Pegoli.

- 2.2 Following the arson attack on the commercial shops the Office of the Valuer General (OVG) has re-assessed the capital value for the shops for the 2019/20

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financial year. This has resulted in 2019/20 rates being set at a lower level reflecting the revised valuation, and the property owners will have lower rates until the properties are reinstated.

- 2.3 The overall capital value of the commercial shops in 2018/19 was \$1.1M and following the revised valuation the total valuation is now \$890k for 2019/20. The decrease in the total capital value of these shops has meant that the total rates bill has already reduced from \$8,571.35 in 2018/19 to \$6,804.45 (20.6% reduction) for this financial year.
- 2.4 As part of the review in valuation undertaken by the OVG the shops which were damaged by fire have been combined into a single assessment (shops 5, 6 and 7) with the rates on these assessments being reduced from \$2,961 to \$1,016, being a reduction of \$1,945 this financial year, which is equal to a 66% reduction in rates for the fire damaged shops (refer table below). The total reduction in rates from 2018/19 to 2019/20 is \$1,766.90, rather than an approximate increase of \$249 had the average rate increase of 2.9% applied.

	18/19 CV	19/20 CV	18/19 Rates	19/20 Rates
Shop 1 / 116 Diment Road , Salisbury North SA 5108	221,100	226,043	\$ 1,419.25	\$ 1,466.10
Shop 2 / 116 Diment Road , Salisbury North SA 5108	345,400	353,121	\$ 2,217.10	\$ 2,290.35
Shop 3 / 116 Diment Road , Salisbury North SA 5108	106,700	109,085	\$ 987.00	\$ 1,016.00
Shop 4/ 116 Diment Road , Salisbury North SA 5108	106,700	109,085	\$ 987.00	\$ 1,016.00
Shop 5 / 116 Diment Road , Salisbury North SA 5108	106,700	92,666	\$ 987.00	\$ 1,016.00
Shop 6/ 116 Diment Road , Salisbury North SA 5108	106,700		\$ 987.00	
Shop 7 / 116 Diment Road , Salisbury North SA 5108	106,700		\$ 987.00	
	1,100,000	890,000	\$ 8,571.35	\$ 6,804.45

- 2.5 When reviewing the application for the discretionary rate rebate it is noted that Shop 1/116 Diment Road, Salisbury North is currently a vacant shop, as under S166(1a) rebates are provided giving consideration to the services undertaken and the associated benefit to the community. For this shop no service is being provided to the community, and consequently a rebate should not be provided in relation to shop 1.
- 2.6 Mr Pegoli has confirmed that all of the commercial premises were insured and that he anticipates that it may take at least 12 months to repair.
- 2.7 Mr Pegoli has advised as part of his application that the owners have reduced the rent for a period of time to assist the occupants/tenants of the commercial shops. Which is a commercial decision that the owners have made, and is part of managing risks of property ownership.
- 2.8 Mr Pegoli has applied for a discretionary rate rebate under Section 166 (1) (b) of the Act. Under S166 of the Act Council has the power to provide a Discretionary Rate Rebate for:
- (b) where the rebate is desirable for the purpose of assisting or supporting a business in its area;
- 2.9 Further in considering such applications Council needs to take into account S166 (1a):

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

and may take into account other matters considered relevant by the council.

2.10 Council may wish to consider that these commercial shops are not in significantly different financial circumstances than many others in our community, who find themselves under financial hardship due to circumstances outside of their control. Any commercial activity has financial benefits associated with risks being taken, also for commercial property rates are a tax deduction, and these aspects should be taken into account when considering this application.

2.11 The Rate Rebate Policy endorsed by Council in February 2019 (0103/2019) details in paragraph 3.1.1 other matters that Council may wish to consider and take into account, as detailed below, with response in the right hand column:

Matters for Consideration	Points for consideration
(i) why there is a need for financial assistance through a rebate;	Mr Pegoli is requesting Council exercise their discretion to provide a 49% rate rebate to all of the commercial shops, which following an arson attack has experienced a reduction in trade and has resulted in 3 shops being unable to operate currently to the severe fire damage. As anticipated in the report considered by Council March 2019, the OVG has reviewed the valuation of these commercial shops. The 3 shops unable to trade have been amalgamated into one rating assessment and this has resulted in a reduction in the rates which are due and payable for this financial year. The reduction is from \$2,961 to \$1,016 being a reduction of \$1,945.
(ii) the level of rebate (percentage and dollar amount) being sought and why it is appropriate	Mr Pegoli is seeking a 49% rate rebate, which based on 2019/20 rates means that the annual rates bill will be reduced from \$6,804.45 to an amount of \$3,470.27 for the total of the commercial shops. Consideration can be given to a lower rebate, or to only

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	apply the rebate for some of the shops rather than all.
(iii) the extent of financial assistance, if any, being provided to the applicant and/or in respect of the land by Commonwealth or State agencies	<p>Staff are not aware of the extent of financial assistance that the owners or the tenants are possibly entitled to from other avenues.</p> <p>However, staff are aware that all of the commercial shops had insurance though discussion with Mr Pegoli. Further, rates are a tax deduction for business, and taking on the benefits of commercial activities means that risk is also undertaken.</p> <p>The capital value has been adjusted by the OVG for 2019/20. The owners will have this benefit for the full 12 months, even if the property is fully reinstated prior to the end of the financial year.</p> <p>Therefore financial assistance through the mechanism of rates has already been provided to the owners of these commercial properties. The overall capital value has reduced from \$1.1M to \$890K. This has impacted the annual rates liability for all of the commercial shops from the sum of \$8,571.35 to \$6,804.45.</p>
(iv) whether the applicant has made/intends to make applications to another Council	Council is asked to consider this application based on the information provided to the City of Salisbury (Attachment 2) and if the rebate is granted, the outcomes and effects of granting such a discretionary rate rebate would have on our community including that other commercial activities may also request Council to consider similar applications in the future
(v) whether, and if so to what extent, the applicant is or will be providing a service within the Council area	The benefit provided is to only 5 rating assessments which are classified as commercial activity under the Local Government and Land Use codes.
(vi) whether the applicant is a public sector body, a private not for profit body or a private for profit body	The applicant is one of the owners of the commercial premises

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<p>(vii) whether there are any relevant historical considerations that may be relevant for all or any of the current Council term</p>	<p>A Discretionary Rate Rebate application was considered by the Budget and Finance Committee in March 2019. At this time the recommendation to Council was not to provide a Discretionary Rate Rebate to any of the commercial shops. (Resolution Number: 0119/2019) This recommendation was upheld.</p> <p>Mr Pegloi then requested that an internal Section 270 review be conducted. This review was independently completed by Minter Ellison. The outcome of the Section 270 Internal Review was considered by Council on 24 June 2019, at which time Mr Pegoli was also provided with the opportunity to discuss his application with Council directly. The final determination at this time was not to grant a discretionary rate rebate on any of these commercial properties. (Resolution Number: 0204/2019)</p>
<p>(viii) the desirability of granting a rebate for more than one year in those circumstances identified at Clause 4.2 of this policy</p>	<p>Mr Pegoli is seeking a discretionary rate rebate and while his application does not specify an exact time frame for the rebate to be granted. Council is reminded that the Rate Rebate Policy provides a maximum period of two years, so should Council determine to provide a rebate it should do so only until June 2021.</p> <p>In previous discussions with Mr Pegoli he has confirmed that it is possible that the properties will be reinstated and fully operational within 12 months, given this if Council does decide to grant a rebate the rebate should not be provided beyond June 2020.</p> <p>Further rates have been lowered in 2019/20 due to the revaluation by the OVG.</p>
<p>(ix) consideration of the full financial consequences of the rebate for the Council</p>	<p>Based on the rates for the 2019/20 if a 49% rebate was granted the annual rates bill would be reduced from \$6,804.45 to an amount of \$3,470.27.</p>

