



AGENDA

COUNCIL

*meeting to be held on Monday 27 July at 6:30 pm
in the Council Chamber, Salisbury Community Hub, 34 Church Street, Salisbury*

Elected Members

Mayor G Aldridge

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

Prayer

Father in heaven

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

Bless our efforts this day in God's name. Amen.

Kaurna Acknowledgement

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

We acknowledge that they are of continuing importance to the Kaurna people living.

Apologies:

Leave of Absence:

ITEM 1: PUBLIC QUESTION TIME

- ITEM 2: DEPUTATIONS / PRESENTATIONS**
2.1 Australia Day Council of SA
2.2 Accessible and Inclusive Play Spaces

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- ITEM 3: PETITIONS**
No Petitions were received.

- ITEM 4: CONFIRMATION OF MINUTES**
22 June 2020 Council Minutes
22 June 2020 Confidential Council Minutes

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ITEM 5: COMMITTEE REPORTS

- 5.1 Policy and Planning Committee: 20 July 2020**
Cr C Buchanan (Chair)
1.0.1 Future Reports for the Policy and Planning Committee
1.0.2 Minutes of the Tourism and Visitor Sub Committee meeting held on Tuesday 9 Ju14 July 2020
TVSC1 Future Reports for the Tourism and Visitor Sub Committee
TVSC2 Status Report on Historical Signage Installation
TVSC3 City of Salisbury Calendar of Events & Exhibitions review
1.1.1 Community Safety Implementation Plan 2020/21
1.1.2 Place Activation Strategy – Community Facilities
1.1.3 Place Activation Strategy – Economic Sites
1.1.4 ‘Fun Bus’ Service
1.1.5 Homelessness Strategy
1.2.1 Compostable Coffee Cups

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5.2 Works and Services Committee: 20 July 2020

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Cr S Reardon (Chair)

- 2.0.1 Future Reports for the Works and Services Committee
- 2.0.2 Minutes of the Asset Management Sub Committee meeting held on Monday 13 July 2020:
 - AMSC1 Future Reports for the Asset Management Sub Committee
 - AMSC2 Place Activation Strategy Update
 - AMSC3 Asset Management Policy
 - AMSC4 Response to Petition – Coachhouse Drive, Gulfview Heights
 - AMSC5 Place Activation Strategy – Parks and Open Space Assets Listing (Informal Recreation destinations)
- 2.1.1 Grant Funding for Community Garden at Para Hills
- 2.4.1 Response to Petition: Dunkley Green
- 2.4.2 Review the standards and user satisfaction of all Dog Parks
- 2.5.1 Grant of Easement to SA Power Networks – Happy Home Reserve
- 2.6.1 Capital Works Report – June 2020
- 2.6.2 Gulfview Heights Lake, Bayview Parade
- 2.6.3 Side Entry Pit and Drainage Pit Cleaning
- 2.8.1 NAWMA Lease Renewal 2020
- 2.8.2 NAWMA Service Agreement and Business Plan
- W&S-OB1 Mawson Lakes School Footbridge
- W&S-OB2 Pedestrian Refuge – Galway Crescent
- W&S-OB3 Safety around The Pines School and Andrew Smith Drive

5.3 Resources and Governance Committee: 20 July 2020

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Cr D Proleta (Chair)

- 3.0.1 Future Reports for the Resources and Governance Committee
- 3.4.1 Nominations Sought for the State Bushfire Coordination Committee
- 3.4.2 Nominations Sought for the Flood Warning Consultative Committee
 - **See Further Information Item:**
 - 3.4.2FI *Nominations Sought for the SA Flood Warning Consultative Committee* Page 61
- 3.6.2 Annual Report on Internal Reviews of Council decisions in the year ending 30 June 2020 under section 270 of the Local Government Act 1999.
- 3.6.3 Local Government Association Annual General Meeting: 29/10/2020 – Proposed Items of Business and Voting Delegates
 - **See Further Information Item:**
 - 3.6.3FI *Local Government Association Annual General Meeting: 29/10/2020 – Proposed Items of Business and Voting Delegates* Page 63
- 3.6.4 Local Government Reforms: City of Salisbury response to Local Government Statutes Amendment (Review) Bill 2020
 - **See Further Information Item:**
 - 3.6.4FI *Local Government Reforms: City of Salisbury response to Local Government Statutes Amendment (Review) Bill 2020* Page 67

5.4 Audit Committee of Council

No Audit Committee meeting was held in July 2020.

5.5 Council Assessment Panel

Minutes from the Council Assessment Panel meeting held on 16 June 2020 to be noted by Council.

5.6 Budget and Finance Committee: 20 July 2020

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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 Tuesday 9 June 2020

IBDSC1 Future Reports for the Innovation and Business Development Sub Committee

IBDSC2 Community Bus to Service Western Suburbs

IBDSC3 Community Requests - Response Dashboard

6.0.3 Minutes of the Innovation and Business Development Sub Committee meeting held on Monday 13 July 2020

IBDSC1 Future Reports for the Innovation and Business Development Sub Committee

IBDSC2 Community Event Sponsorship Christmas Carol Grant Criteria

IBDSC3 Performance Excellence Program - participation update

IBDSC4 Community Requests - Response Dashboard

6.1.1 Council Finance Report – June 2020

6.1.2 Certification of the 2020 Annual Financial Statements

6.1.3 St Kilda Tramway Museum Assistance Request

6.2.1 Review of COVID-19 Community Support Measures

5.7 Sport, Recreation and Grants Committee: 13 July 2020

Cr A Duncan (Chair)

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7.0.1 Future Reports for the Sport, Recreation and Grants Committee

7.2.1 Community Grants Program Applications for July 2020

7.2.2 Sports and Community Clubs COVID-19 Recovery Support Package Applications for July 2019

Committee decisions made under delegated authority

– for Council information:

7.2.3 Sports and Community Clubs COVID-19 Recovery Support Package Grant Application – Salisbury United Soccer

7.2.4 Sports and Community Clubs COVID-19 Recovery Support Package Grant Application – Salisbury RSL Sub Branch

7.2.5 Sports and Community Clubs COVID-19 Recovery Support Package Grant Application – Salisbury North Football Club

7.2.6 Sports and Community Clubs COVID-19 Recovery Support Package Grant Application – Salisbury International Soccer Club

7.2.7 Sports and Community Clubs COVID-19 Recovery Support Package Grant Application – Ingle Farm Sporting Club

5.8 CEO Review Committee: 14 July 2020

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- 8.1.1 Future Reports for the CEO Review Committee
- 8.1.2 CEO Personal Evaluation System FY2019/2020
- 8.1.3 Annual Review of CEO Total Remuneration 2019/2020

ITEM 6: GENERAL BUSINESS REPORTS

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- 6.1 Revocation of Community Land Classification – Portion of Parafield Airport Reserve, Mawson Lakes
- 6.2 Nominations Sought for Local Government Association President
- 6.3 Nominations Sought for the Greater Adelaide Regional Organisation of Councils (GAROC)

ITEM 7: MOTIONS ON NOTICE

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- 7.1 Motion on Notice: Rage Cage - Fairbanks Reserve
- 7.2 Motion on Notice: Elections

ITEM 8: MAYOR'S DIARY

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ITEM 9: ELECTED MEMBER REPRESENTATION ACTIVITIES

ITEM 10: QUESTIONS WITHOUT NOTICE

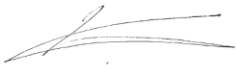
ITEM 11: QUESTIONS ON NOTICE

There are no Questions on Notice

ITEM 12: OTHER BUSINESS / MOTIONS WITHOUT NOTICE

- 13.1 Works and Services Committee – Confidential
Recommendations for Council Ratification**
 - 2.9.1 Revocation and Disposal of Lot 8 Third Avenue,
Mawson Lakes
- 13.2 Resources and Governance Committee – Confidential
Recommendations for Council Ratification**
 - 3.8.1 Council Assessment Panel - Appointment of
Independent Member to Vacant Position
- 13.3 Request for Extension of Confidentiality Order -
Employment Contract and Legal Advice**
- 13.4 NAWMA Waste Management Opportunities**

CLOSE



John Harry
CHIEF EXECUTIVE OFFICER

ITEM 1: PUBLIC QUESTION TIME

ITEM 2: DEPUTATIONS / PRESENTATIONS

2.1 Deputation: Australia Day Council of SA

Ms Jan Chorley, Chief Executive Officer of the Australia Day Council of SA Inc will be in attendance at the meeting to discuss its role and relations with Council, particularly around the citizenship program.

2.2 Accessible and Inclusive Play Spaces

Mr Ben Waechter, member of the Disability Access and Inclusion Network, and resident of the South Ward will be in attendance at the meeting to discuss the availability of accessible and inclusive play spaces in the City of Salisbury.

ITEM 3: PETITIONS

No Petitions have been received.

ITEM 4: CONFIRMATION OF MINUTES

22 June 2020 Council Minutes**Recommendation:**

That the Minutes of the Council Meeting held on 22 June 2020 be taken and read as confirmed, subject to the Valuer General's Assessment of Capital Values of all rateable land constituting the area of the Council being amended to total "\$21,997,706,933" and representing the sum of all separately owned and/or occupied rateable land set forth in the Assessment Record of the Council for the 2020/2021 financial year.

22 June 2020 Confidential Council Minutes



**MINUTES OF COUNCIL MEETING HELD IN THE COUNCIL CHAMBER,
34 CHURCH STREET, SALISBURY ON**

22 JUNE 2020

MEMBERS PRESENT

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

STAFF

Chief Executive Officer, Mr J Harry
General Manager Business Excellence, Mr C Mansueto
General Manager City Development, Mr T Sutcliffe
General Manager City Infrastructure, Mr J Devine
A/General Manager Community Development, Ms V Haracic
Manager Governance, Mr M Petrovski
Risk and Governance Program Manager, Ms J Crook
Governance Support Officer, Ms K Boyd

The meeting commenced at 6.31 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

There were no apologies.

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

There were no Deputations or Presentations.

ITEM 3: PETITIONS

No Petitions were received.

ITEM 4: PRESENTATION OF MINUTES

Moved Cr L Braun

Seconded Cr J Woodman

The Minutes of the Council Meeting held on 25 May 2020, be taken and read as confirmed.

**CARRIED
0580/2020**

Moved Cr J Woodman

Seconded Cr K Grenfell

The Minutes of the Confidential Council Meeting held on 25 May 2020, be taken and read as confirmed.

**CARRIED
0581/2020**

ITEM 5: COMMITTEE REPORTS

5.1 Policy and Planning Committee - Recommendations for Council Ratification

Moved Cr C Buchanan
Seconded Cr S Reardon

That Council adopt the recommendations of the Policy and Planning Committee meeting on 15 June 2020, contained in the report to Council (Item No. 5.1 on the agenda for the Council meeting held on 22 June 2020), and listed below, with the exception of items:

1.7.1FI City Plan

P&P-OB1 Cuts to Public Transport in the City of Salisbury

which were withdrawn to be considered separately.

1.0.1 Future Reports for the Policy and Planning Committee

1. The information be received.

1.1.1 Minutes of the Youth Council Sub Committee meeting held on Tuesday 9 June 2020

The information contained in the Youth Council Sub Committee Minutes of the meeting held on 9 June 2020 be received and noted with respect to the following recommendations contained therein to be adopted by Council:

YC1 Future Reports for the Youth Council Sub Committee

1. The information be received.

YC2 Youth Council Projects Update

1. That the information be received and noted.

YC3 Youth Programs and Events Update April – June 2020

1. That the information be received and noted.

**CARRIED
0582/2020**

The meeting then proceeded to consider items 1.7.1FY and P&P-OB1, which were withdrawn to be considered separately.

1.7.1

City Plan

Further Information Item 1.7.1FI

Moved Cr J Woodman

Seconded Cr N Henningsen

1. The submissions received during the consultation process for the City Plan be noted.
2. The Draft City Plan at Attachment 1 to this report (Item No. 1.7.1FI, Policy and Planning Committee, 15/06/2020), incorporating amendments in response to public consultation outcomes, be endorsed.
3. That the Manager Economic Development and Urban Policy be authorised to update the indicators as relevant data is received and to finalise graphic design.
4. That for the purposes of Section 122(8) of the Local Government Act 1999, Council declares the City Plan, Long Term Financial Plan and the Strategic Asset Management Plan to constitute the strategic management plans of Council.

**CARRIED
0583/2020**

P&P-OB1 Cuts to Public Transport in the City of Salisbury

Moved Cr C Buchanan

Seconded Cr B Brug

That:

1. A further information item be provided to Council at its next meeting providing a summary of the changes as they impact the City of Salisbury.
2. The Mayor write to the Premier and the Minister for Transport, Infrastructure and Local Government to condemn the State Government in the strongest possible terms regarding:
 - a. Their proposed changes to bus routes in the City of Salisbury,
 - b. Their failure to properly consult with Councils and communities prior to developing the proposed changes,
 - c. Informing them that there will be significant areas of the City of Salisbury that will be without adequate public transport services if the changes are imposed; and
 - d. The inverse impact of fewer bus stops and diminished routes will be to encourage significantly increased use of cars for travel, increased traffic congestion, and greater pressure on parking demand at key rail transport nodes such as Mawson Lakes where demand for long term parking is already far greater than demand.

-
3. The Administration instigate a petition seeking public support in opposing the proposed changes, for the petition to be submitted to the State Government and local State Members of Parliament before the end of the State Government's short and inadequate consultation period.
 4. That the Mayor write to all local State Members of Parliament and the Local Government Association informing them of this motion and invite them to provide feedback to Council, about the impact the State Government's cuts to public transport routes will have on their constituencies.
 5. Council note and ask the Administration to raise directly with DPTI our strongest concerns that the proposed bus service changes will have a dual negative effect at the Mawson Lakes Interchange:
 - a. increased use of cars to travel to the interchange leading to heavy demand for already insufficient parking spaces,
 - b. direct increase in numbers of passengers for trains, thus creating more crowding on platforms and carriages on the Gawler rail line.

CARRIED
UNANIMOUSLY
0584/2020

5.2 Works and Services Committee - Recommendations for Council Ratification

Moved Cr C Buchanan
Seconded Cr K Grenfell

That Council adopt the recommendations of the Works and Services Committee meeting on 15 June 2020, contained in the report to Council (Item No. 5.2 on the agenda for the Council meeting held on 22 June 2020), and listed below, with the exception of items:

2.4.2	Fencing for Pines School and Andrew Smith Drive Oval
2.7.1	Salisbury Heights Traffic Management Plan
W&S-OB1	Dunkley Green Reserve
W&S-OB2	Supporting ratepayers with illegal dumping on private land

which were withdrawn to be considered separately.

2.0.1 Future Reports for the Works and Services Committee

1. The information be received.

2.0.2 Minutes of the Asset Management Sub Committee meeting held on Wednesday 10 June 2020

The information contained in the Asset Management Sub Committee Minutes of the meeting held on 10 June 2020 be received and noted with respect to the following recommendations contained therein to be adopted by Council:

AMSC1 Future Reports for the Asset Management Sub Committee

1. The information be received.

AMSC2 Review of Footpath Policy

1. The information be received.
2. That the Footpath Policy as set out in Attachment 1 to this report be endorsed subject to the following changes:
 - (a) Paragraph 12 be amended to read as follows:

“The implementation of the footpath construction program is dependent on the budget available as guided by the appropriate Asset Management Plan(s), community needs, and consultation with Ward Councillors and the Mayor.”
 - (b) The following two sentences being inserted in the draft policy prior to section F:

“FRET is required to provide a quarterly report to the Asset Management Sub Committee, presenting its deliberations to the Sub Committee by ward.”

“Any appeals to decisions of FRET are reported to the Asset Management Sub Committee.”

AMSC3 Review of Playspace Policy

1. That the information be noted and received.
2. The Playspace Policy as contained in Attachment 1 to this report (AMSC 09/06/2020, Item AMSC3) be endorsed subject to:
 - (a) Paragraphs E1 and E2 being amended to incorporate the following after the word “guide” therein –

“...guide, in consultation with Ward Councillors and the Mayor, ...”
 - (b) The wording of paragraphs B3 and B4 being amended to make clear the references to irrigated reserves and non irrigated reserves as they affect playspaces.

2.2.1 Essential Services to Support Seniors, People with Disabilities and other Vulnerable Groups

1. The information to be received.

2.4.1 Framework Development for Additional Greenspace in Salisbury

1. The information be noted and Resolution 0091/2019 be closed.

2.5.1 Minutes of the Strategic Property Development Sub Committee meeting held on Wednesday 10 June 2020

1. The information contained in the Strategic Property Development Sub Committee Minutes of the meeting held on 10 June 2020 be received and noted with respect to the following recommendations contained therein to be adopted by Council:

SPDSC1 Future Reports for the Strategic Property Development Sub Committee

1. The information be received.

2.6.1 Capital Works Report – May 2020

1. Include the construction of footpath and any associated ramp/s along in a section of Rayner Court, Para Hills, within the 2020/21 PR14498 Council Funded New Footpath Program and PR21412 Kerb Ramp Construction/Upgrade Programs.