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	<p>Council is also reminded that the annual rates bill has already been reduced given the re-valuation of the commercial premises from \$1.1M to \$890k for the 2019/20 rates.</p> <p>The full financial consequences for Council will possibly increase further over time with additional ratepayers seeking a discretionary rate rebates under Section 166 (1) (b)</p>
(x) the time the application is received	<p>The Rate Rebate Policy ask all persons who, or bodies which, wish to apply to the Council for a rebate of rates must do so on or before 31 August in the year of application. This application was received on 12 July 2019</p>
(xi) the availability of any community grant to the person or body making the application	<p>No further information is available in regards to the availability of a community grant. A discussion was had with the Manager Economic Development & Urban Policy prior to the Discretionary Rate Rebate application in March 19 being heard and it was confirmed at that time there is no other community grant was available</p>
(xii) whether the applicant is in receipt of a community grant	<p>We have received no information to verify if the owner Mr Pegoli currently receives a community grant</p>
(xiii) any other matters, and policies of the Council, which the Council considers relevant	<p>Council may also wish to consider:</p> <p>Shop 1 should not be provided with a rate rebate under S166(1a) as it is vacant, and therefore is not providing any service to the community.</p> <p>This is a commercial activity and as such the risk and return sit with the owners, rather than with the community</p> <p>Rates are a tax deduction for businesses</p> <p>Rates in 2019/20 have been reduced given the fire damage and the overall capital value on the commercial premises has been reduced from \$1.1M to \$890k. This has resulted in less rates due and payable as the annual rates bill</p>

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	<p>has been lowered from \$8,571.35 to \$6,804.45.</p> <p>The owners have insurance in place</p> <p>The properties are expected to be reinstated within 12 months, and the ratepayers will received lower rates for a 12 month period, potentially longer should the OVG not revisit immediately after reinstatement.</p> <p>Approving this rebate would set a precedent, which warrants careful consideration.</p> <p>Approving this rebate effectively passes some of the commercial risk from the property owners to the general community.</p>
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- 2.12 While commercial shops provide a service to our community, it is limited in the number of community members that can benefit from this service. Council should continue to take a balanced approach in assisting or supporting any local businesses. Council are asked to be mindful that when granting a discretionary rebate on these grounds that each rebate granted shifts the rate burden to other ratepayers who also may be in similar financial circumstances.

3. CONCLUSION / PROPOSAL

- 3.1 In considering this matter the primary concern is the need for financial sustainability of the Council's rate base – which all properties should contribute to the cost of services provided by Council. While noting the service local shops provide to the community, Council is asked to be mindful of the impacts of providing a discretionary rate rebate in these circumstances, including that it may result in further applications for other commercial businesses who find themselves in similar financial circumstances
- 3.2 The City of Salisbury has limited capacity to grant a 49% discretionary rebate across these commercial premises without indirectly impacting on the remainder of our ratepayers with higher rates. This is compounded by the potential for other similar requests, that would need to be given due consideration as Council will have set a precedent. This could lead to a number of our ratepayers being further pressured with their own financials and further supports the recommendation not to grant a discretionary rate rebate at any level.
- 3.3 This is a commercial activity and as such the risk and return sit with the owners. Approving this rebate effectively passes some of the commercial risk from the

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property owners to the general community. Further the owners have insurance in place and rates are a tax deduction.

- 3.4 For these reasons the recommendation is to not grant a 49% rate rebate or any rebate at any level, and that the application be dismissed.

CO-ORDINATION

Officer:

Date:



RATE REBATE POLICY

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

A – Preamble

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

B – Scope

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

C – Policy Purpose/Objectives

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

D – Definitions

Definitions as per the *Local Government Act 1999*

E – Policy Statement

1. Local Government Act 1999

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

2. Mandatory Rebates

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

2.2. Mandatory 100% Rebate of Rates:

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

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

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

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

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

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

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

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

2.3. Mandatory 75% Rebate of Rates:

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

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

...

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

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

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

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

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

(c) any of the following are community services:

(i) the provision of emergency accommodation;

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

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

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

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

2.3.2. S165—Rebate of rates – educational purposes

(1) *The rate on land –*

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

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

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

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

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

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

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

3. Discretionary Rebate of Rates:

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

3.1.1. S166—Discretionary rebate of rates

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

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

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

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

3.2. The Council has an absolute discretion –

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

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

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

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

- 3.5. As a matter of policy Council will provide a 100% discretionary rebate on:
- 3.5.1. Not for profit Kindergartens/Child care Centres
 - 3.5.2. Guides and Scouts Groups
- and Council delegate the determination of the application of this discretionary rebate to the CEO.
- 3.6. Council have determined that discretionary rebates under S166 will not be granted for:
- 3.6.1. Provision of support services or direct financial support of low income families
 - 3.6.2. Private residential properties
 - 3.6.3. Private and not for profit residential aged care facilities.

4. Rebate Applications

- 4.1. Persons or bodies who seek a rebate of rates (and/or service charges) must make written application. Forms are available online http://www.salisbury.sa.gov.au/Services/Rates/Rate_Rebate_Policy_and_Application_Form or can be obtained from Council Offices located at James Street Salisbury, or by contacting the Customer Centre 8406 8222.
- 4.2. All persons who, or bodies which, wish to apply to the Council for a rebate of rates must do so on or before 31 August in the year of application. However, applicants which satisfy the criteria for a mandatory 100% rebate will be granted the rebate at any time.
- 4.3. There are penalties for making false statements and for failing to advise Council of changes in circumstances which would remove the entitlement to a rebate. Relevant sections of the legislation are:
- 4.3.1. ***S159—Preliminary***
...
(2) *A person or body must not –*
(a) *Make a false or misleading statement or representation in an application to be made (or purporting to be made) under this Division; or*
(b) *Provide false or misleading information or evidence in support of an application made (or purporting to be made) under this Division*
Maximum penalty: \$5,000
- 4.3.2. ***S159—Preliminary***
...
(7) *If a person or body has the benefit of a rebate of rates under this Division and the grounds on which the rebate has been granted cease to exist, the person or body must immediately inform the council of that fact and (whether or not the council is informed) the entitlement to a rebate ceases.*

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

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

4.4.1. ***S159—Preliminary***

...

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

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

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

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

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

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

5. Community Grants

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

6. Policy Review & Availability

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

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

F – Delegation

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

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

G – Legislation

The Local Government Act 1999

H – Associated Policies

Council’s Internal Review of Council Decisions Policy

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

12/7/2019

To the City of Salisbury
Email: city@salisbury.sa.gov.au

Hello,

Re: Request a Rate Rebate of Commercial Premises due to fire damage.

Writing to the city of Salisbury to consider a rate rebate of the shopping centre due to fire damage. In total 3 shops located at the centre have been severely damaged and will take some time (at least 12 months) to repair. The other remaining shops have seen a heavy reduction in the business trade due to the damaged tenancies.

Please consider a rate rebate of the shopping centre.

Address:

Shop 1 / 116 Diment Road Salisbury North SA 5108
Shop 2 / 116 Diment Road Salisbury North SA 5108
Shop 3 / 116 Diment Road Salisbury North SA 5108
Shop 4 / 116 Diment Road Salisbury North SA 5108
Shop 5 / 116 Diment Road Salisbury North SA 5108
Shop 6 / 116 Diment Road Salisbury North SA 5108
Shop 7 / 116 Diment Road Salisbury North SA 5108

Vacant
Reduction of business trade
Reduction of business trade
Reduction of business trade
Severely Damaged – Boarded up
Severely Damaged – Boarded up
Severely Damaged – Boarded up

Fire Damage – Arsonist
Date Occurred: 6th Feb 2019
Policy Report No: SAP1900030518

If you could consider a temporary relief from the council rates for a period of time to provide some sort of financial assistance it would be greatly appreciated. The tenancies are doing it very tough at the moment and we had to provide rent relief for a period of time so that the remaining 2 business can stay open.

I have requested for the valuer general to re-assess the CV Value of the shopping centre but this won't take effect until next financial year, hence this request to the council to provide some much urgent assistance.

Currently only 2 tenants out of 7 are open and we had to heavily reduce the rent to help them out.
If you require further details or would like to inspect the site feel free to call me direct on the number listed below.

Thanking you in advance.



Application Form – Rate Rebate

Details of Applicant

Name
Address
Telephone.....

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

Name
Address.....
Telephone

Details of Land

Council Assessment Number..... 293214
Valuer General Number..... 4430489000 10
Certificate of Title Reference.....
Address..... Shop 1 / 116 Dimet Road
Salisbury North SA 5108
Owner of Land (if not you)

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

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



Application Form – Rate Rebate

Details of Applicant

Name
Address
Telephone.....

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

Name
Address.....
Telephone.....

Details of Land

Council Assessment Number..... 293206
Valuer General Number..... 4430489000 20
Certificate of Title Reference.....
Address..... Shop 2/116 DAMSKIN ROAD
Salisbury North SA 5108
Owner of Land (if not you).....

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

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



Application Form - Rate Rebate

Details of Applicant

Name
Address
Telephone

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

Name
Address
Telephone

Details of Land

Council Assessment Number..... 292943
Valuer General Number..... 4430489000 30
Certificate of Title Reference.....
Address..... Shop 3 / 116 DENKIN ROAD
SALISBURY NORTH SA 5108
Owner of Land (if not you)

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

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



Application Form – Rate Rebate

Details of Applicant

Name
Address
Telephone

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

Name
Address
Telephone

Details of Land

Council Assessment Number..... 292851
Valuer General Number..... 443048900040
Certificate of Title Reference.....
Address..... Shop 4 / 116 DEMENT ROAD
SALESBURY MAIN SA 5108
Owner of Land (if not you)

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

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



Application Form – Rate Rebate

Details of Applicant

Name
Address
Telephone.....

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

Name.....
Address.....
Telephone.....

Details of Land

Council Assessment Number..... 498873
Valuer General Number..... 4430489000 50
Certificate of Title Reference.....
Address..... Shop S / 116 Dismant Road
SALISBURY NORTH SA 5108
Owner of Land (if not you).....

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

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



Application Form – Rate Rebate

Details of Applicant

Name
Address
Telephone

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

Name
Address
Telephone

Details of Land

Council Assessment Number..... 498581
Valuer General Number..... 4430489000 50
Certificate of Title Reference.....
Address..... Shop 6 / 116, DEMENT ROAD
SALISBURY WA 5108
Owner of Land (if not you)

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

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



Application Form – Rate Rebate

Details of Applicant

Name
Address
Telephone

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

Name
Address
Telephone

Details of Land

Council Assessment Number..... 498599
Valuer General Number..... 4430489000 70
Certificate of Title Reference.....
Address..... Shop 7 / 116 DEMENT ROAD
SALISBURY NORTH SA 5108
Owner of Land (if not you)

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

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

Categories of Rebate

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

3.1 Mandatory 100%

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

Mandatory 75% - Section 161

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

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

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

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

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

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

Mandatory 75% (cont) – Section 165

Educational Purposes Which of the following criteria apply –

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

3.2 Discretionary rebates – Section 166 (1)

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

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

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

4. Amount of Rebate

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

YES NO

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

49 %

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

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

ARSONIST Fire Damage to the Shopping Centre
resulting in loss of business for tenants
only 2 out of 7 tenants remain open with
heavily subsidise rent relief been given
to remain open. Rebate requested to assist
businesses to remain open. Any assistance will
be paid onto tenants in the form of rent relief.

5. Additional Information Required

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

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

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

6. Application Forms

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

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

Important Information

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

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

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

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

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

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

DATED the 12 day of July 20 19

Signed 

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

Completed form to be returned to:

City of Salisbury

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

Further Information Item:

6.1.3FI Event Management Framework and Room Booking Fees & Charges - Salisbury Community Hub

AUTHOR Charles Mansueto, General Manager Business Excellence, Business Excellence

CITY PLAN LINKS 3.1 Be an adaptive community that embraces change and opportunities.
3.2 Have interesting places where people want to be.
3.3 Be a connected city where all people have opportunities to participate.

SUMMARY This Further Information Item provides Council with updated information on the proposed Event Management Framework and Room Booking Fees & Charges based on the feedback received at the Budget and Finance Committee held on the 19 August 2019.

RECOMMENDATION

1. That the Room Booking Policy as provided as Attachment 1 of this report (Item No. 6.1.3FI, Budget & Finance Committee, 26/08/2019) is endorsed.
2. That the Prioritisation Parameters as listed in section 2.5 of this report (Item No. 6.1.3FI, Budget & Finance Committee, 26/08/2019) are endorsed.
3. That the Fee structure for room bookings and event bookings as provided in Attachment 5 (Item No. 6.1.3. Budget & Finance Committee, 19/08/2019) is endorsed and updated into Council's Fees and Charges register.
4. That the General Manager Business Excellence is delegated authority to exercise discretion as to applying the proposed Room Booking Policy in relation to:
 - a. The Prioritisation Parameters during application of the new framework to ensure it remains an effective model to activate the Salisbury Community Hub and Civic Plaza / Inparrinthe Kumangka.
 - b. The application of the three categories (Community, Private & Business/Government) as to how they apply to requests for bookings received.
5. That a report on the operation of the Event and Room Booking Framework be brought back to Council following 12 months of operation from the opening of the Salisbury Community Hub.

ATTACHMENTS

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

1. Room Bookings Policy

1. BACKGROUND

- 1.1 During the consideration of the report on the proposed Event Management Framework and Room Booking Fees & Charges at the August 2019 Budget & Finance Committee meeting, the committee provided feedback that required further consideration and an updated policy to be presented for endorsement.
- 1.2 This Further Information item aims to provide an updated policy and revised Prioritisation Parameters for consideration.
- 1.3 To assist with the changes made to reflect the feedback received, the policy has been presented in the City of Salisbury policy template with track changes.

2. CONSULTATION / COMMUNICATION

- 2.1 Internal
 - 2.1.1 Elected Members through the Budget & Finance Committee.