2.6.2 COVID Stimulus Funding – Federal Government

1. That the information be received.
2. That Council notes COVID Stimulus Funding be allocated to the following projects:
 - a. Verge Development Program – Treatment Type Changes \$683,000
 - b. Irrigation System Upgrades - \$0.5m
 - c. An additional \$500,000 for the School Transport Framework.
3. That \$0.5m from the irrigation upgrade program in 2021/22 be reallocated to the School Transport Framework and Priority Traffic Safety works in the 2021/22 financial year.

2.6.3 Gawler Rail Electrification Project Update

1. The report be noted.

**CARRIED
0585/2020**

The meeting then proceeded to discuss items 2.4.2, 2.7.1, W&S-OB1 and W&S-OB2, which were withdrawn to be considered separately.

2.4.2 Fencing for Pines School and Andrew Smith Drive Oval

Cr K Grenfell declared an actual conflict of interest on the basis of having a family member who attends The Pines School, and also serving on the Governing Council of the school. Cr K Grenfell left the meeting at 6:46 pm.

Cr C Buchanan declared an actual conflict of interest on the basis of being President of a sporting club on Andrew Smith Drive Oval. Cr C Buchanan left the meeting at 6:46 pm.

Moved Cr S Ouk

Seconded Cr B Brug

1. That the information within the report be received and noted
2. That staff continue to liaise with the Pines School about the alignment of the fencing to be installed by DfE.
3. That staff be authorised to approve the installation of the DfE fencing on Council reserve to meet the field requirements of North Pines Sport and Social Club to allow senior cricket to be played on the school oval (Attachment 3 –line A) . This authority would also include the alignment of the fence along the eastern portion of the school oval boundary adjacent to Morgan Street.
4. That Council consider funding the vehicle access gates between the reserve and school oval as part of the next financial year budget, in the fencing program.
5. That the installation of hoop top pool fencing be considered for the Andrew Smith Drive frontage of the reserve as part of the next financial year budget (Attachment 3 – Line B).

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6. That Council write to DfE providing in principle support to the creation of the fence following completion of the DfE boundary survey.
 7. That Council remove the existing wooden fencing that surrounds The Pines School Oval as mentioned in the letter (W&S June 2020 Item 2.4.2 Attachment 1) from Cherie Collings (Principal of The Pines School) within the next 30 days to allow for the beginning of the fence build to start.

**CARRIED
0586/2020**

Cr C Buchanan returned to the meeting at 6:47 pm.

Cr K Grenfell returned to the meeting at 6:47 pm.

2.7.1 Salisbury Heights Traffic Management Plan

Moved Cr A Duncan

Seconded Cr M Blackmore

1. Council continues to monitor the Salisbury Heights traffic with respect to speed, volumes and queueing times at Council / DPTI intersections and on the local network.
2. An origin destination survey of traffic to and from the Salisbury Heights area to be conducted, with the content of the survey regarding local traffic use and experiences with all key intersections, to be reviewed by the Ward Councillors with the Manager Infrastructure Management.
3. That the origin destination survey be extended to select portions of Greenwith in the City of Tea Tree Gully as they are the major end user of the Salisbury Heights Intersections including Target Hill Rd/Main North Road and Green Valley Drive/The Grove Way.

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

1. Council continues to monitor the Salisbury Heights traffic with respect to speed, volumes and queueing times at Council / DPTI intersections and on the local network.
2. An origin destination survey of traffic to and from the Salisbury Heights area to be conducted, with the content of the survey regarding local traffic use and experiences with all key intersections, to be reviewed by the Ward Councillors with the Manager Infrastructure Management.
3. That the origin destination survey be extended to select portions of Greenwith in the City of Tea Tree Gully as they are the major end user of the Salisbury Heights Intersections including Target Hill Rd/Main North Road and Green Valley Drive/The Grove Way.
4. That this be included as discretionary a bid at the next quarterly budget review.

**CARRIED
0587/2020**

W&S-OB1 Dunkley Green Reserve

Moved Cr N Henningsen
Seconded Cr J Woodman

1. That the Dunkley Green Irrigation Reactivation, Dunkley Green Reserve Upgrade and Dunkley Green Playspace Renewal budget bids totalling \$337,500k from the Reserve Upgrade Program and Playspace / Playground Program be brought forward from 2021/22 into the 2020/21 budget.
2. That Council note the Dunkley Green Reserve Upgrade funds brought forward to 2020/21 have come from the postponement of the \$450k Cockburn Green, Brahma Lodge project which is now budgeted for delivery in the 2021/22 financial year.

**CARRIED
0588/2020**

Further Motion:

W&S-OB1 Dunkley Green Reserve

Moved Cr C Buchanan
Seconded Cr B Brug

That a Non-Discretionary 1st Quarter 2020/21 Budget Review Bid for additional works at Dunkley Green Reserve at a cost of \$97,700 be approved.

**CARRIED
0589/2020**

W&S-OB2 Supporting ratepayers with illegal dumping on private land

Moved Cr M Blackmore
Seconded Cr C Buchanan

1. Staff bring back a report by October 2020 about providing assistance to ratepayers who experience illegal dumping on private land. This report to include:
 1. options currently available to Council and residents to remove illegal dumping from private land
 2. consideration of using Council resources to remove illegally dumped rubbish on private property
 3. advice on whether it is feasible for Council to inspect the dumped rubbish to distinguish whether the rubbish has been generated from the site
 4. details of CRM requests regarding illegal dumping on private land since July 2018.

**CARRIED
0590/2020**

5.3 Resources and Governance Committee - Recommendations for Council Ratification

Moved Cr G Reynolds
Seconded Cr D Proleta

That Council adopt the recommendation of the Resources and Governance Committee meeting on 15 June 2020, contained in the report to Council (Item No. 5.3) and listed below:

3.0.1 Future Reports for the Resources and Governance Committee

The information be received.

**CARRIED
0591/2020**

5.4 Audit Committee Meeting

No Audit Committee meeting was held in June 2020.

5.5 Council Assessment Panel Meeting

Minutes of the Council Assessment Panel Meeting held on 16 June 2020 were considered by Council.

Motion Without Notice: Council Assessment Panel Operations

Moved Cr C Buchanan
Seconded Cr B Brug

1. That a report be prepared for the Policy and Planning Committee regarding Item 5.2.1 – Council Assessment Panel operations under the Planning, Development and Infrastructure Act 2016, from the Council Assessment Panel meeting held on 16 June 2020.

**CARRIED
0592/2020**

5.7 Budget and Finance Committee - Recommendations for Council Ratification

Moved Cr B Brug
Seconded Cr L Braun

That Council adopt the recommendations of the Budget and Finance Committee meeting on 9 June 2020, contained in the report to Council (Item No. 5.6 on the agenda for the Council meeting held on 22 June 2020), and listed below, with the exception of items:

- 6.6.1 Budget Update**
- 6.6.2 Rating Strategy 2020/21**

which were withdrawn to be considered separately.

6.0.1 Future Reports for the Budget and Finance Committee

1. The information be received.

6.4.1 Annual Plan Public Consultation Report

1. Information be received and noted.
2. The draft response to the 2020/21 Annual Plan and Budget consultation submission as contained in Attachment 1 to this report (Item 6.4.1 Budget and Finance Committee, 9 June 2020) be endorsed.

6.4.2 Operating Savings Initiatives

1. The ongoing savings measures totaling \$0.6M as listed at Section 4.13 (Item 6.4.2, Budget and Finance Committee, 09/06/2020) are adopted by Council and incorporated into the 2020/21 Annual Plan and Budget.
2. That the one off savings measures totaling \$3.0M as listed at Section 4.14 (Item 6.4.2, Budget and Finance Committee, 09/06/2020) are adopted by Council for the 2020/21 financial year and reflected in the 1st Quarter Budget Review as non-discretionary items.

6.6.3 Globe Derby Community Club 2020/21 Separate Rate

1. The proposed separate rate of \$110 per share in common land, 63 shares in total, in the relevant area for the Globe Derby Community Club for 2020/21, be endorsed in principle, and a formal resolution be brought forward to the June 2020 Council meeting for adoption of the rate.

CARRIED
0593/2020

The meeting then proceeded to consider items 6.6.1 and 6.6.2, which were withdrawn to be considered separately.

6.6.1 Budget Update

Moved Cr C Buchanan
Seconded Cr G Reynolds

1. The Consolidated Budget Summary and Proposed Budget Adjustments to the Consolidated Summary as contained in Attachments 1 and 2 to this report (Item 6.6.1 Budget and Finance Committee, 9 June 2020) with the change to PSN000499 Netball Courts Cockburn Green to reflect \$50,000 in 2020/21 to fund a study and the balance of \$450,000 capital costs to be moved to 2021/22 and subject to the study outcomes, be endorsed, and Yalumba Drive and Andrew Smith Oval to be considered separately.
2. OPN000563 COVID-19 IRP Resourcing Bid be included in the 2020/21 Budget as a non-discretionary bid to enable recruitment processes to commence immediately to support delivery of this expanded program of works.

CARRIED
0594/2020

Further Motion:

Cr C Buchanan declared an actual conflict of interest on the basis of being Patron of a sporting club on Yalumba Drive, and also President of a sporting club on Andrew Smith Oval. Cr C Buchanan left the meeting at 7.12 pm.

Moved Cr G Reynolds
Seconded Cr B Brug

That the budget bids relating to Yalumba Drive and Andrew Smith Oval be endorsed as part of the Consolidated Budget Summary and Proposed Budget Adjustments to the Consolidated Summary as contained in Adjustments 1 and 2 to this report (Item 6.6.1 Budget and Finance Committee, 9 June 2020).

CARRIED
0595/2020

Cr C Buchanan returned to the meeting at 7:13 pm.

6.6.2 Rating Strategy 2020/21

Moved Cr C Buchanan

Seconded Cr B Brug

1. Information be received.
2. A rate increase based on 0.0% average increase in residential rates, and a 0.0% increase for Commercial and Industrial, and a 30% differential on vacant land, be endorsed as the basis for setting rates in 2020/21.
3. That a rate cap be considered by Council when adopting the budget to ensure that there is a 0% increase in the general rates levied in 2020/21 when compared with those levied in 2019/20 except where the increase in rates results from improvements, a change in land use or zoning, a change in ownership, or a correction in property value.

CARRIED
0596/2020

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

Moved Cr A Duncan
Seconded Cr D Hood

That Council adopt the recommendations of the Sport, Recreation and Grants Committee meeting on 9 June 2020, contained in the report to Council (Item No. 5.7 on the agenda for the Council meeting held on 22 June 2020), and listed below:

7.0.1 Future Reports for the Sport, Recreation and Grants Committee

1. The information be received.

7.2.1 Community Grants Program Applications for June 2020

1. The information be received and noted.

7.2.3 Phoebe Wanganeen Aboriginal and Torres Strait Islander Scholarship

1. That this report be received.
2. The 2020 round of the Phoebe Wanganeen Aboriginal and Torres Strait Islander Scholarship Program be awarded to Mitchell Odegaard at \$2000 per annum for three years.

**CARRIED
0597/2020**

5.8 CEO Review Committee

No CEO Review Committee meeting was held in June 2020.

ITEM 6: GENERAL BUSINESS REPORTS**6.1 Budget Status Report**

Moved Cr C Buchanan
 Seconded Cr G Reynolds

1. Budget Summary – Direct Cost as contained in Attachment 3 to this report (Item No. 6.1, Council, 22/06/2020) be noted.
2. Infrastructure Budget Bids (4 year program) as contained in Attachment 4 to this report (Item No. 6.1, Council, 22/06/2020) be endorsed with Yalumba Drive, Andrew Smith Drive and Salisbury North Netball Club to be considered separately.
3. Plant, Furniture and Equipment Budget Bids (4 year program) as contained in Attachment 5 to this report (Item No. 6.1, Council, 22/06/2020) be endorsed.
4. Information Technology Budget Bids (4 year program) as contained in Attachment 6 to this report (Item No. 6.1, Council, 22/06/2020) be endorsed.
5. Operating Budget Bids as contained in Attachment 7 to this report (Item No. 6.1, Council, 22/06/2020) be endorsed.

CARRIED
0598/2020

Further Motion:

Cr C Buchanan declared an actual conflict of interest on the basis of being Patron of a sporting club on Yalumba Drive, and also President of a sporting club on Andrew Smith Oval. Cr Buchanan left the meeting at 7:21 pm.

Cr D Hood declared an actual conflict of interest on the basis of being a board member of a sporting club involved in the Sportsfield Lighting Program. Cr D Hood left the meeting at 7:21 pm.

Cr K Grenfell declared an actual conflict of interest on the basis of having a family member who attends The Pines School and also serving on the Governing Council of the school. Cr K Grenfell left the meeting at 7:21 pm.

Moved Cr G Reynolds
 Seconded Cr L Braun

That Yalumba Drive, Andrew Smith Drive and Salisbury North Netball Club be endorsed as part of the Infrastructure Budget Bids (4 year program) as contained in Attachment 4 to this report (Item No. 6.1, Council, 22/06/2020)

CARRIED
0599/2020

Cr C Buchanan returned to the meeting at 7:22 pm.

Cr K Grenfell returned to the meeting at 7:22 pm.

Cr D Hood returned to the meeting at 7:22 pm.

6.2 Adoption of Annual Plan, Budget and Declaration of Rates

Moved Cr C Buchanan
Seconded Cr D Proleta

a. Adoption of Annual Plan

The 2020/21 Draft Annual Plan used for the purposes of public consultation be adopted as the 2020/21 Annual Plan in accordance with section 123 of the Local Government Act 1999 and regulation 6 of the Local Government (Financial Management) Regulations 2011, after adjusting for changes resolved by Council subsequent to the adoption of the draft annual plan on 20 April 2020 and incorporation of any other minor editorial changes or presentation improvements.

b. Approval of Estimates of Expenditure

The Estimates of Expenditure for the 2020/21 financial year as they are prepared by the Council of the City of Salisbury and contained in Budget Summary – Direct Cost as contained in Attachment 1 to this report (Item No GB6.2, Council 22/06/20 which provide for an expenditure of a total of \$185,924,637, and Loan Principal Repayments of \$1,772,763 are hereby approved by the Council.

c. Adoption of the Budgeted Financial Statements

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

- Budgeted Statement of Comprehensive Income as contained in Attachment 1 to this report (Item No. GB6.2, Council Meeting 22/06/2020)
- Budgeted Statement of Financial Position as contained in Attachment 2 to this report (Item No.GB6.2, Council Meeting 22/06/2020)

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

d. Adoption of Valuation

Pursuant to section 167(2)(a) of the Local Government Act 1999 the Council for the 2020/21 financial year adopt the Valuer General's Assessment of Capital Values of all rateable land constituting the area of the Council totalling \$21,997,706,680 which represents the sum of all separately owned and/or occupied rateable land set forth in the Assessment Record of the Council for the 2020/2021 financial year, and specifies the 22nd day of June 2020 as the day upon which such adoption of such Valuations shall become the Valuations of the Council.

e. **Minimum Rate**

Pursuant to section 158 of the Local Government Act 1999 Council has determined that the sum of **\$1,016** shall be the minimum amount payable by way of general rates for the 2020/21 financial year.

f. **Declaration of Rate**

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

- Adopted the Annual Plan
- Adopted estimates of expenditure of \$185,924,637, for the 2020/2021 financial year, AND
- Adopted Budgeted Financial Statements as contained in Attachments 1 and 2 to this report (Item No. GB2, Council Meeting 22/06/2020)
- Adopted its Valuation Assessments of \$21,997,706,680 for such year, AND
- Fixed a Minimum Amount Payable by way of Rates of **\$1,016**.