1. REPORT

- 2.2 Provided as Attachment 1 is the proposed Salisbury Community Hub – Room Booking Policy.
- 2.3 The detail of the policy has been transferred into the standard policy template with track changes highlighting the sections amended based on the feedback from Elected Members at the August 2019 Budget & Finance Committee.
- 2.4 In relation to the proposed Prioritisation Parameters, feedback was provided in relation to the incorporation of the Civic Plaza into the parameters.
- 2.5 The revised Prioritisation Parameters are:
 - 2.5.1 50% of the first floor (including the terrace) will be allocated for commercial use.
 - 2.5.2 80% of Community Hall use will be allocated to the community for events and programs.
 - 2.5.3 Priority will be given to six 500 person events on the ground floor per year.
 - 2.5.4 Aim to have a have a community focused activity at least once a month in the Civic Plaza / Inparrinthe Kumangka.
 - 2.5.5 One to two small meeting rooms should be available at any given time to allow for walk-in bookings.
 - 2.5.6 Priority should be given to (approximately) 50 training events per year, most likely to be held in training rooms.
 - 2.5.7 Priority should be given to (approximately) 5 Polaris business events per year.
 - 2.5.8 Ongoing scheduled programming will not exceed 65% of total space usage at any given time.
- 1.1 The addition of the parameter for the Civic Plaza / Inparrinthe Kumangka provides guidance on ensuring the space is activating, noting that it is likely that some of the larger events held in the Salisbury Community Hub may have a flow on effect to the Civic Plaza / Inparrinthe Kumangka.

3. CONCLUSION / PROPOSAL

- 3.1 Council is asked to consider the revised policy and prioritization parameters detailed in this report and subject to any further feedback, endorse the recommendations which will allow the administration to commence the process of managing any booking requests.

CO-ORDINATION

Officer:

Date:



Salisbury Community Hub and Civic Plaza / Inparrinthe Kumangka - Room Bookings Policy

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Policy Type:	Policy	Decision No:	
Approved By:	Council	Last Reapproval Date:	N/A
Approval Date:		Internal Reference No.:	N/A
Review Date:		Division:	
Department:	Business Excellence	Responsible Officer:	General Manager Business Excellence
Function:	16 - Property Management		

A - PREAMBLE

1. The Salisbury Community Hub will bring the opportunity for the community to access the public spaces in a variety of ways for programs, private functions, conferences and larger public events.
2. To ensure that the facility is appropriately managed so that there is a balanced mix of programs and events, an Event and Room Booking Framework has been developed.

B - SCOPE

1. This policy applies to the community, businesses, staff that request to use the roombookable rooms and spaces within the Salisbury Community Hub and the Civic Plaza / Inparrinthe Kumangka.

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C – POLICY PURPOSE/OBJECTIVES

1. This policy provides direction to staff on the fees to be charged and any reduction to the fee for businesses and not for profit businesses located within the City of Salisbury and to support the effective and efficient management of bookings and ensuring the use of the Salisbury Community Hub aligns to the agreed outcomes.

D - DEFINITIONS

1. Damage – when referred to in this policy, it is referring to any damage, caused by a person and/or organisation that has booked a room or space under this policy, to any physical structure, equipment or amenities provided, that requires Council to undertake repairs or rectification beyond general maintenance and cleaning.

E - POLICY STATEMENT

1. All room booking activities must be undertaken in accordance with this policy– applicable to internal or external parties.

2. Section 1: Pre-Booking Assessments

The following assessment will be undertaken ~~by the Facilities Promotion Team~~ prior to a booking being confirmed. For simple bookings including meetings and video conferences, less rigour will be needed around these assessments. For more complicated and larger bookings, a more rigorous assessment may be needed, including engaging other specialists within the organisation where needed such as WHS, Risk, and other Divisional Managers.

(1.1) Banned Parties/Activities

Where a ~~room~~ booking is requested, an upfront assessment is made to determine if the ~~room~~ booking is permitted. ~~The following groups will not be allowed to book spaces in the Community Hub. In considering the request examples of activities and/or behaviour that will not be allowed and may cause a booking request to be denied include:~~

- ~~vilification, discrimination or incitement of hatred or violence against any person or persons based on age, gender, religion, race, ethnicity, culture, sexuality, sexual preference or physical or mental ability.~~
- ~~in breach of any Federal and State legislation~~
- ~~Political groups or affiliations~~
- ~~Anyone associated with racial motivation, cults, weapons and violence~~
- ~~Religious groups requesting space for services~~

(1.2) Room Location

An assessment will be undertaken to determine the best room location of the booking in relation to the following criteria:

- Other events and bookings that will be held in adjacent or neighbouring rooms at the same time as the requested booking. A booking request will not be accepted if it is deemed to affect another confirmed booking in an adjacent or neighbouring room due to expected high levels of noise or disruption.
 - Amenities or facilities needed for the booking (i.e. Kitchen spaces, tea stations, bathrooms). Bookings may need to be located as close as possible to the required amenities or facilities.
- The purpose of the booking, and the needs of the individual or group making the booking which may impact room setup requirements, catering, space required, etc. A room will be selected that would be an appropriate fit for the type of booking and its requirements.
- The amount of people attending to ensure that the proposed room is in alignment to Room Parameters, ~~outlined on page 30-31~~. In the case where a minimum requirement is not met, the space will only become bookable to that individual or group 5 business days in advance if no one else has booked the space. Maximum requirements cannot be exceeded due to Health and Safety requirements.

(1.3) Risk Management

A third assessment will be made in relation to the risks associated with the booking. The Risk and Governance Team, the WHS Team, and Security may be consulted prior to acceptance of the booking if there is ambiguity or belief that the booking will create hazards or pose a risk or threat to other people, or the building (including carpets and flooring, walls, IT or AV equipment, etc.). The outcome of this assessment will determine if the booking can be accepted, and if any preventative controls or measures will be implemented for the booking. At this time proof of, or arrangement for

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indemnity insurance may be required prior to booking acceptance if deemed necessary by the City of Salisbury. See Section 3.7 of this policy for more details.

3. Section 2: Booking Confirmations

The following applies once a booking has been confirmed internally, and confirmed with the customer (internal staff, or external user). In the first instance, a customer must agree to the terms of hire upon confirmation.

(2.1) Fees and Charges

If fees apply, the customer will be invoiced upon booking confirmation in accordance with [Appendix 1—Fees and Charges \(as updated by Council in the Fees & Charges Register\)](#). Any applicable fees and bond payments for room bookings are required to be collected at a minimum of 72 hours prior to the booking. Payments for catering and security services will be requested at point of confirmation - full payment must be received prior to City of Salisbury booking these services.

(2.2) Cancellations

A booking may be cancelled at anytime subject to the following conditions:

- If a room booking fee has been charged to the booking owner, cancellation fees may apply in accordance with [Fees and Charges \(as updated by Council in the Fees & Charges Register\)](#)~~Appendix 1— Fees and Charges~~
 - Any additional fees charged relating to catering, security, or an outsourced service will be non-refundable once it has been received and confirmed by the vendor, or can no longer be cancelled.
 - Once a booking has been cancelled, the booking slot ~~can not~~cannot be reclaimed if it has been allocated to a new user.

(2.3) Changes to Bookings

Changes to bookings are subject to the following conditions:

- Room location changes are subject to the discretion of the City of Salisbury, including the availability of other spaces and Room Parameters
- A change of room may incur additional fees that will be invoiced to the booking owner upon re-confirmation
- A change of room may result in a fee reduction that will be refunded to the booking owner if the change to the booking is made 72 hours prior to the booking time
- Additional service requests relating to catering, security or outsourced services may incur additional fees that will be invoiced to the booking owner upon reconfirmation
- Reductions made to catering, security or other outsourced services will not be refunded to the booking owner once it has been received and confirmed by the vendor, or can no longer be cancelled
- Additions to the number of booking attendees must be confirmed with the City of Salisbury. The request for additional guests may be denied if it does not meet Room Parameters, ~~outlined on pages 30-31.~~

(2.4) Post Confirmation

The following applies for bookings that have been confirmed internally, and with the customer:

- Changes to requested services and room setup can only be made after direct request from the booking owner

- Room location may be changed at the discretion of City of Salisbury. A change in room location will only be made if the requirements for the booking can still be met.

4. Section 3: Terms and Conditions

(3.1) Use of Kitchen Spaces

Kitchen spaces may be available to book in addition to a room booking. Kitchen hire incurs an additional fee as part of the bond in accordance with [the Fees and Charges \(as updated by Council in the Fees & Charges Register\) Appendix 1 – Fees and Charges](#). The use of kitchen spaces requires the booking owner, and anyone else who will be using the kitchen, to undertake an induction to the space on the day of the booking.

(3.2) Use of Personal Equipment

The use of personal equipment and appliances are prohibited unless direct approval is received from the City of Salisbury, and all items are tested and tagged prior to use in the Community Hub. This excludes the use of personal electronics devices such as Laptops and tablets.

(3.3) Room Decoration and Fixtures

No permanent fixtures will be allowed in any case for a room booking.

The following decorative items are permitted for use:

- Balloons
- The use of blu-tac or non-adhesive sticky tape
- Streamers

The following decorative items will not be permitted for use:

- Party poppers
- Confetti or glitter
- The use of adhesives tapes, including duct tape
- Smoke machines

Any breach of this policy may impact the return of the bond, or result in an invoice issued to the Hirer to cover additional cleaning or repair charges.

(3.4) Engaging Vendors

Permitted vendors used for services during room bookings are predetermined by the City of Salisbury. City of Salisbury retain responsibility for engaging with vendors, and do not permit customers to engage with vendors directly. Customers are not permitted to utilise an outsourced vendor without prior consent from the City of Salisbury.

(3.5) Cleaning and Waste Removal

Basic cleaning services are included with each room booking, including vacuuming, sweeping, wiping down tables and countertops. Unless advised by the City of Salisbury, no cleaning fees will be applicable for the booking based on the following assumptions:

- The room is left in tidy condition at the end of the booking
- No spills or messes are left that require additional cleaning effort
- There is not an excessive amount of waste left behind that must be disposed of at additional effort or cost to the Council

In the case where additional cleaning is required (i.e. beyond standard service levels), City of Salisbury reserves the right to issue an invoice for the additional labour that was required or deduct funds from any bond held for the booking. Refer to Sections 3.6 and 3.7 for more details.

(3.6) Damage to Facilities

Any damage caused to the Facility (Room, space, amenities) during a room booking will be expensed to the user through an invoice, or through a bond deduction. If an invoice is not actioned by the Hirer within 30 days of issuance, the City of Salisbury reserves the right to issue a claim to their insurance provider.

(3.7) Insurance and Liability

Council reserves the right to determine if the Hirer must affect and maintain for the period of the use, a policy of insurance for public liability. If it is determined by the Council that the Hirer shall affect a public liability policy, the Centre User must maintain the policy for the full period of the use of the Centre.

(3.8) Code of Behaviour

Behaviour in the form of drug use, violence, excessive noise, display of sexual content, or any other behaviour deemed illegal by the City of Salisbury may result in eviction from the premises, police investigation or other penalties.

(3.9) Non-bookable spaces

City of Salisbury reserves the right to maintain a number of rooms and spaces as non-bookable within the Community Hub.

(3.10) Liquor Licencing

The City of Salisbury will require the room booking user to hold a temporary liquor licence for any event or booking where alcohol will be served. There may be additional security requirements required where alcohol is served, and the City of Salisbury may request the booking user to have (additional) security resources for the length of the booking.

(3.11) Use of outdoor spaces

The use of outdoor spaces such as the Civic [Square-Plaza / Inparrinthe Kumangka](#) must comply with the following:

- Public access to the building must not be prevented
- Any work zone in the Civic [Square-Plaza / Inparrinthe Kumangka](#) (or in areas surrounding the Community Hub) must be cordoned off from public access. All applicable safety standards must be adhered to
- Applicable stakeholders are to be contacted and consulted prior to any event or works occurring in the [Plaza / Inparrinthe Kumangka Civic Square](#), where:
 - it is deemed this may impinge on the ability to carry out or impact business,
 - impact on access to certain parts of the building,
 - or other impingements.
- Private or custom use of the big screen must receive approval from the [General Manager Business Excellence](#) prior to use in any case.

(3.12) Breach of Policy

If it is deemed any part of this policy, or other council policies have the potential to be broken during the booking, it may be immediately terminated before or during the booking without notice. Any breach of policy during a booking will result in immediate termination and potential for bond deductions or fines imposed by the City of Salisbury. City of Salisbury reserves the right to evict any persons who are in breach of this policy.

F - LEGISLATION

1. The City of Salisbury requires the Hirer to comply with all relevant legislation at the State and National level which makes acts of discrimination, vilification, incitement, offensive conduct and public disorder unlawful.
- 2.

H - ASSOCIATED PROCEDURES

1.—Fees & Charges Register

Document Control

Document ID	
Prepared by	Charles Mansueto
Release	1.00
Document Status	
Date Printed	

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

Author Joy Rowett, Governance Coordinator, CEO and Governance

Approving Officer Chief Executive Officer

EXECUTIVE SUMMARY

The Sport, Recreation and Grants Committee met on 12 August 2019 to consider 6 items on its Agenda. The Sport, Recreation and Grants Committee agenda and reports were distributed to all Elected Members and made available to the public prior to the Committee meeting.

The recommendations of the Committee requiring ratification of Council are provided in this report together with information regarding those decisions for which the Committee has delegated authority. The corresponding Executive Summary of each report to the Committee is also provided as a prompt.

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

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

RECOMMENDATION

That Council adopt the recommendations of the Sport, Recreation and Grants Committee meeting on 12 August 2019, contained in the report to Council (Item No. 5.7 on the agenda for the Council meeting held on 26 August 2019), and listed below:

7.0.1 Future Reports for the Sport, Recreation and Grants Committee

1. The information be received.

7.2.1 Youth Sponsorship Applications – July 2019

1. The information be received.

7.2.2 Community Grants Program Applications for August 2019

1. The information be received and noted.

7.2.3 Community Grants Program - Revised Defibrillator Category

1. The information be received and noted.
2. The revised Community Grants Program Guidelines and Eligibility Criteria document (Attachment 1, 7.2.3, 12/08/2019) be endorsed to take effect 1 September 2019.

7.2.4 Minor Capital Works Grant Program - Category B Funding

1. The information be received.
2. The Minor Capital Works Grant Program Guidelines and Eligibility Criteria be altered to clarify that applications for funding must only be for projects to be carried out and relating to the premises where an existing usage agreement is in place for both Category A and Category B applications.

-
3. The Minor Capital Works Grant Program Category B maximum funding allocation amount be increased from \$2,000 to \$25,000 and the attached Minor Capital Works Grant Program Guidelines and Eligibility Criteria be endorsed to reflect these changes, effective September 2019.

7.2.5 Para Hills Tennis Club - Lighting Assistance Program

1. The application from the Para Hills Tennis Club for \$50,000 GST Exclusive grant funding via the 2019/20 Sportsfield Lighting Assistance Program be endorsed for the upgrade of Sports Lighting on Courts 1-6 at Twell Green, Para Hills, with the club contributing \$25,000 GST Inclusive towards this project.
2. Submission of a 2019/20 First Quarter Budget Review Bid to reflect the change in income for PR21558 Sportsfield Lighting Assistance Program from \$50,000 to now \$22,500, with staff having approval to action the lighting upgrade at Twell Green, Para Hills, upon endorsement of this report, Item 7.2.6, Sport, Recreation and Grants Committee, 12th August 2019.
3. As part of the 2020/21 budget bid process, Twell Green lighting upgrade be removed from the proposed PR17754 Sportsfield Lighting Upgrade Program budget bid.