The Council pursuant to sections 152(1)(a), 153(1)(b) and 156(1)(a) of the Local Government Act 1999 declares Differential General Rates on land within its area for the financial year ending 30 June, 2020 which rates vary by reference to the use of the land as follows:

- In respect of rateable land which is used for "Commercial – Shop", "Commercial – Office", "Commercial – Other", "Industrial - Light", "Industrial – Other", "Marina Berth" land uses a Differential General Rate of **0.6261** cents in the dollar for the assessed capital value of such land.
- In respect of rateable land which has a "Vacant Land" land use a Differential General Rate of **0.5460** cents in the dollar for the assessed capital value of such land.
- In respect of all other rateable land in the area used for purposes other than as stated in paragraph (a) and (b), a Differential General Rate of **0.4200** cents in the dollar on the assessed capital value of such land.

g. **Discretionary Rate Rebate – General**

The Council has determined that any increase in the amount of general rates payable in the 2020/2021 financial year over the amount of general rates payable in the 2019/2020 financial year is, in the current emergency health climate, a liability that is unfair and unreasonable and, pursuant to section 166(1)(m)(ii) and (4) of the Local Government Act 1999, provides a discretionary rebate of 100% of the amount of any such increase in the general rates payable in 2020/2021, except where the increase is as a result of:

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

h. Additional Supporting Financial Statements

The following additional supporting financial statements be adopted:

- Budget Summary – Direct Cost as contained in Attachment 3 to this report (Item No. GB6.2, Council Meeting 22/06/2020)
- Budgeted Statement of Cash Flows as contained in Attachment 4 to this report (Item No. GB6.2, Council Meeting 22/06/2020)
- Budgeted Statement of Changes in Equity as contained in Attachment 5 to this report (Item No. GB6.2, Council Meeting 22/06/2020)
- Budgeted Uniform Presentation of Finances as contained in Attachment 6 to this report (Item No. GB6.2, Council Meeting 22/06/2020)
- Budgeted Financial Indicators as contained in Attachment 7 to this report (Item No. GB6.2, Council Meeting 22/06/2020)
- Budget Summary by Full Cost Attribution as contained in Attachment 8 to this report (Item No. GB6.2, Council Meeting 22/06/2020)

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

**CARRIED
0600/2020**

6.3 Declaration of Globe Derby Community Club Separate Rate

Moved Cr L Braun

Seconded Cr B Brug

1. For the purposes of raising revenue for the activity of the maintenance of the Land and management of the facilities on the Land, being Lot 65 in deposited plan no. 9832, and in exercise of the power contained in section 154 of the *Local Government Act 1999*, a separate rate of \$110 for each share of Common Land (Lot 65 in deposited plan no. 9832) being
 - 1 share for each allotment numbered Lots 1-23 & Lots 26-32 of DP9830,
 - 1 share for each allotment numbered Lots 50-51 of DP18972,
 - 1 share for each allotment numbered Lots 33-34 & Lots 38-64 of DP9831,
 - 1 share for allotment numbered lot 2 of FP14624, and
 - 1 share in total for Lots 1 on FP14624 and 37 on DP9831 combined
 of portion of section 3070 of Hundred Port Adelaide (laid out as Bolivar) is declared for the year ending 30 June 2021.

**CARRIED
0601/2020**

6.4 Declaration of Salisbury Business Association Separate Rate

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

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

Moved Cr G Reynolds

Seconded Cr D Hood

1. The request by the Salisbury Business Association for Council to raise a differential separate rate in the area delineated in the map as set out in Attachment 1 (Council, 22/6/20, Item No. 6.4 attached to this report, in order to promote and enhance business viability, profitability, and trade commerce and industry for that area, be supported.
2. Pursuant to Section 154 of the *Local Government Act 1999*, a differential separate rate of 0.047865 cents in the dollar of the Capital Value of rateable land in that area with a local government code classified as Commercial Shop, Commercial Office, Commercial Other, Industrial Light and Industrial Other, be declared on that land for the year ending 30 June 2021.
3. Funds raised by way of the separate rate be paid to the Association in one or more instalments, and the activities of the Association be periodically reviewed to ensure that the funds are used for the intended purposes of generally promoting, marketing and improving the image of the Salisbury City Centre.

**CARRIED
0602/2020**

6.5 Declaration of the Green Adelaide Board Regional Landscape Levy (RLL) Separate Rate

Moved Cr G Reynolds

Seconded Cr M Blackmore

1. Pursuant to Section 69 of the *Landscape South Australia Act 2019* and Section 154 of the *Local Government Act 1999*, Council, in order to reimburse to the Council the amount contributed to the Green Adelaide Board Regional Landscape Levy of \$2,046,405, declares for the year ending 30 June 2020 a separate rate of 0.009166 cents in the dollar on the capital valuation of all rateable properties within the area of the City of Salisbury.

**CARRIED
0603/2020**

6.6 Proposed Changes to Public Transport in the City of Salisbury

Moved Cr C Buchanan
Seconded Cr M Blackmore

1. The report be noted.

CARRIED
0604/2020

ITEM 7: MOTIONS ON NOTICE

7.1 Motion on Notice: Planning and Design Code

Moved Cr B Brug
Seconded Cr C Buchanan

1. That Council give its in-principle support for the Planning, Development and Infrastructure (Carparking Requirements) Amendment Bill 2020 - seeking amendments to the Planning Development and Infrastructure Act.

CARRIED
0605/2020

7.2 Motion on Notice: CCTV Cameras - Mawson Lakes Boulevard and Main Street, Mawson Lakes

The MOTION was WITHDRAWN

ITEM 8: MAYOR'S DIARY

8.1 Mayor's Diary

Moved Cr L Braun
Seconded Cr M Blackmore

1. That this information be noted.

CARRIED
0606/2020

ITEM 9: ELECTED MEMBER REPRESENTATION ACTIVITIES**Cr K Grenfell:**

27 May	The Pines School Governing Council
28 May	The Pines School meeting with Principal (Cherie Collings), Cr Sarah Ouk and John Devine regarding Fencing
28 May	ALGWA SA Meeting
10 June	Gawler Rail Electrification overview
11 June	ALGWA SA Meeting
16 June	Parafield Gardens High School AGM
17 June	The Pines School Governing Council

Cr J Woodman:

26 May	Joined Mayor for a meeting at The Hub
26 May	Homelessness Information Session
28 May	ALGWA SA Zoom meeting
1 June	Informal Strategy
2 June	Spotlight on Salisbury Radio Show with Kathryn Brady
9 June	ALGWA National AGM and Executive meeting afterwards
10 June	Innovation and Business Development
11 June	ALGWA SA Committee meeting
15 June	Standing Committees
16 June	Spotlight on Salisbury Radio Show with Jim Binder
16 June	Visit resident in Mawson Lakes to witness document as JP
16 June	Ingle Farm East PS Governing Council
17 June	Valley View Secondary School Governing Council
18 June	Ingle Farm PS Governing Council
22 June	Council

Cr M Blackmore:

28 May	ALGWA Committee Meeting
11 June	ALGWA Committee Meeting

ITEM 10: QUESTIONS WITHOUT NOTICE

Nil

ITEM 11: QUESTIONS ON NOTICE

No Questions on Notice were received.

ITEM 12: OTHER BUSINESS / MOTIONS WITHOUT NOTICE**12.1 Restrictions of Heavy Vehicles – Mawson Lakes**

Moved Cr B Brug
Seconded Cr L Braun

1. That a report be prepared for consideration at the Works and Services Committee at its meeting in September 2020, providing advice and recommendations to Council about measures available to restrict heavy vehicles entering the residential streets in Mawson Lakes.

CARRIED
0607/2020

ITEM 13: CONFIDENTIAL ITEMS

13.1 Works and Services Committee - Confidential Recommendations for Council Ratification

Moved Cr L Braun

Seconded Cr J Woodman

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

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

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

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

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

- Non disclosure of this matter at this time would protect commercial information, the release of which may prejudice the commercial position of Council or confer a commercial advantage on a third party and will enable Council to consider the information prior to making a decision on the matter.

*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
0608/2020**

The meeting moved into confidence at 7.47 pm.

The meeting moved out of confidence at 7.49 pm.

13.2 Budget and Finance Committee - Confidential Recommendations for Council Ratification

Moved Cr L Braun

Seconded Cr G Reynolds

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

*On that basis the public's interest is best served by not disclosing the **Budget and Finance 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
0609/2020

The meeting moved into confidence at 7.49 pm.

The meeting moved out of confidence at 7.50 pm.

13.3 Request for Extension of Confidentiality Orders: Northern Connector and Greater Edinburgh Parks - Negotiation Principles and Mawson Lakes Interchange

Moved Cr G Reynolds

Seconded Cr L Braun

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

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

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

2. In weighing up the factors related to disclosure,

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

- non-disclosure of this matter to the public would protect Council's commercial position prior to a Council position in relation to the matter being determined; and non disclosure of this matter at this time will protect Council's commercial 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 may prejudice Council's commercial position.

On that basis the public's interest is best served by not disclosing the **Request for Extension of Confidentiality Orders: Northern Connector and Greater Edinburgh Parks - Negotiation Principles and Mawson Lakes Interchange** 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
0610/2020**

The meeting moved into confidence at 7.50 pm.

The meeting moved out of confidence and closed at 7.51 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

EXECUTIVE SUMMARY

The Policy and Planning Committee met on 20 July 2020 to consider eight (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.

Eight (8) recommendations of the Committee requiring ratification of Council are provided in this report. 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 Policy and Planning Committee meeting on 20 July 2020, contained in the report to Council (Item No. 5.1 on the agenda for the Council meeting held on 27 July 2020), and listed below:

1.0.1 Future Reports for the Policy and Planning Committee

1. The information be received.

1.0.2 Minutes of the Tourism and Visitor Sub Committee meeting held on Tuesday 14 July 2020

The information contained in the Tourism and Visitor Sub Committee Minutes of the meeting held on June 14 July 2020 be received and noted with respect to the following recommendations contained therein to be adopted by Council:

TVSC1 Future Reports for the Tourism and Visitor Sub Committee

1. The information be received.

TVSC2 Status Report on Historical Signage Installation

1. That the information within the report be received and noted.
2. That staff consider further locations and a priority list be presented to the sub-committee at a future date (November 2020 meeting of TVSC), for inclusion in future budget bids.

TVSC3 City of Salisbury Calendar of Events & Exhibitions review

1. That the report be noted.
2. That the Tourism & Visitor Sub Committee consider this report and make the following recommendations to the Innovation and Business Development Sub Committee:
 - a. The proposed 3 Year Exhibition and Events Calendar be endorsed as contained in Attachment 2 to this report (TVSC 14/07/2020, Item No. TVSC3).
 - b. Endorse the introduction and staging of a brand new community (nature play style) activity, “The Discover Salisbury Challenge” in December 2020, to kick off school holiday activations, whilst still enabling the appropriate management of social distance requirements, anticipating they are still in place at the time.

1.1.1 Community Safety Implementation Plan 2020/21

1. That this report be received.
2. That the draft Community Safety Implementation Plan 2020/21 as contained in Attachment 2 to this report (Policy and Planning 20/07/2020, Item No. 1.1.1) be endorsed.
3. Staff bring back a report with a draft annual plan for CCTV expansion program within 3 months of the conclusion of the portable CCTV trial.

1.1.2 Place Activation Strategy – Community Facilities

1. The proposed hierarchy listed in 3.10 of this report be endorsed.
2. Staff prepare a further report to the Asset Management Sub-Committee regarding a condition and fit for purpose audit of Council owned community facilities with consideration to the hierarchy.

1.1.3 Place Activation Strategy – Economic Sites

1. The proposed categories of economic activity nodes namely Innovation Precincts, Traditional Industrial Areas, Multi Activity Centres and Convenience Centres, be endorsed.
2. The desired characteristic statements for each category of economic activity nodes (contained in Paragraph 3.12 of the Policy and Planning Committee Agenda 20/07/2020, Item 1.1.3) be confirmed.
3. The Critical Actions listed in the City Plan (contained in Paragraph 3.13 of the Policy and Planning Committee Agenda 20/07/2020, Item 1.1.3) be prioritised as the 0-3 year priorities for the economic component of the Place Activation Strategy, and an implementation plan for those Critical Actions be developed.
4. That opportunities be identified to work with private sector and government landholders to improve the amenity and function of their priorities adjoining the public realm when Council makes improvements in those areas.

1.1.4 'Fun Bus' Service

1. The information be received.
2. It is noted that playgroups are well established and sufficiently provided to the community throughout the City of Salisbury.
3. That Community Capacity & Learning continue with current model to support existing partnerships, and new opportunities for partnerships for playground programs in the City of Salisbury.

1.1.5 Homelessness Strategy

1. That this report be received.
2. That the Salisbury Homelessness Strategy as contained in Attachment 1 to this report (Policy and Planning, 20/07/2020, Item 1.1.5) be endorsed.

1.2.1 Compostable Coffee Cups

1. That Council note this report.
2. That Council focus on developing a partnership with Responsible Cafes to encourage cafes to become more environmentally sustainable.

OR

That Council adopt the recommendations of the Policy and Planning Committee meeting on 20 July 2020, contained in the report to Council (Item No. 5.1 on the agenda for the Council meeting held on 27 July 2020), 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. 1.0.1</u> Future Reports for the Policy and Planning Committee</p>	<p>EXECUTIVE SUMMARY: This item details reports to be presented to the Policy and Planning Committee as a result of a previous Council resolution. If reports have been deferred to a subsequent month, this will be indicated, along with a reason for the deferral.</p> <p>COMMITTEE RECOMMENDATION: 1. The information be received.</p>
<p><u>Item No. 1.0.2</u> Minutes of the Tourism and Visitor Sub Committee meeting held on Tuesday 14 July 2020</p>	<p>EXECUTIVE SUMMARY: The minutes and recommendations of the Tourism and Visitor Sub Committee meeting held on Tuesday 14 July 2020 are presented for Policy and Planning Committee's consideration.</p> <p>COMMITTEE RECOMMENDATION: The information contained in the Tourism and Visitor Sub Committee Minutes of the meeting held on 14 July 2020 be received and noted with respect to the following recommendations contained therein to be adopted by Council:</p> <p>TVSC1 Future Reports for the Tourism and Visitor Sub Committee 1. The information be received.</p> <p>TVSC2 Status Report on Historical Signage Installation 1. That the information within the report be received and noted. 2. That staff consider further locations and a priority list be presented to the sub-committee at a future date (November 2020 meeting of TVSC), for inclusion in future budget bids.</p> <p>TVSC3 City of Salisbury Calendar of Events & Exhibitions review 1. That the report be noted. 2. That the Tourism & Visitor Sub Committee consider this report and make the following recommendations to the Innovation and Business Development Sub Committee: a. The proposed 3 Year Exhibition & Events Calendar be endorsed as contained in Attachment 2 to this report (TVSC 14/07/2020. Item No. TVSC3).</p>

	<p>b. Endorse the introduction and staging of a brand new community (nature play style) activity, “The Discover Salisbury Challenge” in December 2020, to kick off school holiday activations, whilst still enabling the appropriate management of social distance requirements, anticipating that they are still in place at the time.</p>
<p><u>Item No. 1.1.1</u> Community Safety Implementation Plan</p>	<p>EXECUTIVE SUMMARY: This report provides an implementation plan for actions in Council’s Community Safety Strategy to be delivered in 2020/21.</p> <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. That this report be received. 2. That the draft Community Safety Implementation Plan 2020/21 as contained in Attachment 2 to this report (Policy and Planning 20/07/2020, Item 1.1.1) be endorsed. 3. Staff bring back a report with a draft annual plan for CCTV expansion program within 3 months of the conclusion of the portable CCTV trial.
<p><u>Item No. 1.1.2</u> Place Activation Strategy – Community Facilities</p>	<p>EXECUTIVE SUMMARY: This report discusses the community facilities component of the Place Activation Strategy and presents the categorization and desired characteristics to guide future decision making around enhancements and maintenance of those areas. The categorization is in line with previous reports considered by Council regarding future directions of community hubs.</p> <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. The proposed hierarchy listed in 3.10 of this report be endorsed. 2. Staff prepare a further report to the Asset Management Sub-Committee regarding a condition and fit for purpose audit of Council owned community facilities with consideration to the hierarchy.
<p><u>Item No. 1.1.3</u> Place Activation Strategy – Economic Sites</p>	<p>EXECUTIVE SUMMARY: This report discusses the economic place component of the Place Activation Strategy, proposes a categorization of our economic nodes and the desired characteristics that would guide Council decision making around future enhancements and maintenance of those areas.</p> <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. The proposed categories of economic activity nodes namely Innovation Precincts, Traditional Industrial Areas, Multi Activity Centres and Convenience Centres, be endorsed.