OR

That Council adopt the recommendations of the Sport Recreation and Grants Committee meeting on 12 August 2019, contained in the report to Council (Item No. 5.7 on the agenda for the Council meeting held on 26 August 2019), and listed below, with the exception of Item(s):

and

which was/were withdrawn to be considered separately.

(to be determined at meeting as necessary)

ATTACHMENTS

There are no attachments to this report.

1. COMMITTEE RECOMMENDATIONS FOR COUNCIL RATIFICATION

COMMITTEE AGENDA ITEM NO. and TITLE	EXECUTIVE SUMMARY AND COMMITTEE RECOMMENDATION TO COUNCIL
<p><u>Item No. 7.0.1</u> Future Reports for the Sport, Recreation and Grants Committee</p>	<p>EXECUTIVE SUMMARY: This item details reports to be presented to the Sport, Recreation and Grants Committee as a result of a previous Council resolution. If reports have been deferred to a subsequent month, this will be indicated, along with a reason for the deferral.</p> <p>COMMITTEE RECOMMENDATION: 1. The information be received.</p>
<p><u>Item No. 7.2.1</u> Youth Sponsorship Applications - July 2019</p>	<p>EXECUTIVE SUMMARY: This report outlines the Youth Sponsorship Applications assessed in July 2019.</p> <p>COMMITTEE RECOMMENDATION: 1. The information be received.</p>
<p><u>Item No. 7.2.2</u> Community Grants Program Applications for August 2019</p>	<p>EXECUTIVE SUMMARY: This report outlines the Community Grants Program Applications submitted for the August 2019 round. No (0) applications are submitted for consideration by the Sport, Recreation and Grants Committee.</p> <p>COMMITTEE RECOMMENDATION: 1. The information be received and noted.</p>
<p><u>Item No. 7.2.3</u> Community Grants Program - Revised Defibrillator Category</p>	<p>EXECUTIVE SUMMARY: This report outlines the criteria for the Office for Recreation, Sport and Racing Active Club Program for funding of defibrillators and the revised Community Grants Program Guidelines and Eligibility Criteria.</p> <p>COMMITTEE RECOMMENDATION: 1. The information be received and noted. 2. The revised Community Grants Program Guidelines and Eligibility Criteria document (Attachment 1, 7.2.3, 12/08/2019) be endorsed to take effect 1 September 2019.</p>
<p><u>Item No. 7.2.4</u> Minor Capital Works Grant Program - Category B Funding</p>	<p>EXECUTIVE SUMMARY: The Minor Capital Works Grant Program Category B Funding Criteria and Funding Allocation has been reviewed and recommendations are provided.</p> <p>COMMITTEE RECOMMENDATION: 1. The information be received. 2. The Minor Capital Works Grant Program Guidelines and Eligibility Criteria be altered to clarify that applications for funding must only be for projects to be carried out and</p>

	<p>relating to the premises where an existing usage agreement is in place for both Category A and Category B applications.</p> <p>3. The Minor Capital Works Grant Program Category B maximum funding allocation amount be increased from \$2,000 to \$25,000 and the attached Minor Capital Works Grant Program Guidelines and Eligibility Criteria be endorsed to reflect these changes, effective September 2019.</p>
<p><u>Item No. 7.2.5</u> Para Hills Tennis Club - Lighting Assistance Program</p>	<p>EXECUTIVE SUMMARY: The Para Hills Tennis Club are seeking funding through the 2019/20 Sportsfield Lighting Assistance Program for co-funding of \$50,000 for the upgrade of sports lighting for Courts 1-6 at Twell Green, Liberman Road, Para Hills.</p> <p>COMMITTEE RECOMMENDATION:</p> <p>1. The application from the Para Hills Tennis Club for \$50,000 GST Exclusive grant funding via the 2019/20 Sportsfield Lighting Assistance Program be endorsed for the upgrade of Sports Lighting on Courts 1-6 at Twell Green, Para Hills, with the club contributing \$25,000 GST Inclusive towards this project.</p> <p>2. Submission of a 2019/20 First Quarter Budget Review Bid to reflect the change in income for PR21558 Sportsfield Lighting Assistance Program from \$50,000 to now \$22,500, with staff having approval to action the lighting upgrade at Twell Green, Para Hills, upon endorsement of this report, Item 7.2.6, Sport, Recreation and Grants Committee, 12th August 2019.</p> <p>3. As part of the 2020/21 budget bid process, Twell Green lighting upgrade be removed from the proposed PR17754 Sportsfield Lighting Upgrade Program budget bid.</p>

2. COMMITTEE DECISIONS MADE UNDER DELEGATED AUTHORITY - FOR COUNCIL INFORMATION

Nil.

5.8 CEO Review Committee: Recommendations for Council Ratification

No CEO Review Committee meeting was held in August 2019.

ITEM 6: GENERAL BUSINESS REPORTS

6.1 Section 270 Review of a Council Decision – 25 September 2017 and 23 July 2018 - To implement a one way road connecting from Correena Avenue to Halba Crescent for use during drop off and pick up times as a "kiss and drop" zone, as well as act as a flood mitigation measure.

AUTHOR John Devine, General Manager City Infrastructure, City Infrastructure

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

SUMMARY To inform Council about an application for the review of a decision of the Council, the process followed for the review, and to recommend an appropriate determination in conclusion of the process.

RECOMMENDATION

That:

1. the report be received and noted;
2. the findings of the section 270 (of the *Local Government Act 1999*) review of the Council decision of 25 September 2017 and 23 July 2018 to implement a one way road connecting from Correena Avenue to Halba Crescent for use during drop off and pick up times as a "kiss and drop" zone, as well as act as a flood mitigation measure be accepted;
3. no further action be taken in relation to the matter raised by the applicant for the section 270 review of the decision to implement a one way road connecting from Correena Avenue to Halba Crescent for use during drop off and pick up times as a "kiss and drop" zone, as well as act as a flood mitigation measure; and
4. the applicant for the section 270 review be advised within five days of the decision.

ATTACHMENTS

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

1. Final Determination - Section 270 Internal Review - Ms M Wiley

1. BACKGROUND

- 1.1 Council, at its meetings on 25 September 2017 and 23 July 2018 resolved, through its budget process, to implement a one way road connecting from Correena Avenue to Halba Crescent for use during drop off and pick up times as a "kiss and drop" zone, as well as act as a flood mitigation measure:
- 1.2 On 17 May 2019, Ms M Wiley requested an internal review of that Council decision in accordance with Section 270 of the *Local Government Act 1999*.

-
- 1.3 In accordance with Council’s *Internal Review of Council Decisions Policy and Procedure*, when an application is made, the CEO is required to assess the application and determine the appropriate action; this “may include direct referral of the matter to council, or to an external person or panel independent of the Council to conduct the review, or to SAPOL if a criminal matter or to the Office for Public Integrity”.
- 1.4 Council’s General Manager City Infrastructure, Mr John Devine was considered to have the appropriate knowledge and experience to conduct the review.