	<ol style="list-style-type: none"> 2. The desired characteristic statements for each category of economic activity nodes (contained in Paragraph 3.12 of the Policy and Planning Committee Agenda 20/07/2020, Item 1.1.3) be confirmed. 3. The Critical Actions listed in the City Plan (contained in Paragraph 3.13 of the Policy and Planning Committee Agenda 20/07/2020, Item 1.1.3) be prioritised as the 0-3 year priorities for the economic component of the Place Activation Strategy, and an implementation plan for those Critical Actions be developed). 4. That opportunities be identified to work with private sector and government landholders to improve the amenity and function of their properties adjoining the public realm when Council makes improvements in those areas.
<p><u>Item No. 1.1.4</u> 'Fun Bus' Service</p>	<p>EXECUTIVE SUMMARY: Purpose of this report is to provide an overview of the consideration of the creation of a "Fun Bus" service as provided by the City of Darwin through Community Capacity and Learning for residents in the City of Salisbury.</p> <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. The information be received. 2. It is noted that playgroups are well established and sufficiently provided to the community throughout the City of Salisbury. 3. That Community Capacity & Learning continue with current model to support existing partnerships, and new opportunities for partnerships for playgroup programs in the City of Salisbury.
<p><u>Item No. 1.1.5</u> Homelessness Strategy</p>	<p>EXECUTIVE SUMMARY: This report presents Council's inaugural Homelessness Strategy for consideration and endorsement. Developed in response to increasing numbers of people experiencing, or at risk of, homelessness in the Salisbury Council area, the Homelessness Strategy presents a framework and priority actions that set out Council's strategic intent to prevent and reduce homelessness within the City of Salisbury.</p> <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. That this report be received. 2. That the Salisbury Homelessness Strategy as contained in Attachment 1 to this report (Policy and Planning, 20/07/2020, Item No. 1.1.5) be endorsed.

Item No. 1.2.1

**Compostable Coffee
Cups**

EXECUTIVE SUMMARY:

Council requested that Administration investigate the option of a promotional program to increase the use and appropriate collection of compostable coffee cups for businesses within the Salisbury Council area. It has been determined that a promotional program not proceed and a partnership with Responsible Cafes be entered into.

COMMITTEE RECOMMENDATION:

1. That Council note this report.
2. That Council focus on developing a partnership with Responsible Cafes to encourage cafes to become more environmentally sustainable.

CO-ORDINATION

Officer:

MG

Date:

23/07/2020

5.2 Works and Services Committee: Recommendations for Council Ratification

AUTHOR Joy Rowett, Governance Coordinator, CEO and Governance

APPROVING OFFICER Chief Executive Officer

EXECUTIVE SUMMARY

The Works and Services Committee met on 20 July 2020 to consider twelve (12) 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.

Fourteen (14) recommendations of the Committee requiring ratification of Council are provided in this report, including three (3) Other Business items. One (1) recommendation, presented to the Committee in confidence, forms part of Council's Confidential Agenda.

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 Works and Services Committee meeting on 20 July 2020, contained in the report to Council (Item No. 5.2 on the agenda for the Council meeting held on 27 July 2020), and listed below:

2.0.1 Future Reports for the Works and Services Committee

1. The information be received.

2.0.2 Minutes of the Asset Management Sub Committee meeting held on Monday 13 July 2020

The information contained in the Asset Management Sub Committee Minutes of the meeting held on 13 July 2020 be received and noted with respect to the following recommendations contained therein to be adopted by Council:

AMSC1 Future Reports for the Asset Management Sub Committee

1. The information be received.

AMSC2 Place Activation Strategy Update

1. Council notes that the Economic and Community Facilities categories of the Place Activation Strategy will be presented to the Policy and Planning Committee for consideration.
2. Council notes that a report on the Linkages category of PAS will be presented to the sub committee in coming months for consideration.

AMSC3 Asset Management Policy

1. The information be received.
2. Council endorses the revised Asset Management Policy as contained in Attachments 1 and 2 to this report (AMSC 13/07/2020, Item No. AMSC3), subject to the following amendment to Attachment 1 – Asset Management Policy, to read:

4.1 Setting of service levels will be determined by Council following consultation with the community and will form the basis of the annual budget.

3. Council notes the Strategic Asset Management Group Terms of Reference.

AMSC4 Response to Petition – Coachhouse Drive, Gulfview Heights

1. The information within the report be received and noted.
2. That Coachhouse Drive be included in the Streetscape Renewal program for the 2020/21 financial year.

AMSC5 Place Activation Strategy – Parks and Open Space Assets Listing (Informal Recreation destinations)

1. The information within the report be received and noted.

2.1.1 Grant Funding for Community Garden at Para Hills

1. Council note that:
 - a. Funding of \$75,000 has been allocated to the City of Salisbury through Wellbeing SA (Government of South Australia) for the development of a new community garden at the Para Hills Community Hub in 2020/21.
 - b. An application for further funding of up to \$100,000 has been prepared through Wellbeing SA's Community Wellbeing and Resilience Grants program for community garden support programs to be delivered throughout the City of Salisbury in 2020/21 for people impacted by COVID1- and domestic violence.

2.4.1 Response to Petition: Dunkley Green

1. The report be received and noted.
2. Council notes that Dunkley Green is now budgeted for in 2020/21, for works under the following programs Playspace/ Playground and Reserve Upgrade to address the concerns of the petition presented May 2020.
3. Council notes that staff will consult with the residents within the reserve catchment (including those on the petition) and ward Councillors, as part of the project design, to provide input into the development of the reserve.

2.4.2 Review the standards and user satisfaction of all Dog Parks

1. That the information in this Report be received and noted.
2. The delivery of dog parks for small dogs continues as identified throughout the budget bid process.

-
3. Signage at all dog parks be consolidated into one single sign displaying dog park etiquette, educational material and Council contact details.
 4. Council investigates off-leash opportunities outside of fenced dog parks such as increasing the hours for off-leash activities particularly through daylight savings.
 5. Golding Oval, Para Vista to have significant improvements to bring to the same level of service as other dog parks. This work to include removal of remnant asphalt courts surfacing and reinstatement of more appropriate ground surface material such as turf, sand or mulch along with tree planting for shade. This work would be included in the proposed works programs in paragraph 8 below.
 6. Access and functional issues, such as fencing and gate security and drainage around drinking fountains be addressed as part of the upgrade works.
 7. Staff bring back a report on the provision of greyhound friendly hours at our dog parks.
 8. Administration to prepare a program of works and associated funding for dog park improvements, to commence in 2022/23, for Council consideration.

2.5.1 Grant of Easement to SA Power Networks – Happy Home Reserve

1. Council grant to SA Power Networks an easement for the installation of under ground cables over a portion of Happy Home Reserve, identified as allotment 69 in Filed Plan 1113664 as detailed in Certificate of Title Volume 5553 Folio 5 and delineated on Attachment 1 to this report (Works and Services Committee 20/07/2020, Item No. 2.5.1), Proposed View of new Easement at Happy Home Reserve, Salisbury for \$5,000.00 plus GST.
2. SA Power Networks are to be responsible for all costs associated with the lodgement and documentation of the easement.
3. The Manager Property and Buildings be authorised to liaise with SA Power Networks in regards to the requested easement and arrange consent of the Letter of Agreement and Grant of Easement Documents.

2.6.1 Capital Works Report – June 2020

1. Council includes, at no impact to the budget, the renewal of a small bridge along the Little Para, Parafield Gardens / Paralowie, within the 2020/21 Bridge Program, and defer the renewal of Bridge 11 at the Paddocks for consideration at a future date in alignment with the implementation of the Paddocks Master Plan.
2. As result of the awarding of additional Black Spot Funding for 2021, include the junction upgrade of Wright Road and Canna Road, Ingle Farm, within PR13725 Major Traffic Program, through the approval of a non-discretionary 1st Quarter Budget Review 2021 Bid totalling\$368k income and expenditure.
3. Declare as an expenditure saving the \$545k Council contribution associated with the construction of a new roundabout at the intersection of Nelson Road and Kesters Road, Para Hills, within PR13725 Major Traffic Program, noting this project is now fully funded as a result of the awarding of additional Black Spot Funding for 2021.

2.6.2 Gulfview Heights Lake, Bayview Parade

1. That the Works and Services Committee notes the deputation made by Mr Blair Boyer MP, Member for Wright.
2. Council give further consideration of establishing Gulfview Heights Lake with permanent water source.
3. Council note that irrigation has been reinstated around the lake and the issues of the clay liner drying out are unlikely to return and the time water is in the lake will be significantly increased.
4. Administration to monitor the retention of water in the lake over the next 12 months and provide a report to the Works and Services Committee every 4 months.
5. Staff to provide further information about the possibility and cost to continue using the SA Water pump to provide water into the lake.

2.6.3 Side Entry Pit and Drainage Pit Cleaning

1. The information be noted and existing level of service be maintained.

2.8.1 NAWMA Lease Renewal 2020

1. Council endorse the inclusion of a flat rental payment per annum of \$180,000 commencing 2020/21 subject to CPI review, as stated in Item 5 of the Lease Agreement, replacing the existing 3 tiered rental agreement.
2. Council notes the simplification of the Gate fee pricing mechanism, embedding this into the NAWMA Budgetary process (and Budget Review process).
3. Council notes the increased voucher fees for Salisbury rate payers in the NAWMA 2020/21 budget.
4. Council transfers its existing EPA licence for the Pooraka Waste Transfer Station to NAWMA.

2.8.2 NAWMA Service Agreement and Business Plan

1. The information be received.
2. The Northern Adelaide Waste Management Authority Business Plan 2020/21, as set out in Attachment 1 to this report (Works and Services 20/07/2020, Item No. 2.8.2), be endorsed.
3. The Service Agreement between the Northern Adelaide Waste Management Authority and the City of Salisbury (April 2020) as set out in Attachment 2 to this report (Works and Services 20/07/2020, Item No. 2.8.2), be endorsed subject to the at-call booking system service is provided within four (4) weeks.
4. Staff work out costings with NAWMA on increasing hard waste service to be set between two to four weeks.
5. The two hard waste services are counted in the financial year, based on when the service is booked and not when it is undertaken.

W&S-OB1 Mawson Lakes School Footbridge

1. That the Works and Services Committee notes the deputation made by Mr Michael Brown MP, Member for Playford and Mr David Cowles, Principal Mawson Lakes School.
2. The Works and Services Committee notes and receives letter from Helen Doyle, Director Capital Programs and Asset Services, confirming DECS maximum commitment of \$300k towards co-funding 50% of the cost of a new footbridge crossing at Mawson Lakes School (Dry Creek Crossing).
3. Administration to bring forward detailed design and costing of the footbridge crossing at Mawson Lakes School as soon as possible, no later than October 2020 to the Works and Services Committee.
4. Staff investigate as a matter of urgency whether State COVID-19 funds are available to enable the project to be completed in this financial year. If COVID funds aren't available then Council commits to funding no more than \$300k towards the co-funded project to be considered as part of the 2021/22 budget.
5. Council write to the State Government seeking funding for any additional costs, above the agreed co-funded amount (\$600k) towards the construction of the footbridge crossing at Mawson Lakes School.

W&S-OB2 Pedestrian Refuge – Galway Crescent

1. That the installation of a pedestrian refuge at Galway Crescent be deferred to enable further monitoring of movements and staff give further consideration to the need of a pedestrian refuge at this location.

W&S-OB3 Safety around The Pines School and Andrew Smith Drive

1. That a report come back within three months on costings to increase signage and line painting around The Pines School.
2. The report include costings to upgrade the Andrew Smith Drive crossing to push button as well as relocating it to not interfere with the Bus Zone.
3. The administration liaise with SAPOL to raise concerns regarding traffic movements by drivers not obeying road rules around schools.

OR

That Council adopt the recommendations of the Works and Services Committee meeting on 20 July 2020, contained in the report to Council (Item No. 5.2 on the agenda for the Council meeting held on 27 July 2020), 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. 2.0.1</u> Future Reports for the Works and Services Committee</p>	<p>EXECUTIVE 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. 2.0.2</u> Minutes of the Asset Management Sub Committee meeting held on Monday 13 July 2020</p>	<p>EXECUTIVE SUMMARY: The minutes and recommendations of the Asset Management Sub Committee meeting held on Monday 13 July 2020 are presented for Works and Services Committee's consideration.</p> <p>COMMITTEE RECOMMENDATION: The information contained in the Asset Management Sub Committee Minutes of the meeting held on 13 July 2020 be received and noted with respect to the following recommendations contained therein to be adopted by Council:</p> <p>AMSC1 Future Reports for the Asset Management Sub Committee 1. The information be received.</p> <p>AMSC2 Place Activation Strategy 1. Council notes that the Economic and Community Facilities categories of the Place Activation Strategy will be presented to the Policy and Planning Committee for consideration. 2. Council notes that a report on the Linkages category of PAS will be presented to the sub committee in coming months for consideration.</p> <p>AMSC3 Asset Management Policy 1. The information be received. 2. Council endorses the revised Asset Management Policy as contained in Attachments 1 and 2 to this report (AMSC 13/07/2020, Item No. AMSC3), subject to the following amendment to Attachment 1 – Asset Management Policy, to read: <i>4.1 Setting of service levels will be determined by Council following consultation with the community and will form the basis of the annual budget.</i> 3. Council notes the Strategic Asset Management Group Terms of Reference.</p>

	<p>AMSC4 Response to Petition – Coachhouse Drive, Gulfview Heights</p> <ol style="list-style-type: none"> 1. The information within the report be received and noted. 2. That Coachhouse Drive be included in the Streetscape Renewal program for the 2020/21 financial year. <p>AMSC5 Place Activation Strategy – Parks and Open Space Assets Listing (Informal Recreation destinations)</p> <ol style="list-style-type: none"> 1. The information within the report be received and noted.
<p><u>Item No. 2.1.1</u> Grant Funding for Community Garden at Para Hills</p>	<p>EXECUTIVE SUMMARY:</p> <p>The City of Salisbury has been allocated \$75,000 through Wellbeing SA to deliver a new community garden at the Para Hills Community Hub. This location was identified by Wellbeing SA due to the absence of a community garden and the high health needs of the area (eg. High prevalence of overweight/obesity; poor nutrition; low physical activity; and/or social isolation).</p> <p>This is consistent with City of Salisbury objectives and community gardens throughout the City of Salisbury will be further supported through the delivery of programs facilitated by Wellbeing SA.</p> <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. Council note that: <ol style="list-style-type: none"> a. Funding of \$75,000 has been allocated to the City of Salisbury through Wellbeing SA (Government of South Australia) for the development of a new community garden at the Para Hills Community Hub in 2020/21. b. An application for further funding of up to \$100,000 has been prepared through Wellbeing SA’s Community Wellbeing and Resilience Grants program for community garden support programs to be delivered throughout the City of Salisbury in 2020/21 for people impacted by COVID-19 and domestic violence.
<p><u>Item No. 2.4.1</u> Response to Petition: Dunkley Green</p>	<p>EXECUTIVE SUMMARY:</p> <p>This report presents information to address the issues of the petition presented to Council in May 2020 (PET2). With Dunkley Green now included in programmed works for the 2020/21 financial year.</p> <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. The report be received and noted. 2. Council notes that Dunkley Green is now budgeted for in 2020/21, for works under the following programs Playspace/ Playground and reserve Upgrade to address the concerns of the petition presented May 2020. 3. Council notes that staff will consult with the residents within the reserve catchment (including those on the petition) and ward

	Councillors, as part of the project design, to provide input into the development of the reserve.
<u>Item No. 2.4.2</u> Review the standards and user satisfaction of all Dog Parks	<p>EXECUTIVE SUMMARY:</p> <p>This report presents the findings from the audit undertaken early 2020 and user satisfaction surveys of all dog parks within the City of Salisbury and provides recommendations for future improvements.</p> <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. That the information in this Report be received and noted. 2. The delivery of dog parks for small dogs continues as identified throughout the budget bid process. 3. Signage at all dog parks be consolidated into one single sign displaying dog park etiquette, educational material and Council contact details. 4. Council investigates off-leash opportunities outside of fenced dog parks such as increasing the hours for off-leash activities particularly through daylight savings. 5. Golding Oval, Para Vista to have significant improvements to bring to the same level of service as other dog parks. This work to include removal of remnant asphalt courts surfacing and reinstatement of more appropriate ground surface material such as turf, sand or mulch along with tree planting for shade. This work would be included in the proposed works program in paragraph 8 below. 6. Access and functional issues, such as fencing and gate security and drainage around drinking fountains be addressed as part of the upgrade works. 7. Staff bring back a report on the provision of greyhound friendly hours at our dog parks. 8. Administration to prepare a program of works and associated funding for dog park improvements, to commence in 2022/23, for Council consideration.
<u>Item No. 2.5.1</u> Grant of Easement to SA Power Networks – Happy Home Reserve	<p>EXECUTIVE SUMMARY:</p> <p>This report seeks Councils endorsement to grant an easement to the South Australian Power Networks over a portion of Council land known as Happy Home Reserve.</p> <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. Council grant to SA Power Networks an easement for the installation of under ground cables over a portion of Happy Home Reserve, identified as allotment 69 in Filed Plan 1113664 as described in Certificate of Title Volume 5553 Folio 5 and delineated on Attachment 1 to this report (Works and Services Committee 20/07/2020, Item No. 2.5.1), Proposed View of new Easement at Happy Home Reserve, Salisbury for \$5,000.00 plus GST.

	<ol style="list-style-type: none"> 2. SA Power Networks are to be responsible for all costs associated with the lodgement and documentation of the easement. 3. The Manager Property and Buildings be authorized to liaise with SA Power Networks in regards to the requested easement and arrange consent of the Letter of Agreement and Grant of Easement Documents.
<p><u>Item No. 2.6.1</u> Capital Works Report – June 2020</p>	<p>EXECUTIVE SUMMARY: The following monthly status report and requests for amendments is presented to effectively manage the City Infrastructure Capital Works Program.</p> <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. Council includes, at no impact to the budget, the renewal of a small bridge along the Little Para, Parafield Gardens / Paralowie, within the 2020/21 Bridge Program, and defer the renewal of Bridge 11 at the Paddocks for consideration at a future date in alignment with the implementation of the Paddocks Master Plan. 2. As result of the awarding of additional Black Spot Funding for 2021, include the junction upgrade of Wright Road and Canna Road, Ingle Farm, within PR13725 Major Traffic Program, through the approval of a non-discretionary 1st Quarter Budget Review 2021 Bid totaling \$368k income and expenditure. 3. Declare as an expenditure saving the \$545k Council contribution associated with the construction of a new roundabout at the intersection of Nelson Road and Kesters Road, Para Hills, within PR13725 Major Traffic Program, noting this project is now fully funded as a result of the awarding of additional Black Spot Funding for 2021.
<p><u>Item No. 2.6.2</u> Gulfview Heights Lake, Bayview Parade</p>	<p>EXECUTIVE SUMMARY: This report gives an overview of the Budget implications for ensuring the Gulfview Heights Lake permanently holds water rather than an ephemeral lake as it was designed.</p> <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. That the Works and Services Committee notes the deputation made by Mr Blair Boyer MP, Member for Wright. 2. Council give further consideration of establishing Gulfview Heights Lake with permanent water source. 3. Council note that irrigation has been reinstated around the lake and the issues of the clay liner drying out are unlikely to return and the time water is in the lake will be significantly increased. 4. Administration to monitor the retention of water in the lake over the next 12 months and provide a report to the Works and Services Committee every 4 months. 5. Staff to provide further information about the possibility and cost to continue using the SA Water pump to provide water into the lake.

<p><u>Item No. 2.6.3</u> Side Entry Pit and Drainage Pit Cleaning</p>	<p>EXECUTIVE SUMMARY: This report provides budgetary information on amending Council’s cyclic side entry pit cleaning program from 5 yearly program to a 3 yearly program. In addition this report also provides information on the number of reactive side entry pit cleans which occurred more than once at any one location within the last twelve months.</p> <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. The information be noted and existing level of service be maintained.
<p><u>Item No. 2.8.1</u> NAWMA Lease Renewal 2020</p>	<p>EXECUTIVE SUMMARY: The annual rent review of NAWMA’s lease agreement to operate the Pooraka Waste Transfer Station has provided an opportunity to resolve a few outstanding issues. These matters have been discussed with NAWMA and key changes to the agreement are recommended in this report, including a change to the rental structure, and a transfer of the EPA licence from Salisbury to NAWMA.</p> <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. Council endorse the inclusion of a flat rental payment per annum of \$180,000 commencing 2020/21 subject to CPI review, as stated in Item 5 of the Lease Agreement, replacing the existing 3 tiered rental arrangement. 2. Council notes the simplification of the Gate fee pricing mechanism, embedding this into the NAWMA Budgetary process (and Budget Review process). 3. Council notes the increased voucher fees for Salisbury rate payers in the NAWMA 2020/21 budget. 4. Council transfers its existing EPA licence for the Pooraka Waste Transfer Station to NAWMA.
<p><u>Item No. 2.8.2</u> NAWMA Service Agreement and Business Plan</p>	<p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. The information be received. 2. The Northern Adelaide Waste Management Authority Business Plan 2020/21, as set out in Attachment 1 to this report (Works and Services 20/07/2020, Item No. 2.8.2), be endorsed. 3. The Service Agreement between the Northern Adelaide Waste Management Authority and the City of Salisbury (April 2020) as set out in Attachment 2 to this report (Works and Services 20/07/2020, Item 2.8.2), be endorsed subject to the at-call booking system service is provided within four (4) weeks. 4. Staff work out costings with NAWMA on increasing hard waste service to be set between two to four weeks. 5. The two hard waste services are counted in the financial year, based on when the service is booked and not when it is undertaken.

<p><u>Item No.</u> <u>W&S-OB1</u> Mawson Lakes School Footbridge</p>	<p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. That the Works and Services Committee notes the deputation made by Mr Michael Brown MP, Member for Playford and Mr David Cowles, Principal Mawson Lakes School. 2. The Works and Services Committee notes and receives letter from Helen Doyle, Director Capital Programs and Asset Services, confirming DECS maximum commitment of \$300k towards co-funding 50% of the cost of a new footbridge crossing at Mawson Lakes School (Dry Creek Crossing). 3. Administration to bring forward detailed design and costing of the footbridge crossing at Mawson Lakes School as soon as possible, no later than October 2020 to the Works and Services Committee. 4. Staff investigate as a matter of urgency whether State COVID-19 funds are available to enable the project to be completed in this financial year. If COVID funds aren't available then Council commits to funding no more than \$300k towards the co-funded project to be considered as part of the 2021/22 budget. 5. Council write to the State Government seeking funding for any additional costs, above the agreed co-funded amount (\$600k) towards the construction of the footbridge crossing at Mawson Lakes School.
<p><u>Item No.</u> <u>W&S-OB2</u> Pedestrian Refuge – Galway Crescent</p>	<p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. That the installation of a pedestrian refuge at Galway Crescent be deferred to enable further monitoring of movements and staff give further consideration to the need of a pedestrian refuge at this location.
<p><u>Item No.</u> <u>W&S-OB3</u> Safety around The Pines School and Andrew Smith Drive</p>	<p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. That a report come back within three months on costings to increase signage and line painting around The Pines School. 2. The report include costings to upgrade the Andrew Smith Drive crossing to push button as well as relocating it to not interfere with the Bus Zone. 3. The administration liaise with SAPOL to raise concerns regarding traffic movements by drivers not obeying road rules around schools.

CO-ORDINATION

Officer: MG
Date: 23/07/2020

5.3 Resources and Governance Committee: Recommendations for Council Ratification

AUTHOR Joy Rowett, Governance Coordinator, CEO and Governance

APPROVING OFFICER Chief Executive Officer

EXECUTIVE SUMMARY

The Resources and Governance Committee met on 20 July 2020 to consider eight (8) 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.

Seven (7) recommendations of the Committee requiring ratification of Council are provided in this report. The corresponding Executive Summary of each report to the Committee is also provided as a prompt. One (1) recommendation, presented to the Committee in confidence, forms part of Council's Confidential Agenda.

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 Resources and Governance Committee meeting on 20 July 2020, contained in the report to Council (Item No. 5.3 on the agenda for the Council meeting held on 27 July 2020), and listed below:

3.0.1 Future Reports for the Resources and Governance Committee

1. The information be received.

3.4.1 Nominations Sought for the State Bushfire Coordination Committee

1. The information be received.
2. Cr Shiralee Reardon be nominated to the State Bushfire Coordination Committee

3.4.2 Nominations Sought for the Flood Warning Consultative Committee

1. The information be received.
2. The nomination for the SA Flood Warning Consultative Committee be referred to Council.

3.6.1 Variations to Delegations

1. Having conducted a review of Delegations in accordance with Section 44(6) of the *Local Government Act 1999*, the Council hereby revokes its previous delegations to the Chief Executive Officer, effective from 3 August 2020 of those powers and functions under the following:
 - 1.1 *Fire and Emergency Services Act 2005*
 - Section 105F(9) – as shown in shaded area in Attachment 2

-
- 1.2 *South Australian Public Health Act 2011*
 - Sections 92(5), 95(13) and 96(3) - as shown in shaded areas in Attachment 3
 - 1.3 *Natural Resources Management Act 2004*
 2. In exercise of the power contained in Section 44 of the *Local Government Act 1999* the powers and functions under the following acts specified in the proposed Instruments of Delegation contained in Attachments 2, 3 and 4 to this report (Item No. Resources and Governance, 20/07/2020) are hereby delegated effective from 4 August 2020 to the person occupying or acting in the office of the Chief Executive Officer subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation as follows.
 - 2.1 *Fire and Emergency Services Act 2005*
 - Section 105F(9) – as shown in shaded area in Attachment 2
 - 2.1 *South Australian Public Health Act 2011*
 - Sections 92(5), 95(13) and 96(3) - as shown in shaded areas in Attachment 3
 - 2.3 *Landscape South Australia Act 2020*
 - Complete instrument - Attachment 4
 3. Such powers and functions may be further delegated by the Chief Executive Officer in accordance with sections 44 and 101 of the *Local Government Act 1999* as the Chief Executive Officer sees fit, unless otherwise indicated herein on the Schedule of Conditions contained in the proposed Instrument of Delegation.

3.6.2 Annual Report on Internal Reviews of Council decisions in the year ending 30 June 2020 under section 270 of the Local Government Act 1999.

1. The information be received.

3.6.3 Local Government Association Annual General Meeting: 29/10/2020 – Proposed Items of Business and Voting Delegates

1. The information be received.
2. That Council submit the following motions for the Local Government Association Annual General Meeting to be held on 29 October 2020:
 - 2.1 That the LGA, on behalf of the whole local government sector:
 - a. Make the strongest possible representations to State Government opposing their variation to Regulation 119 of the Planning, Development and Infrastructure (General) Regulations 2017, as published in the South Australian Government Gazette on 18 June 2020, and
 - b. Write to and meet with opposing parties in the State Parliament to urge them to disallow the variation Regulation 119 of the Planning, Development and Infrastructure (General) Regulations 2017.

2.2 That the LGA, on behalf of the whole local government sector make representations to the State Government in relation to the proposed measure to increase purchaser protection for Aluminium Composite Panel Cladding by:

1. Opposing the use of an advisory notice in the Form 1 template and Property Interest Report for potential purchasers of properties to contact the local council in relation to cladding; and
2. Recommends that an obligation is placed on the owner of the building to make this disclosure, similar to that used to inform potential purchasers of asbestos in a building; and
3. Consideration be given for a campaign to increase the general awareness of purchasers on the appropriate use of materials in a building.

3.6.4 Local Government Reforms: City of Salisbury response to Local Government Statutes Amendment (Review) Bill 2020

1. That the item be referred to Council to await further information.

OR

That Council adopt the recommendations of the Resources and Governance Committee meeting on 20 July 2020, contained in the report to Council (Item No. 5.3 on the agenda for the Council meeting held on 27 July 2020), 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. 3.0.1</u> Future Reports for the Resources and Governance Committee</p>	<p>EXECUTIVE SUMMARY: This item details reports to be presented to the Resources and Governance Committee as a result of a previous Council resolution. If reports have been deferred to a subsequent month, this will be indicated, along with a reason for the deferral.</p> <p>COMMITTEE RECOMMENDATION: 1. The information be received.</p>
<p><u>Item No. 3.4.1</u> Nominations Sought for the State Bushfire Coordination Committee</p>	<p>EXECUTIVE SUMMARY: Nominations are sought for a Local Government Member and Deputy Member on the State Bushfire Coordinating Committee (SBCC) for a term commencing Friday 14 November 2020.</p> <p>COMMITTEE RECOMMENDATION: 1. The information be received. 2. Cr Shiralee Reardon be nominated to the State Bushfire Coordination Committee.</p>
<p><u>Item No. 3.4.2</u> Nominations Sought for the Flood Warning Consultative Committee</p>	<p>EXECUTIVE SUMMARY: Nominations are sought for a Local Government Member on the SA Flood Warning Consultative Committee for a term of two years.</p> <p>COMMITTEE RECOMMENDATION: 1. The information be received. 2. The nomination for the SA Flood Warning Consultative Committee be referred to Council.</p> <p>**Refer Further Information Item No. 3.4.2FI</p>
<p><u>Item No. 3.6.1</u> Variations to Delegations</p>	<p>EXECUTIVE SUMMARY: The Local Government Association (LGA) periodically distributes information relating to delegations that require changes to be actioned by Council. These changes are usually as a result of legislative amendment, including the commencement of new legislation, or to correct errors that have been identified.</p> <p>This report sets out changes required to City of Salisbury delegations in response to the changes made to the delegations templates.</p> <p>COMMITTEE RECOMMENDATION: 1. Having conducted a review of Delegations in accordance with Section 44(6) of the <i>Local Government Act 1999</i>,</p>

	<p>the Council hereby revokes its previous delegations to the Chief Executive Officer, effective from 3 August 2020 of those powers and functions under the following:</p> <p>1.1 <i>Fire and Emergency Services Act 2005</i></p> <ul style="list-style-type: none"> • Section 105F(9) – as shown in shaded area in Attachment 2 <p>1.2 <i>South Australian Public Health Act 2011</i></p> <ul style="list-style-type: none"> • 4.Sections 92(5), 95(13) and 96(3) - as shown in shaded areas in Attachment 3 <p>1.3 <i>Natural Resources Management Act 2004</i></p> <p>2. In exercise of the power contained in Section 44 of the <i>Local Government Act 1999</i> the powers and functions under the following acts specified in the proposed Instruments of Delegation contained in Attachments 2, 3 and 4 to this report (Item No. Resources and Governance, 20/07/2020) are hereby delegated effective from 4 August 2020 to the person occupying or acting in the office of the Chief Executive Officer subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation as follows.</p> <p>2.1 <i>Fire and Emergency Services Act 2005</i></p> <ul style="list-style-type: none"> • Section 105F(9) – as shown in shaded area in Attachment 2 <p>2.2 <i>South Australian Public Health Act 2011</i></p> <ul style="list-style-type: none"> • Sections 92(5), 95(13) and 96(3) - as shown in shaded areas in Attachment 3 <p>2.3 <i>Landscape South Australia Act 2020</i></p> <ul style="list-style-type: none"> • Complete instrument - Attachment 4 <p>3. Such powers and functions may be further delegated by the Chief Executive Officer in accordance with sections 44 and 101 of the <i>Local Government Act 1999</i> as the Chief Executive Officer sees fit, unless otherwise indicated herein on the Schedule of Conditions contained in the proposed Instrument of Delegation.</p>
<p><u>Item No. 3.6.2</u> Annual Report on Internal Reviews of Council decisions in the year ending 30 June 2020 under section 270 of the Local Government Act 1999</p>	<p>EXECUTIVE SUMMARY: This report provides information concerning the number of Council decisions reviewed as part of the Internal Review of Council Decisions process in the year ending 30 June 2020.</p> <p>COMMITTEE RECOMMENDATION:</p> <p>1. The information be received.</p>

Item No. 3.6.3

Local Government Association Annual General Meeting: 29/10/2020 – Proposed Items of Business and Voting Delegates

EXECUTIVE SUMMARY:

This report presents information with respect to the Annual General Meeting (AGM) of the Local Government Association (LGA) to be held on Thursday 29 October 2020 and seeks any proposed items of business that Council wishes to submit, in addition to confirming voting delegates for the meeting.

COMMITTEE RECOMMENDATION:

1. The information be received.
2. That Council submit the following motions for the Local Government Association Annual General Meeting to be held on 29 October 2020:
 - 2.1 That the LGA, on behalf of the whole local government sector:
 - a. Make the strongest possible representations to State Government opposing their variation to Regulation 119 of the Planning, Development and Infrastructure (General) Regulations 2017, as published in the South Australian Government Gazette on 18 June 2020, and
 - b. Write to and meet with opposing parties in the State Parliament to urge them to disallow the variation Regulation 119 of the Planning, Development and Infrastructure (General) Regulations 2017.
 - 2.2 That the LGA, on behalf of the whole local government sector make representations to the State Government in relation to the proposed measure to increase purchaser protection for Aluminium Composite Panel Cladding by:
 1. Opposing the use of an advisory notice in the Form 1 template and Property Interest Report for potential purchasers of properties to contact the local council in relation to cladding; and
 2. Recommends that an obligation is placed on the owner of the building to make this disclosure, similar to that used to inform potential purchasers of asbestos in a building; and
3. Consideration be given for a campaign to increase the general awareness of purchasers on the appropriate use of materials in a building

****Refer Further Information Item No. 3.6.3FI**

Item No. 3.6.4

**Local Government
Reforms: City of
Salisbury response to
Local Government
Statutes Amendment
(Review) Bill 2020**

EXECUTIVE SUMMARY:

To provide Council with a draft response to the State Government regarding the *Local Government Statutes Amendment (Review) Bill 2020* that is currently before the Parliament, addressing key elements of the Bill, and provide the same to the Local Government Association in response to its call for input from councils as it formulates a response to the Bill on behalf of the whole Local Government sector.