2. REPORT

- 2.1 The reviewer was provided with documentation relevant to Council’s decision of 25 September 2017 and 23 July 2018, as follows:
- Email dated 15 May 2019 from Ms Wiley
 - Email 17 May 2019 from Ms Wiley
 - Memo and supporting information from Team Leader Civil and Transport Assets, David Boothway dated 22 May 2019.
 - Email dated 24 May 2019 with Resolution of Council dated 23 July 2018.
 - Email to Ms Wiley dated 27 May 2019 – Feedback from meeting on 24 May 2019.
 - Resident advice letter from civil contractor SEM, dated 16 April 2019 and letter box drop area map.
- 2.2 The applicant was informed of the reviewer’s appointment and advised that they may be interviewed as part of the review process.
- 2.3 The reviewer undertook the following as part of the internal review:
- Interviews of key Traffic Council staff – David Boothway, Jordan Ward, Tony Calandro;
 - Interview of key Construction staff – Jill Campbell;
 - Interview Ms Wiley and her partner James;
 - Review of Council documentation including email trail;
 - Review of resident advice letter from civil contractor SEM, dated 16 April 2019 and letter box drop area map;
 - Consideration of alternative options for a Kiss and drop facility for the school;
 - Review of Council reports related to the initial decision by Council.
- 2.4 The reviewer’s findings (conclusion) are as follows:
- *From a technical perspective, the location of the one way road is appropriate and the best option to cater for both the flooding and school related issues*
 - *Council did conduct a door knock of nearby affected residents in December 2018 to alert them of the works and hear their views, and while Ms Wiley was not home, her daughter was, and as a result Ms Wiley submitted an email in January 2019 objecting to the works*

-
- *While Ms Wiley's email 7th January 2019, does not appear to have been received by relevant Traffic Section staff, the objections raised by Ms Wiley would not have changed the decision to proceed with the works at this site as consideration had been given to the impact on Ms Wiley's property as part of the decision process*
 - *In making decisions Council cannot be expected to accommodate every resident's individual circumstances*
 - *Council could consider introducing a generic email for future community engagement programs, to lessen the likelihood of emails getting caught in their spam filter, and not being reliant on one staff member receiving them*
 - *The contractor does appear to have letter box dropped residents in the area in mid April to advise them of the impending works, although Ms Wiley claims the letter was not received*
 - *Improvements in the plans Council uses for minor works should be considered to assist residents understand proposed works.*

3. CONCLUSION

- 3.1 Having received the final report of the reviewer with respect to an application for a Section 270 Review of a Council Decision – 25 September 2017 and 23 July 2018 - To implement a one way road connecting from Correena Avenue to Halba Crescent for use during drop off and pick up times as a "kiss and drop" zone, as well as act as a flood mitigation measure., and in accordance with Council's *Internal Review of Council Decisions Policy and Procedure*, Council has to make a determination in relation to the review.
- 3.2 Council can accept the findings of the review and adopt the reviewer's recommendation or the Council can vary its determination in some way, unless the variation is contrary to its policies.
- 3.3 Whatever the determination, the applicant must be advised within five days of the date of the determination.

CO-ORDINATION

Officer: CEO MG
Date:

Final Determination Report

The decision reviewed

Council decisions, dated 25 September 2017 and 23 July 2018, through its budget process, to implement a one way road connecting from Correena Avenue to Halba Crescent for use during drop off and pick up times as a "kiss and drop" zone, as well as act as a flood mitigation measure.

The grounds the application was made on

Ms Wiley objected to the proposal initially and then again when the proposal was resumed in July 2018, however, the Council spam filter rejected her email objecting to the project so her objection was never received.

Ms Wiley became aware that the project had resumed when workers were cutting down the trees as part of the construction of the "kiss and drop" road.

Who conducted the investigation?

John Devine, General Manager, City Infrastructure

The information (law, policies, interviews), that were given regard to during the process;

Interviews of key Traffic Council staff – David Boothway, Jordan Ward, Tony Calandro

Interview of key Construction staff – Jill Campbell

Interview Ms Wiley and her partner James

Reviewed Council documentation including email trail

Reviewed resident advice letter from civil contractor SEM, dated 16 April 2019 and letter box drop area map

Alternative options for a Kiss and drop facility for the school

Council reports related to the initial decision by Council

The initial determination

After reviewing the relevant documentation, interviews with key parties, and analysing alternative options, the following determination has been made:

1. From a technical perspective, the location of the one way road is appropriate and the best option to cater for both the flooding and school related issues
2. Council did conduct a door knock of nearby affected residents in December 2018 to alert them of the works and hear their views, and while Ms Wiley was not home, her daughter was, and as a result Ms Wiley submitted an email in January 2019 objecting to the works
3. While Ms Wiley's email 7th January 2019, does not appear to have been received by relevant Traffic Section staff, the objections raised by Ms Wiley

would not have changed the decision to proceed with the works at this site as consideration had been given to the impact on Ms Wiley's property as part of the decision process

4. In making decisions Council cannot be expected to accommodate every resident's individual circumstances
5. Council could consider introducing a generic email for future community engagement programs, to lessen the likelihood of emails getting caught in their spam filter, and not being reliant on one staff member receiving them
6. The contractor does appear to have letter box dropped residents in the area in mid-April to advise them of the impending works, although Ms Wiley claims the latter was not received
7. Improvements in the plans Council uses for minor works should be considered to assist residents understand proposed works

Remedies (if any)

1. We have agreed to plant additional vegetation in the reserve to provide better screening for the resident.
2. Restrict parking outside the residents house and others in the vicinity around school drop off and pick up times

The final determination

Since no further information or considerations have been provided from Ms Wylie or Council staff the findings of the initial determination are upheld.

ITEM 7: MOTIONS ON NOTICE

7.1 Protocol for Correspondence with State and Federal MPs and Ministers

Cr Chad Buchanan has submitted the following Notice of Motion:

That an administrative protocol be created for timely provision of copies of correspondence to Elected Members as follows:

1. Letters relating to constituent enquires or community issues sent by Council administration in response to a Member of Parliament, to be provided to relevant Ward Councillors, unless the constituent concerned has requested to remain anonymous.
2. Letters sent to a Minister on behalf of the Council, and any response received, are to be forwarded to all Elected Members.

ADMINISTRATION COMMENT:

If Council adopts this motion, the protocol will be implemented.