COMMITTEE RECOMMENDATION:

1. That the item be referred to Council to await further information.

****Refer Further Information Item No. 3.6.4FI**

CO-ORDINATION

Officer:

MG

Date:

23/07/2020

****Further Information Report**

3.4.2FI Nominations Sought for the SA Flood Warning Consultative Committee

AUTHOR Joy Rowett, Governance Coordinator, CEO and Governance

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

SUMMARY This report provides further information with respect to a possible nomination that Council may choose to consider for the SA Flood Warning Consultative Committee.

RECOMMENDATION

1. The information be received.
2. _____ be nominated to the SA Flood Warning Consultative Committee.

ATTACHMENTS

There are no attachments to this report.

1. BACKGROUND

1.1 A report concerning this matter was presented to the Resources and Governance Committee on 20 July 2020, where the Committee made the following recommendation to Council:

1. *The information be received.*
2. *The nomination for the SA Flood Warning Consultative Committee be referred to Council.*

1.2 This report provides information with respect to a possible nomination that Council may choose to consider.

2. REPORT

2.1 Council's Manager Infrastructure Management, Mr Dameon Roy has the appropriate skills and experience in flood management and has served on previous Committees with respect to this issue.

1.1 As the LGA is seeking interest from suitably qualified council members or local government employees who can make an informed and meaningful contribution to FWCC for the benefit of all councils, Council may wish to consider nominating Mr Roy for the SA Flood Warning Consultative Committee.

1.2 The nominee and Council are required to complete the Nomination Form (Part B) and forward to nominationscoordinator@lga.sa.gov.au by COB Wednesday 9 September 2020.

1.3 An up-to-date curriculum vitae and a response to the selection criteria (no more than 2 pages) must also be supplied by the nominee.

1.4 The LGA Board of Directors will consider nominations received at its meeting on 22 October 2020.

3. CONCLUSION / PROPOSAL

- 1.5 Council is asked to determine if a nomination is to be made for the Flood Warning Consultative Committee.
- 1.6 It should be noted that Council is not obliged to submit a nomination.

CO-ORDINATION

Officer: MG
Date: 23/07/2020

****Further Information Report**

**3.6.3FI Local Government Association Annual General Meeting:
29/10/2020 - Proposed Items of Business and Voting Delegates**

AUTHOR Michelle Woods, Projects Officer Governance, CEO and Governance

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

SUMMARY The meeting of the Resources and Governance Committee held Monday 20 July requested a proposed motion in relation to local government's role in Aluminium Composite Panel Cladding be presented to the 27 July Council meeting for consideration. This report presents draft wording for such a motion.

RECOMMENDATION

1. The information be received.
2. That Council submit the following motions for the Local Government Association Annual General Meeting to be held on 29 October 2020:
 - 2.1 That the LGA, on behalf of the whole local government sector:
 - a. Make the strongest possible representations to State Government opposing their variation to Regulation 119 of the Planning, Development and Infrastructure (General) Regulations 2017, as published in the South Australian Government Gazette on 18 June 2020, and
 - b. Write to and meet with opposing parties in the State Parliament to urge them to disallow the variation Regulation 119 of the Planning, Development and Infrastructure (General) Regulations 2017.

2.2 That the LGA, on behalf of the whole local government sector make representations to the State Government in relation to the proposed measure to increase purchaser protection for Aluminium Composite Panel Cladding by:

1. Opposing the use of an advisory notice in the Form 1 template and Property Interest Report for potential purchasers of properties to contact the local council in relation to cladding; and
2. Recommends that an obligation is placed on the owner of the building to make this disclosure, similar to that used to inform potential purchasers of asbestos in a building; and
3. Consideration be given for a campaign to increase the general awareness of purchasers on the appropriate use of materials in a building.

ATTACHMENTS

There are no attachments to this report.

1. BACKGROUND

1.1 The meeting of the Resources and Governance Committee held Monday 20 July requested a proposed motion in relation to local government's role in Aluminium Composite Panel Cladding be presented to the 27 July Council meeting for consideration. This report presents draft wording for such a motion.

2. CONSULTATION / COMMUNICATION

2.1 Internal

2.1.1 General Manager City Development.

2.2 External

2.2.1 Nil.

3. REPORT

3.1 At the meeting of the Resources and Governance Committee held Monday 20 July, the following recommendation was made:

**3.6.3 *Local Government Association Annual General Meeting:
29/10/2020 - Proposed Items of Business and Voting
Delegates***

Moved Cr J Woodman

Seconded Mayor G Aldridge

1. *The information be received.*
2. *That Council submit a motion for the Local Government Association Annual General Meeting to be held on 29 October 2020 that the LGA, on behalf of the whole local government sector:*
 - a. *Make the strongest possible representations to State Government opposing their variation to Regulation 119 of the Planning, Development and Infrastructure (General) Regulations 2017, as published in the South Australian Government Gazette on 18 June 2020, and*

-
- b. *Write to and meet with opposing parties in the State Parliament to urge them to disallow the variation Regulation 119 of the Planning, Development and Infrastructure (General) Regulations 2017.*
 3. *That the Administration bring wording back to Council for consideration as a motion for the Local Government Association Annual General Meeting to be held on 29 October 2020 in relation to local government's role in Aluminium Composite Panel Cladding.*

CARRIED

- 3.2 In relation to part 3. of the above recommendation the following proposed motion is provided for consideration:

That, the LGA, on behalf of the whole local government sector make representations to the State Government in relation to the proposed measure to increase purchaser protection for Aluminium Composite Panel Cladding by:

1. *Opposing the use of an advisory notice in the Form 1 template and Property Interest Report for potential purchasers of properties to contact the local council in relation to cladding; and*
2. *Recommends that an obligation is placed on the owner of the building to make this disclosure, similar to that used to inform potential purchasers of asbestos in a building; and*
3. *Consideration be given for a campaign to increase the general awareness of purchasers on the appropriate use of materials in a building.*

4. CONCLUSION / PROPOSAL

- 4.1 Council is asked to consider those issues contained in this report and determine if there are any other issues which warrant submission of an item of business to the LGA AGM being held 29 October 2020.
- 4.2 A further report providing the items of business to be considered at the October AGM will be presented to allow Council to provide direction to the voting delegate.

CO-ORDINATION

Officer: MG
Date: 23/07/2020

****Further Information Report**

3.6.4FI Local Government Reforms: City of Salisbury response to Local Government Statutes Amendment (Review) Bill 2020

AUTHOR Mick Petrovski, Manager Governance - CEO/Governance, CEO and Governance

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

SUMMARY To provide Council with a draft response, previously omitted, to the State Government regarding the *Local Government Statutes Amendment (Review) Bill 2020* that is currently before the Parliament, addressing key elements of the Bill, and provide the same to the Local Government Association in response to its call for input from councils as it formulates a response to the Bill on behalf of the whole Local Government sector.

RECOMMENDATION

1. That the views of the Council of the City of Salisbury regarding the key elements of the *Local Government Statutes Amendment (Review) Bill* currently before State parliament, as contained in Attachment 1 to the report to item no. 3.6.4FI on the agenda for the Resources and Governance Committee meeting on Monday, 20 July 2020 be adopted and forwarded to the Minister for Local Government and the Local Government Association of South Australia.

ATTACHMENTS

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

1. PDF - LG Reform CoS Draft

1. BACKGROUND

- 1.1 A report concerning this matter was presented to the Resources and Governance Committee at its meeting on 20 July 2020 where it made the following recommendation to Council:

“That the item be referred to council to await further information.”

- 1.2 The draft response was to be an attachment to a report to the Resources and Governance Committee for its meeting on Monday, 20 July 2020. However, due to a systems error the attachment was omitted when the agenda for the Committee was compiled.

2. REPORT

- 2.1 The *Local Government Statutes Amendment (Review) Bill 2020* currently before the Parliament contains a number of elements that will help to improve the workings of the local government sector.

-
- 2.2 The most critical elements of the Bill however, potentially have the effect of taking decision making powers away for local councils and shifting the authority to the Minister of the day to be able to direct councils.
 - 2.3 The feedback of the City of Salisbury to key elements of the Bill, both positive and negative, is contained in attachment 1 to this report, and should be made known to the Minister for Local Government and provided to the LGA to assist them with developing a sector wide response to the Bill.

3. CONCLUSION / PROPOSAL

- 3.1 The feedback on the Bill contained in attachment 1 to this report was compiled during an Informal Strategy session conducted on Monday, 6 July 2020.
- 3.2 It broadly reflects the views of EMs as indicated during the Informal Strategy and should be ratified prior to being shared with the Minister for Local Government and the LGA.

CO-ORDINATION

Officer: CEO
Date: 23/07/2020

Local Government Reform - LGA Summary and CoS Draft response to Bill 2020

Section of Act to change and what it does.	LGA Guide	LGA Comments	City of Salisbury: SUPPORT or OPPOSE and Comment
<p>s6 Principal role of council. NEW.</p> <p>“6(b) to make decisions about the provision of various public services and facilities that will benefit the community in the context of the capacity and willingness of ratepayers to pay for those services and facilities.”</p>		<p>The LGA is seeking clarification on what that means in practice and whether this additional principal creates grounds for council budgetary decisions to be contested.</p>	<p>OPPOSE</p> <p><i>The proposed change in itself seems benign. Current practice by the CoS and all councils is focussed on doing this; in the context of the Designated Authority contemplated elsewhere in the Bill and the lack of clarity about the breadth of “any direction given by the Minister”, the implications of the change are ambiguous, and in particular the reference to “willingness to pay”.</i></p> <p><i>The rationale for this proposed change, displacing the current paragraph 6(b) is not explained.</i></p>
<p>s7 Functions of a Council. NEW.</p> <p>(ba) to determine the appropriate financial contribution to be made by ratepayers to the resources of the council.</p>		<p>A number of additions in the ‘role’ and ‘functions’ sections tie into later changes relating to rate setting and Ministerial directions. These preliminary sections related to the role and functions of council are considered to be acceptable, but the later sections on rate capping and new Ministerial ability to override council policies are strongly opposed.</p>	<p>SUPPORT</p> <p><i>The proposed change adds little or no value to current provisions.</i></p>
<p>s8 Principles to be observed by a council</p> <p>(ea) Seek to collaborate, form partnerships and <i>share resources</i> with other councils.</p> <p>(h) seek to ensure that council resources are used fairly, effectively and efficiently <i>and council services, facilities and programs are provided effectively and efficiently.</i></p> <p>(ia) seek to balance the provision of services, facilities and programs with the</p>		<p>The additional wording introduced by this clause is in <i>italics</i>.</p> <p>A number of additions in the ‘role’ and ‘functions’ and ‘principles’ sections tie into later changes relating to rate setting processes.</p>	<p>OPPOSE s8(ea)</p> <p>SUPPORT s8(h) and (ia)</p> <p><i>This reflects current practice across the sector as councils already do these things.</i></p> <p><i>The CoS consideration of the proposed change to s8(ea) is that it leaves councils vulnerable to possible direction from the Minister to make councils share resources.</i></p> <p><i>This is in the context of other proposed changes</i></p>

Local Government Reform - LGA Summary and CoS Draft response to Bill 2020

Section of Act to change and what it does.	LGA Guide	LGA Comments	City of Salisbury: SUPPORT or OPPOSE and Comment
financial impact of the provision of those services, facilities and programs on ratepayers.			<i>discussed elsewhere in this document.</i>
<p>s11A Number of elected members NEW.</p> <p>The number of members of a council (including the Mayor) will be capped at 12.</p> <p>Remove current Representation Review clauses.</p> <p>New requirement to review number of wards and number of electors per ward. But no longer need to review the number of members.</p> <p>If a council conducts a review by 2022, they can implement this change for 2022 council elections.</p> <p>If not, then must implement by the 2026 elections.</p>		<p>This proposal needs to be tested with member councils before the LGA forms a position.</p> <p>During sector consultation in 2019, most councils preferred to retain their current arrangements.</p> <p>If councils have started a Representation Review under current Act, they can use this process for purpose of this section.</p> <p>This proposal is designed to be a simpler process and respond to feedback from councils that the current Representation Review process is overly complex.</p>	<p>OPPOSE</p> <p><i>Why? While the removal of the requirement to undertake representation reviews might on the face of it represent a cost saving, the rationale for “12” is not explained.</i></p> <p><i>Among SA’s 68 councils there are significant variations in geographical and population size.</i></p> <p><i>Representation Reviews are an appropriate mechanism to facilitate community input to the nature of local representation.</i></p> <p><i>Further, the implication of this change is an increased size of Wards, with potential for new Wards in the CoS which are two thirds the size of a state electorate. There is an added implication for increased resources to support Elected Members (EMs) to service more constituents.</i></p> <p><i>This will have the opposite effect of a cost saving measure. Allowances will increase based on workload, and will not be cost saving measure.</i></p> <p><i>The proposed 12 EMs, including the Mayor, creates an uneven number of wards and adds an unnecessary complexity to the traditional two-EMs per Ward.</i></p> <p><i>A better solution would be a tiered approach with a cap created based on the population in a council and establishing a maximum of 15 EMs for larger councils (including the Mayor).</i></p> <p><i>CoS is supportive of the need to review Wards.</i></p>

Local Government Reform - LGA Summary and CoS Draft response to Bill 2020

Section of Act to change and what it does.	LGA Guide	LGA Comments	City of Salisbury: SUPPORT or OPPOSE and Comment
<p>s12 Rep review process - deleted</p> <p>If a council has area councillors but not wards, they will not need to perform a representation review.</p> <p>Councils must consult with the public re the representation report. The resulting report must include public submissions.</p>		<p>If a council has wards, they may still need to conduct a representation review on the optimal number of electors in each ward.</p> <p>The Bill includes transitional provisions that will capture reviews that have already commenced or will commence before the 2022 council elections.</p>	<p><u>OPPOSE</u></p> <p><i>As above.</i></p>
<p>s44 Delegations</p> <p>Amendment to include Joint Planning Boards as a possible delegate.</p>		<p>Councils retain the ability to make decisions about delegations and the terms and conditions of a delegation. There is no requirement to make a delegation.</p>	<p><u>OPPOSE</u></p> <p><i>This lends itself more to large metropolitan councils.</i></p>
<p>s50 Current public consultation sections – deleted. NEW.</p> <p>Introduces one Community Engagement Charter for the whole local government sector.</p> <p>This will replace many individual sections requiring councils to report info, consult, publish in newspapers, keep hard copies at principal office, etc.</p> <p>The Charter will be decided by the Minister and Gazetted and will apply across all councils.</p> <p>Some parts will be mandatory, others will be up to council policy (See 50A).</p> <p>The Minister approves and varies the Charter, after consultation with the LGA.</p>		<p>This proposal needs to be tested with member councils before the LGA forms a position.</p> <p>The concept of a state-wide Community Engagement Charter is consistent with the LGA's previous local government reform submission.</p> <p>Consolidating consultation arrangements within one state-wide charter could lead to savings and efficiencies by reducing duplication and allowing for more targeted and effective consultation to occur.</p> <p>Local government will be consulted on the development of and any variation to the Charter, via a process facilitated by the LGA.</p> <p>To be effective, it is considered that the</p>	<p><u>SUPPORT</u></p> <p><i>Support is conditional on Councils retaining the ability to set higher standards of community consultation and engagement to reflect what our community expects.</i></p> <p><i>Past experience suggests that if there is a mandated charter as a base, then the base will likely become the norm. The reason this is critical is that it brings into focus the capacity of councils, therefore a mandated model will have to accommodate councils with smaller budgets and fewer resources.</i></p> <p><i>While the City of Salisbury will seek to have a community engagement and consultation framework that sets a higher standard, the need for this change is not sufficiently well explained.</i></p>