ITEM 8: MAYOR'S DIARY

RECOMMENDATION

1. That this information be noted.

Date	Time	Function
18/07/2019	09:00 AM	LGA Board of Directors meeting - regional location
18/07/2019	01:00 PM	Optional light lunch after the LGA Board of Directors meeting
19/07/2019	07:00 PM	Dinner with residents
20/07/2019	03:00 PM	Adelaide Mela Teeyan Da 2019 (Multicultural Women's Festival)
20/07/2019	06:00 PM	Cambodian Assn Dinner
21/07/2019	09:00 PM	Radio interview Andrew Reiner
22/07/2019	02:30 PM	Meeting with resident - Providing mentoring services to indigenous youth and would like to meet to explain what they do
22/07/2019	03:00 PM	Mayor/CEO/EA
22/07/2019	04:00 PM	OFFICE TIME - Schedule upcoming week/ Signing/Speeches and Resident Enquiries
22/07/2019	04:30 PM	Pre Council Meeting Briefing
22/07/2019	06:30 PM	Council Meeting
24/07/2019	09:30 AM	Salisbury Writers' Festival Update
24/07/2019	10:00 AM	Meeting with Pas Forgione from Aust Council of Social Service
24/07/2019	10:30 AM	Media Issues - Regular Catch-up
24/07/2019	11:00 AM	Meeting with Hope Central
24/07/2019	02:00 PM	Meeting with RAAF and CoS - Edinburgh Airshow Briefing
24/07/2019	03:00 PM	James St Pictorial Book Project
24/07/2019	06:00 PM	Christmas in July at Bagster Community Centre
25/07/2019	06:30 PM	SALA Exhibition Opening
26/07/2019	11:00 AM	White Ribbon Walk with SA Police
29/07/2019	04:30 PM	Radio Interview
30/07/2019	12 Noon	Media Issues - Regular Catch-up
31/07/2019	01:30 PM	Office Time - Signing and Invitations
1/08/2019	06:30 AM	Radio Interview
3/08/2019	11:00 AM	Punya Foundation - Multicultural Spiritual Program
4/08/2019	06:30 PM	Dinner with residents re development
5/08/2019	02:30 PM	Call to resident re OAM Nomination
5/08/2019	06:30 PM	Informal Strategy
6/08/2019	10:00 AM	SALA Exhibition - PBA FM Mayor's Breakfast Radio Show
6/08/2019	11:15 AM	Meeting with PA
6/08/2019	11:30 AM	Meeting with Resident
6/08/2019	12:30 PM	Vietnam Veterans Day - Pre-Event Briefing
6/08/2019	01:00 PM	Meeting with Resident and Planner
6/08/2019	01:30 PM	Meeting with Resident
6/08/2019	02:00 PM	Meeting with CEO
6/08/2019	02:20 PM	Meeting with Staff Member
6/08/2019	12 Noon	Media Issues - Regular Catch-up
7/08/2019	06:00 PM	Mobara Student Delegation
8/08/2019	06:00 PM	Mawson Lakes Lions - Northern Businesses Wine & Network Evening
9/08/2019	07:00 PM	Mawson Lakes Lions Handover Invitation
10/08/2019	08:30 AM	Resident re solar

10/08/2019	07:00 PM	Residents 60th Birthday
12/08/2019	02:00 PM	White Ribbon Working Group Meeting
12/08/2019	03:30 PM	Regular Catchup to Discuss Current/Upcoming Planning/Building Issues
12/08/2019	04:00 PM	OFFICE TIME - Schedule upcoming week/ Signing/Speeches and Resident Enquiries
12/08/2019	04:30 PM	Public Art Panel
12/08/2019	06:30 PM	Strategic and International Partnerships Sub Committee
12/08/2019	06:30 PM	Sport, Recreation & Grants Committee meeting
12/08/2019	06:30 PM	Innovation & Business Development Sub Committee
13/08/2019	11:00 AM	Meeting with Resident
13/08/2019	12:30 PM	Meeting with Writer's Week Author - Poppy
13/08/2019	05:30 PM	Youth Council
13/08/2019	06:30 PM	Salisbury Community Hub Update
13/08/2019	12 Noon	Media Issues - Regular Catch-up
14/08/2019	10:00 AM	Judging Panel Salisbury Business Awards
14/08/2019	11:30 AM	Meeting with Councillor
14/08/2019	12:30 PM	Meeting with Resident
14/08/2019	01:00 PM	Mayor/CEO/EA
16/08/2019	07:00 PM	Building Excellence Awards 2019
18/08/2019	10:30 AM	Vietnam Veterans Day Ceremony
18/08/2019	07:00 PM	Dinner with Vietnam Veterans
19/08/2019	04:00 PM	OFFICE TIME - Schedule upcoming week/ Signing/Speeches and Resident Enquiries
19/08/2019	06:30 PM	Standing Committee Meetings
20/08/2019	10:00 AM	Wellbeing Programs - PBA FM Mayor's Breakfast Radio Show
20/08/2019	11:30 AM	Office Time with PA
20/08/2019	12 Noon	Media Issues - Regular Catch-up
21/08/2019	10:00 AM	Meeting with small business
21/08/2019	03:30 PM	Citizenship Ceremony 21st August - Early Session
21/08/2019	06:30 PM	Citizenship Ceremony 21st August - Evening Session

Events attended by Elected Members on behalf of the Mayor

Date	Member	Function
31/07/2019	Deputy Mayor Julie Woodman	Graduation presentation for Cert III in Community Studies
01/08/2019	Deputy Mayor Julie Woodman	Thomas More College mid year Awards Presentation
09/08/2019	Deputy Mayor Julie Woodman	Launch of Super League 2019 – Salisbury Bowling Club
14/08/2019	Deputy Mayor Julie Woodman	Northern Community Legal Service AGM
15/08/2019	Deputy Mayor Julie Woodman	RAAF Victory in the Pacific Commemoration Service

ITEM 9: ELECTED MEMBER REPRESENTATION ACTIVITIES

ITEM 10: QUESTIONS WITHOUT NOTICE

ITEM 11: QUESTIONS ON NOTICE

11.1 Question on Notice: Corellas

At the Council meeting on 22 July 2019, Cr S Reardon asked for an update on the recent poisoning of the corellas.

The question was taken on notice.

General Manager City Infrastructure, John Devine has provided the following response:

Some Corellas were falling out the trees at the One Tree Hill Primary School in the City of Playford. The birds were seen bleeding from the mouth. Approximately fifty died. The alleged cause of death was poison.

We have followed this matter up with State Government. DEW (Department of Environment and Water) received reports on 10 July of more than 50 deceased and dying corellas at One Tree Hill.

DEW is investigating the incident with assistance from PIRSA (Department of Primary Industries and Regions South Australia).

PIRSA conducted disease and toxin testing. No diseases were detected, however toxicity testing revealed the presence of an organophosphate-based agricultural pesticide.

DEW's enquiries into the incident are ongoing.

ITEM 12: OTHER BUSINESS / MOTIONS WITHOUT NOTICE

ITEM 13: CONFIDENTIAL ITEMS

13.1 Works and Services Committee – Confidential Recommendation for Council Ratification**2.9.1 Request for Extension of Confidentiality Order: NAWMA - Appointment of Independent Chair**

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

1. *Pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999, the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because:*

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

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

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

- information contained within the report includes personal information of an employment nature for candidates under consideration for appointment to the position of Independent Chair of the NAWMA Board

*On that basis the public's interest is best served by not disclosing the **Request for Extension of Confidentiality Order: NAWMA - Appointment of Independent Chair** item and discussion at this point in time.*

3. *Pursuant to Section 90(2) of the Local Government Act 1999 it is recommended the Council orders that all members of the public, except staff of the City of Salisbury on duty in attendance, be excluded from attendance at the meeting for this Agenda Item.*

13.2 Budget and Finance Committee – Confidential Recommendation for Council Ratification

6.9.1 Bridgestone Reserve Athletics Facility

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

1. *Pursuant to Section 90(2) and (3)(b)(i) and (b)(ii) and (d)(i) and (d)(ii) of the Local Government Act 1999, the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because:*

- it relates to information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and

- information the disclosure of which would, on balance, be contrary to the public interest; and

- commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and

- commercial information of a confidential nature (not being a trade secret) the disclosure of which would, on balance, be contrary to the public interest.

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

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

- Report contains information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom Council is conducting, or proposing to conduct, business, or to prejudice the commercial position of Council.

*On that basis the public's interest is best served by not disclosing the **Bridgestone Reserve Athletics Facility** item and discussion at this point in time.*

3. *Pursuant to Section 90(2) of the Local Government Act 1999 it is recommended the Council orders that all members of the public, except staff of the City of Salisbury on duty in attendance, be excluded from attendance at the meeting for this Agenda Item.*

CLOSE