Local Government Reform - LGA Summary and CoS Draft response to Bill 2020

Section of Act to change and what it does.	LGA Guide	LGA Comments	City of Salisbury: SUPPORT or OPPOSE and Comment
		Charter needs to: <ul style="list-style-type: none"> • Clarify the matters that councils must consult on, but not require councils to consult on minor or uncontroversial decisions; and • Ensure complaints about non-compliance with the Charter are dealt with in an efficient manner through an administrative process. 	
<p>s50A</p> <p>Each council must have its own policy on how to implement the Community Engagement Charter.</p>		<p>A large number of sections in the Act relating to specific consultation on specific matters are deleted, as a consequence of new ss 50 and 50A.</p> <p>Councils must consult with the community regarding adoption of their Policy or if they want to vary it. This policy must be consistent with the Charter.</p> <p>A failure to comply with a Community Engagement Charter or the council's related community engagement policy still exposes the subsequent council decision to judicial review.</p>	<p>SUPPORT</p> <p><i>As per previous comment.</i></p>
<p>s54 Casual vacancy</p> <p>If a council member resigns to take up another position (eg Mayor) their position as member becomes vacant.</p> <p>Councils can go to next election without filling the casual vacancy if an election is to be held within the next 12 months (currently 7 months) or 1 January.</p>		<p>This proposal is consistent with the LGA's previous local government reform submission.</p>	<p>SUPPORT</p> <p><i>Clarification is sought.</i></p> <p><i>Cos assumes this applies to any vacancy on Council regardless of why an EM resigns.</i></p>

Local Government Reform - LGA Summary and CoS Draft response to Bill 2020

Section of Act to change and what it does.	LGA Guide	LGA Comments	City of Salisbury: SUPPORT or OPPOSE and Comment
<p>s55A Elected Members running for Parliament</p> <p>If a council member runs for State Parliament, they are automatically granted a 'leave of absence'.</p> <p>The leave commences at the close of nominations –even if the member/candidate is campaigning earlier.</p> <p>The provision applies to any council office - including council committees and subsidiaries.</p> <p>If a candidate withdraws their nomination, - they are automatically reinstated to their council position.</p> <p>Members will not receive remuneration/ allowances during the leave period.</p> <p>In subsection 5, candidates can't use council facilities in this leave period.</p>		<p>This proposal is consistent with the LGA's previous local government reform submission.</p> <p>During previous elections, there have been inconsistent approaches by candidates in relation to standing down from council roles and payment of allowances. These proposed provisions create a level playing field for all council members.</p> <p>It appears that council members can still call themselves 'Mayor' or 'Councillor' during the leave of absence.</p> <p>The LGA will seek feedback from member councils on the optimal wording for this section.</p>	<p>SUPPORT</p> <p><i>This is consistent with City of Salisbury position as articulated during consultation on the Local Government Reform discussion paper.</i></p>
<p>s58 Role of Principal Member (usually called Mayor)</p> <p>New sections clarifying the role of a principal member of council. This includes:</p> <ul style="list-style-type: none"> • "Providing leadership and guidance to the council. • To lead the promotion of positive and constructive working relationships amongst members of the council • To provide guidance to council members on the performance of their role; and 		<p>This proposal needs to be tested with member councils before the LGA forms a position.</p> <p>Mayors are not given specific new powers.</p> <p>The proposed section states general principles, setting out what the principal member's leadership role entails.</p>	<p>SUPPORT</p> <p><i>The CoS comment on the 2019 discussion paper:</i></p> <p><i>"While dealing with disruptive behaviour at meetings is part of the leadership role of the principal member, without clarity about the "powers" being suggested and how and when they can be used, it is difficult to indicate either support or opposition.</i></p> <p><i>Perhaps the emphasis should be placed on "the will of the meeting" and the role of the principal is to</i></p>

Local Government Reform - LGA Summary and CoS Draft response to Bill 2020

Section of Act to change and what it does.	LGA Guide	LGA Comments	City of Salisbury: SUPPORT or OPPOSE and Comment
<ul style="list-style-type: none"> To support council members understanding on the separation of responsibilities between elected representatives and employees of the council." 			<p><i>manage "low-level" disruptive behaviour by issuing warnings. However, where a threshold is reached (post warnings) the principal member should have the power to suspend further deliberations of the meeting so as to put a proposition (to be prescribed in regulation) to the meeting regarding the behaviour/s of a councillor, and that proposition <u>must</u> be dealt with by a vote before a meeting can continue.</i></p> <p><i>In this way, the principal member can act as moderator but it is the will of the meeting that determines what action should be taken to deal with unwanted behaviours."</i></p>
<p>s59 Role of members of council. NEW. It will be a role of council members to act with integrity.</p>		<p>'Integrity' is not defined and will have a common law definition.</p> <p>The existing Act and Bill contain specific sections about integrity, which are still primarily regulated by ICAC, the OPI and Ombudsman.</p>	<p><u>SUPPORT</u></p> <p><i>Request that "integrity" be a defined term within the Act, e.g. the common law definition.</i></p>
<p>s62 General Council Member duties The prohibitions on disclosure of confidential council information are extended to documents that the council member "knows or ought reasonably to have known is ...required to be treated confidentially".</p>		<p>This change will clarify council member confidentiality obligations and make it easier to establish that a breach has occurred.</p>	<p><u>OPPOSE</u></p> <p><i>This measure will make Councils more secretive and less transparent as EMs are likely to err on the side of caution, whereas the policy focus should be on transparency and disclosure wherever possible.</i></p> <p><i>This definition casts a broader net and the wording introduces subjectivity and ambiguity.</i></p> <p><i>The focus should be on councils having robust systems to ensure clarity about what is or is not confidential.</i></p>

Local Government Reform - LGA Summary and CoS Draft response to Bill 2020

Section of Act to change and what it does.	LGA Guide	LGA Comments	City of Salisbury: SUPPORT or OPPOSE and Comment
<p>s68 Council Member Register of Interests</p> <p>(1a) If a council member fails to return their Register after a defined period (in most cases 12 months) the member will be suspended.</p> <p>(1b) If a member is suspended under this section, so are their member allowances.</p> <p>(3a) If the member subsequently submits a return, to the satisfaction of the CEO, the CEO will publish a notice on website to this effect.</p> <p>(3a)(b) The suspension is revoked upon publication of this notice.</p> <p>(3b) If the failure to submit a return continues, the CEO may refer to SACAT.</p>		<p>Consultation with member councils in 2019 showed support for clear consequences for a breach of this requirement.</p> <p>The proposed clause gives council CEOs a role in imposing consequences, including exercising a degree of discretion (ie determining whether the return is satisfactory).</p> <p>The LGA will seek feedback from member councils on the optimal wording for this section.</p>	<p><u>SUPPORT</u></p> <p><i>However, the proposed role of CEO imposing sanctions is not desirable. Where sanctions might be deemed appropriate, there is greater transparency for the responsibility to rest with objective body...perhaps the proposed Behavioural Standards Panel.</i></p> <p><i>It should not be the role of a CEO to validate the accuracy of an EM's return, which is implicit in the use of "to the satisfaction of the CEO".</i></p> <p><i>Re: 1a to 3a(b) – for purposes of simplicity of calculation, a portion of a week should equal a week.</i></p>
<p>s70 Inspection of a Register</p> <p>The Register will now no longer publish the home address of a councillor.</p> <p>Additional information can be suppressed for personal safety.</p>		<p>This proposal is consistent with the LGA's previous local government reform submission.</p>	<p><u>SUPPORT</u></p>
<p>s73 Register of gifts and benefits</p> <p>The Minister will declare the threshold amount for the purpose of this clause.</p> <p>The Minister must consult the LGA prior to making this declaration.</p>		<p>This proposal is consistent with the LGA's previous local government reform submission.</p>	<p><u>SUPPORT</u></p>
<p>s74-s75C Conflicts of Interest</p> <p>The three categories of Conflict of Interest</p>		<p>The new sections are simpler and less confusing. They should allow greater council member participation in decision-</p>	<p><u>SUPPORT</u></p> <p><i>Subject to the clarification referred to by the LGA</i></p>

Local Government Reform - LGA Summary and CoS Draft response to Bill 2020

Section of Act to change and what it does.	LGA Guide	LGA Comments	City of Salisbury: SUPPORT or OPPOSE and Comment
<p>are reduced to two: 'General Conflicts of Interest' and 'Material Conflicts of Interest'.</p> <p>A member of a council will not be regarded as having a conflict of interest in a matter if the interest is held in common with a 'substantial proportion' of the ratepayers, electors or residents of the council area (if that interest is equal).</p> <p>Onus is on the council member to declare/decide whether they have a conflict. Failure to declare a conflict can result in penalties.</p>		<p>making where there is no actual conflict, or the conflict can be managed appropriately.</p> <p>Areas where further clarification is required include:</p> <ul style="list-style-type: none"> • circumstances where the council has nominated an elected member to the board of another legal entity, • mechanisms for abstaining; and • the 'substantial proportion' test. 	<p><i>the intent to simplify is well supported. It is imperative that</i></p> <p><i>EMs who are active participants in community activities and organisations should not be excluded from decision making that impacts those community organisations, as long as that EM does not derive a personal benefit.</i></p> <p><i>The requirement to declare an interest (perceived) ought to remain and qualified to enable participation in deliberations.</i></p>
<p>s75E Member 'Behaviour Standards'</p> <p>The Minister may publish and vary 'Member Behaviour Standards'. These Standards are not set out in the Bill.</p> <p>They apply State-wide.</p> <p>The Minister must consult the LGA first.</p> <p>Minister's decision will be published in the Government Gazette.</p>		<p>There will continue to be multiple (but slightly different) sources of rules that govern member behaviour. This includes:</p> <ul style="list-style-type: none"> • the Act, • in these proposed 'Member Behaviour Standards'; and • in the 'Council Behavioural Support Policies' (see s75F). <p>This could be confusing, and it will be important for the LGA to provide support and guidance.</p> <p>These standards will be reviewable by Parliament, which provides a level of oversight of the decisions made by a Minister.</p>	<p>SUPPORT</p>
<p>s75F Council Behavioural Support Policies.</p> <p>Council may implement their own policies on how to support "appropriate behaviour</p>		<p>Sector feedback indicated that dedicated meetings (usually just after elections), where councillors deliberated and then agreed on behavioural standards, led to strong improvements in meeting culture.</p>	<p>SUPPORT</p>

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<p>by members of the council". These can't be inconsistent with the Behavioural Standards.</p> <p>Council must review these within 6 months of general elections.</p> <p>Council must consult the public on these.</p> <p>Council members must comply with their CBSPs.</p>		<p>The Bill will enable each council to address these issues and to approve their own policy.</p> <p>Members may face sanctions for a breach of a CBSP.</p> <p>The Council itself can impose limited sanctions (see s262C).</p> <p>A breach of the CBSP could constitute 'misbehaviour' (s262E), could be referred to the new Behavioural Standards Panel and could result in more serious sanctions or penalties.</p>	
<p>s75G Council member health and safety obligations. NEW.</p> <p>Council members are not 'workers' for the purpose of the WHS Act. But they will now have specific WH&S obligations.</p> <p>Council members must not adversely affect the health and safety of other members of council or employees.</p> <p>Could include a direction that a member of a council not attend a meeting of the council.</p> <p>Council members must follow the reasonable directions of a responsible person (usually the CEO) in this respect.</p>		<p>This proposal needs to be tested with member councils before the LGA forms a position.</p> <p>The CEO will have clear powers to put in place arrangements to ensure employee safety. This could include, for example implementing administrative arrangements to limit contact between council members or between a council member and an employee.</p> <p>The LGA has sought advice from Norman Waterhouse Lawyers to clarify the proposed role of CEOs in administering this provision.</p> <p>Where appropriate in the circumstances, provision for alternative participation in a council or committees should be considered.</p>	<p>SUPPORT</p> <p><i>Recognition that EMs have a responsibility to deal with each other and staff respectfully is important.</i></p> <p><i>While recognising that the "reasonable direction" is prescribed and dependent on context and prevailing circumstances, CoS is supportive of the concept that a EMs have clear obligations and that give the CEO more rights.</i></p> <p><i>However, more consideration should be given to the implications of creating an ability for the CEO to direct a EM not to attend a meeting of the council. The responsibility for such a decision should be made by an independent authority, such as the Behaviour Panel, recognising that issues regarding timeliness need to be resolved.</i></p>

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<p>s76 Member Allowances</p> <p>Remaining: Member Allowances set by Remuneration Tribunal. LGA to pay Remuneration Tribunal their "reasonable costs".</p>		<p>The requirement of the Remuneration Tribunal to consult with the LGA and reach agreement on arrangements has been deleted.</p> <p>Clarification is required regarding "reasonable costs" to ensure there are appropriate limits on the cost to councils (via the LGA).</p> <p>100% of South Australian councils are currently members of the LGA and the enjoy the numerous savings and benefits that result from their membership.</p> <p>However, provisions need to be made that enable an equitable proportion of the costs to be recovered from a council that may withdraw or be expelled from the LGA in the future.</p>	<p><u>SUPPORT</u></p>
<p>s80A Training & Development</p> <p>'LGA Training Standards' will still be specified in the Regs.</p> <p>Each council must adopt their own policy for conduct and completion of training and development by their members.</p> <p>If a council member has not completed the training, the CEO must suspend the council member unless the council member satisfies the CEO that good reasons exist.</p> <p>(See s262 for referral to Behavioural Standards Panel and penalties)</p>		<p>The LGA submission recommended that there be approved candidate training and candidates must indicate whether they have completed the approved candidate training, when nominating for council elections.</p> <p>At present, the State Government does not intend to include these in the (yet to be drafted) Regulations.</p> <p>Feedback from members is required about the proposed role for council CEOs in enforcing compliance with the training standards.</p>	<p><u>SUPPORT</u></p> <p><i>Re: LGA submission recommending approved candidate training – this is potentially discriminatory to people for whom English is a second language. Such a measure may have a deleterious effect on the number of people prepared to nominate for election.</i></p> <p><i>The current arrangements where awareness sessions are provided to prospective candidates are appropriate.</i></p> <p><i>CoS supports the intent but considers that it should not be the role of the CEO to suspend an EM. Perhaps this could be the subject of a report to council, and responsibility to rest with council.</i></p>

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<p>s80B Suspension of Council Member subject to an intervention order</p> <p>Suspend a council member who is the subject of an intervention order.</p> <p>The CEO will have discretion to suspend a member.</p>		<p>This proposal needs to be tested with member councils before the LGA forms a position.</p> <p>The LGA has sought advice from Norman Waterhouse Lawyers to clarify the proposed role of CEOs in administering this provision.</p> <p>Feedback from members is required about the proposed role for council CEOs.</p>	<p><u>SUPPORT</u></p> <p><i>While the intent of this proposal is supported, the proposed role of CEO is not.</i></p> <p><i>The CEO should not be placed in a position of having to suspend an elected representative.</i></p> <p><i>Clarification is also required in relation to potential conflict with provisions that provide for an EM losing their position on Council if they are absent without leave from three or more consecutive ordinary meetings of the council...is suspension deemed leave?</i></p> <p><i>Clarification is sought on whether this would apply to <u>any</u> intervention order.</i></p>
<p>s90(3)(o) Meetings held in public</p> <p>New exemption, allowing councils to discuss potential award recipients in confidence.</p>		<p>This is a minor but welcome amendment.</p> <p>This will allow the names of award-winners to not enter the public domain until the award is presented.</p>	<p><u>SUPPORT</u></p>
<p>s90(8) Informal Meetings held in public</p> <p>The rules relating to informal gatherings are simplified.</p> <p>The Bill replaces 'informal gatherings or discussions' with a simpler scheme of clearly defined 'information and briefing sessions'.</p>		<p>The current provisions are confusing and unintentionally broad. These new sessions will enable councils to more easily discuss and better understand their business but will also retain the expectation that these sessions cannot be used to obtain, or effectively obtain, decisions that should be made in a public council meeting.</p>	<p><u>SUPPORT</u></p>
<p>s90A NEW.</p> <p>The concept of 'Information or briefing session' is described more carefully. If it is one of these, it needs to be open to the</p>		<p>As per s90(8) above.</p>	<p><u>SUPPORT</u></p>

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<p>public and a record made.</p> <p>The CEO makes decisions regarding whether a matter will be on the agenda and if the group has 'effectively made the decision'.</p>			
<p>s92 Access to meetings and documents</p> <p>Councils must already have a Code of Practice about meetings and access to documents. The new obligation requires councils to consult with the public before adopting, altering or substituting the Code.</p> <p>Council reporting obligations are taken out of the various sections of the Act and will be replaced by a schedule, making it easier for councils and the public to understand what needs to be reported (and how).</p>		<p>Almost all of the reporting consultation provisions are removed from the Act and will be replaced by a schedule.</p> <p>Similarly, the Bill also removes requirements to have documents available to the public (online or in office) e.g. sections 77, 79, 105, 252, 259.</p>	<p>SUPPORT</p>
<p>s97(3)(a) Terminate a CEO</p> <p>Before council can terminate a CEO's employment, they must have regard to advice from a "qualified independent person".</p> <p>Definition: "a legal practitioner OR someone determined by the council to have appropriate qualifications or experience in human resource management".</p>		<p>The detail of this proposal needs to be tested with member councils before the LGA forms a position.</p> <p>Council must consider the advice but is not bound by it.</p> <p>This provision only applies to some of the grounds for termination. There is no requirement to obtain this advice if the CEO is 'guilty of an offence', etc.</p>	<p>SUPPORT</p> <p><i>CoS considers it appropriate and contemporary practice to seek professional advice to inform itself about a critical decision that it is ultimately responsible for.</i></p>
<p>s98 Fill CEO Vacancy</p> <p>Councils no longer need to advertise in a newspaper - instead, can use a website.</p> <p>Selection Panel: At least one is not a council member or member of staff.</p>		<p>Councils will typically engage a suitably qualified and experienced third party to assist with CEO recruitment.</p> <p>The detail of this proposal needs to be tested with member councils before the LGA forms a position.</p>	<p>SUPPORT</p> <p><i>Councils should be required to engage the services of appropriately skilled recruitment specialists to undertake an assessment of applications and make objective recommendations about short listing candidates for the selection panel to consider.</i></p>

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<p>Before the CEO appointment, council must obtain and consider independent advice on the assessment of applications and recommendation on appointment</p>			<p><i>CoS suggests that consideration should be given to requiring EMs who are appointed as selection panel members to receive appropriate training.</i></p> <p><i>The reference to advertising a position should be broad and accommodate newspaper AND website and other appropriate and transparent means.</i></p>
<p>s99(ia) and (ib) Role of CEO</p> <p>New subsections relating to CEO functions.</p> <p>A CEO must:</p> <ul style="list-style-type: none"> • ensure council has effective policies systems procedures, etc • Report annually to the relevant audit and risk committee on the council's internal audit process. 		<p>The section clarifies a role that most council CEOs perform already.</p>	<p><u>SUPPORT</u></p>
<p>s99A Remuneration Tribunal extends to CEOs</p> <p>The Remuneration Tribunal will determine minimum and maximum remuneration for CEOs.</p> <p>The Remuneration Tribunal may have regard to any matter set out in the Regulations.</p> <p>ss(4) remuneration may differ based on geographical factors or other factors.</p> <p>Amounts may be indexed.</p> <p>The LGA will pay for the Remuneration</p>		<p>The proposed provisions are modelled on the Western Australia legislative scheme are were broadly supported by councils and the LGA in previous local government reform submissions.</p> <p>Clarification is required about how additional allowances (such as mobile phone, travel/fuel for country CEOs etc) will be considered/determined by the Tribunal.</p> <p>The Bill allows for a determination to be made 'from time to time'. Greater certainty should be provided about the minimum / maximum frequency of</p>	<p><u>SUPPORT</u></p>

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<p>Tribunals' reasonable costs.</p> <p>Councils must ensure the remuneration they pay is within the range set by the Remuneration Tribunal.</p>		<p>determinations, particularly as the cost of this process will be borne by councils (via the LGA).</p> <p>100% of South Australian councils are currently members of the LGA. However, provisions need to be made that enable an equitable proportion of the costs to be recovered from a council that may withdraw or be expelled from the LGA in the future.</p>	
<p>s102A CEO Performance review. NEW.</p> <p>A CEO Performance Review must occur at least once a year and "if relevant" before reappointment.</p> <p>Council must obtain independent advice by "qualified independent person" who is not a member of council and determined by the council (same as the requirements for CEO termination but a legal practitioner is not listed as an option. see 97(3), above).</p>		<p>The detail of this proposal needs to be tested with member councils before the LGA forms a position.</p>	SUPPORT
<p>s110 Code of conduct for employees</p> <p>This is replaced by s119A.</p>		<p>The employee register is designed to mirror the requirements for council members. CEOs have responsibility to manage this through council policies and industrial arrangements.</p>	SUPPORT
<p>s110A Duty to protect confidential information</p> <p>Duty of employees to protect confidential information. Adds a new limb "employee knew or ought to have known that the information is to be treated confidentially".</p>		<p>This is consistent with the clarification for council members' confidentiality obligations.</p>	SUPPORT

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<p>s119A Register of Gifts and Benefits for Employees</p> <p>This was previously dealt with by Code of Conduct. The limit is intended to be the same as is currently declared by Minister.</p>		<p>The aim is for consistency in these arrangements, for employees and council members.</p>	<p><u>SUPPORT</u></p>
<p>s120A Employee Behavioural standards</p> <p>Council must prepare and adopt standards.</p> <p>An employee must comply with these standards. These standards will set out grounds for suspending or dismissing, disciplinary action against the employee.</p> <p>Before a council adopts or alters these standards, they must consult with relevant industrial association re the Employee Behavioural standards and any subsequent variation.</p> <p>Within 6 months of periodic election, council must review these standards.</p>		<p>While the council will adopt the overall policy, the CEO otherwise remains in charge of employee matters.</p> <p>The LGA will consult with member councils and with the relevant trade unions</p>	<p><u>OPPOSE</u></p> <p><i>There should be set industry-wide behavioural standards for LG employees.</i></p> <p><i>Individual councils should not be negotiating behavioural standards for individual organisations.</i></p> <p><i>Council should not be required to set behavioural standards.</i></p>
<p>s122 Strategic Management Plan</p> <p>A Council's Long-Term Financial Plan - must be for a 10yr period and must (NEW):</p> <ul style="list-style-type: none"> • outline council's approach to funding services and infrastructure • Set out council total revenue for the period • Outline the sources of revenue including fees, grants, rates and charges. <p>(3a) Regulations may require the inclusion of other information.</p>		<p>The LGA acknowledges the significant work that almost all councils have undertaken in developing their LTFPs and is comfortable with this codification of existing practice. NOTE that the Consultation Charter arrangements:</p> <ul style="list-style-type: none"> • will require councils to consult with their communities on their LTFPs; and • are likely to require councils to undertake further consultation before changes are made to the LTFP. 	<p><u>SUPPORT</u></p>

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<p>s123 Annual Business Plan NEW.</p> <p>An Annual Business Plan (ABP) must include:</p> <ul style="list-style-type: none"> a statement on the proposed change in total revenue from general rates for the financial year and if ABP sets out a growth component in relation to general rates it may only relate to growth in the no of rateable properties and must not relate to the growth in the value of rateable properties. an explanation of how the proposed change is consistent with the council's LTFP. A summary of other reasons for the proposed change. Details of impact of the proposed change on average rates for each land use category. The advice received from the 'Designated Authority' (which looks like being the Essential Services Commission of SA); and The council's response to the advice which must set out whether the proposed change in total revenue from general rates is consistent with the advice and if not the reasons for the inconsistency. <p>(3a) The draft ABP must be provided to the Designated Authority by 31 Dec in the FY preceding and must include:</p> <ul style="list-style-type: none"> The proposed change in total revenue 		<p>This section would impose a series of expensive and unwarranted new requirements on councils in drafting and adopting their Annual Business Plan and Budget.</p> <p>This proposal introduces another layer of bureaucracy and gives a significant role to an unelected body that has no relationship with or accountability to the local community.</p> <p>This process will place councils in a continuous cycle of administrative planning and reporting that will detract from the councils' role in providing local services and facilities that benefit the local community.</p> <p>The timeframes outlined in this section are unrealistic and unworkable. A council will be required to adopt a draft Annual Business Plan and Budget in December – 6 months prior to the commencement of the new financial year. This provides limited flexibility to respond quickly and effectively to changing economic and social circumstances, such as those we have experienced in 2020 during the Covid-19 public health emergency.</p> <p>In 2019, the South Australian Productivity Commission undertook an Inquiry into Local Government Costs and Efficiency. The Inquiry found that SA councils are achieving high levels of efficiency and did</p>	<p><u>STRONGLY OPPOSE</u></p> <p><i>The remarks provided by the LGA are broadly supported but Council is of the view that the proposed changes will have a severe detrimental effect on how Council responds and delivers on its community's needs.</i></p> <p><i>The proposed changes reflect a poor understanding of how Councils go about determining the rate increase.</i></p> <p><i>Councils already account for the general increase in property values (by discounting the previous year's rate in the dollar by the average increase in property values) so that there is no "double dipping" in rates revenue.</i></p> <p><i>Growth is also not just about the number of new properties but also includes improvements to property (not general increase in values). This was an issue with the rate capping model that the Minister previously proposed and failed to garner sufficient support in the Parliament.</i></p> <p><i>It is noted that the State Government use the same capital value used by Local Government in calculating the Emergency Services Levy and also used in the calculation of water supply charge and sewerage access charges by SA Water.</i></p> <p><i>What is not known is if this value is discounted to not factor growth as being proposed for councils in the Bill.</i></p> <p><i>The development the City of Salisbury's Annual Business Plan (ABP), how it informs the annual budget, and its links to our City Plan, which projects a long term vision for the city, and its links</i></p>

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<p>from general rates.</p> <ul style="list-style-type: none"> The council's view of the impact of the change. Information about consideration given by council to alternatives to the proposed change including total revenue resulting from such alternative measures. <p>(d) information as to how the proposal is consistent with the Council's LTFP.</p> <ul style="list-style-type: none"> Any other matter set out in the in Regs. <p>The Designated Authority must provide its advice back to the council by 31 March of each year.</p> <p>The Designated Authority must have regard to:</p> <ul style="list-style-type: none"> Information provided by, AND any matter directed by the Minister; and Any other matter considered relevant by the Designated Authority. <p>The Designated Authority must publish a copy of any direction given by the Minister as soon as practicable.</p> <p>If the Designated Authority considers a council has failed to respond to its advice - it May provide a report to the Minister.</p>		<p>not make any recommendations that are consistent with the rate capping proposals contained within the Bill.</p> <p>The Commission did, however, find that regulatory compliance costs and the expansion of mandated responsibilities under state legislation have created additional cost pressures for councils.</p> <p>This Bill introduces a range of new compliance requirements that will need to be funded by councils. The costs of this process are likely to be significant. A 'Designated Authority' (likely to be ESCOSA) will need to undertake an individual assessment of every councils plans and budget, every year.</p> <p>As a reference, the Essential Services Commission in Victoria spent \$2 million in 2018/19 administering its local government regulatory role.</p> <p>Every extra dollar that is needed to fund new reporting requirements in an extra dollar that needs to be paid by ratepayers, or one less dollar that is invested in local services and facilities.</p> <p>This proposal is inconsistent with the LGA's longstanding policy position to oppose rate capping in any form.</p>	<p>to our Long Term Financial Plan, is a significant area of activity for us.</p> <p>The City Plan provides measures (financial and non-financial) to monitor and assess the performance of the council against its objectives, and our ABP and the corresponding annual budget are annual "building blocks" to achieving those objectives.</p> <p>Integral to these processes is regular community engagement and consultation to ensure that we are focussed on doing what our community expects.</p> <p>The proposed change requiring Councils to table a draft Annual Business Plan to the Designated Authority by the 31 December in the financial year preceding will likely lead to less time to consult with the community and counter the intent of ensuring the Annual Business Plan reflects the community's needs.</p> <p>Further, the Designated Authority must provide its advice back to Council's by the 31 March, which would include any matter directed by the Minister. This further reinforces that the Authority is not an independent body. Should substantial changes be required to a Council's Annual Business Plan arising from such directions, the ability for Councils to adopt its Annual Business Plan in a timely manner may be compromised.</p> <p>The City of Salisbury framework described (very simply) above is undertaken under the current legislative requirements.</p> <p>The injection of a Designated Authority, which can apparently be directed by the Minister, to comment on Council's proposed ABP, when it has no formal</p>

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			<p><i>linkages to the Council area and no apparent role to engage with our community, is at its simplest yet "another layer of bureaucracy".</i></p> <p><i>This creates in the Authority a formal and external "critique" mechanism where accountability rests only with Council. If, by the description provided, the Designated Authority must have regard to:</i></p> <ul style="list-style-type: none"> <i>o Information provided by, AND any matter directed by the Minister; and</i> <i>o Any other matter considered relevant by the Designated Authority,</i> <p><i>how will it be possible for the Authority OR the Minister to differentiate between circumstances among councils and make comment about a specific council area when all 68 councils are different.</i></p> <p><i>The established and long-held democratic relationship is between the community and its elected representatives. This proposal is a dilution of that relationship, and no evidence has been provided to show that councils are neither representative nor responsive to their communities.</i></p> <p><i>While the questions raised (or points made) by the LGA in relation to timelines, additional costs and rate capping are appropriate and correct, the critical point here is that with the proposed measures the autonomy of Councils and their representative role to act in the best interests of their communities would be significantly eroded, and councils left vulnerable to a State Government agenda.</i></p>

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<p>Ch 13 s273 Reviews Initiated by Minister</p> <p>Minister may ask the council to report.</p> <p>If the council has “failed to adequately respond” to the Minister / Designated Authority advice, then....</p> <p>The Minister can give directions to the council to “rectify the matter” or to prevent recurrence of the “act, failure or irregularity”.</p> <p>This is not limited to situations where there has been a breach or failure by a council. It could relate to any council budgetary decision -eg where the Minister and council merely have different financial priorities.</p>		<p>Councils already publicly consult and report on Annual Business Plans and Budgets, which outline proposed rate increases.</p> <p>Councils also have Audit Committees and are subject to an annual external audit. The Auditor General also has broad powers to review a councils' financial decision making.</p> <p>Ultimately, councils are accountable to the community and are held to account via democratic elections that are held every 4 years.</p> <p>This proposal centralised more power with an individual Minister, who will be given extremely broad scope to direct a council in relation to its budget and the delivery of local services and projects.</p> <p>This proposal is inconsistent with the LGA's longstanding policy position to oppose rate capping in any form.</p>	<p><u>STRONGLY OPPOSE</u></p> <p><i>See above comment.</i></p>
<p>s125 Internal Control policies</p> <p>New Regulation making powers. Councils must ensure their policies, practices and procedures comply with these Regulations.</p>		<p>This is a potentially significant power and has the potential for the State government to significantly encroach on the decision-making of local representatives.</p> <p>The scope of the section extends to any policy, procedure, etc.</p> <p>The section could be used to effectively take away almost all council discretion and undermines the role of local government as an independent,</p>	<p><u>STRONGLY OPPOSE</u></p> <p><i>The remarks provided by the LGA are broadly supported.</i></p> <p><i>CoS considers the suggestion that a council's policy content could or should be adjusted by regulatory change is a blunt and aggressive attack on the autonomy of democratically elected public authorities.</i></p> <p><i>Current governance frameworks for councils are sufficiently robust so as to require contemporary</i></p>

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		democratic sphere of government.	<p><i>thinking and contemporary processes to develop policies for the management and governance of a local council area for the benefit of the local community.</i></p> <p><u><i>There is already transparency and significant oversight over how councils undertake those processes.</i></u></p> <p><i>What is not transparent is any evidence that there is a need for this legislative change that places significant power in a Minister of State Government, and therefore the State Cabinet, to affect policy deliberations, strategic directions and therefore budget deliberations of a local council who have been elected to work for the local community, expending funds managed on their behalf, for their benefit and in their local area.</i></p> <p><i>There is no supporting information provided that suggests that State Government departments are either resourced or directed to undertake community consultation that will be sufficiently responsive or sensitive to local context, circumstances and prevailing community expectations so as to be able to frame policy changes that reflect the needs of our communities.</i></p> <p><i>At best such a power for regulatory change will have to be so broad as to be rendered meaningless and simply an added drain of resources for the need to make the changes.</i></p> <p><i>At worst such a power will be used to leverage local government resources to deliver state-wide policy objectives, regardless of whether local communities are supportive and have an expectation that their council will deliver.</i></p>

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Section of Act to change and what it does.	LGA Guide	LGA Comments	City of Salisbury: SUPPORT or OPPOSE and Comment
<p>s126 Audit and Risk Committee</p> <p>A majority of members of council Audit and Risk Committees must not be members of the council and may not be an employee of the council.</p> <p>The role of these committees is expanded to include 'risk', and 'Functions' of Audit and Risk Committees expanded:</p> <p>New functions include:</p> <ul style="list-style-type: none"> • Monitoring expenses of council. • to make recommendations for improvements based on previous audit/risk assessments. • Review powers when CEO assists audit committee. • Liaise with council auditor in accordance with the Regulations <p>(g) if a council has an internal audit function -to review/comment on an annual report by CEO in internal report re the scope of internal audit work; and</p> <ul style="list-style-type: none"> • The objectivity and standard demonstrated in the carrying out of the function. <p>If a council does not have internal audit function, the CEO must report on polices of council etc</p> <p>There must be one meeting of the Audit and risk Committee each quarter and the Audit and risk Committee must provide a report to council every 3 months.</p>		<p>The LGA's previous local government reform submission provided broad support for an expanded role for council Audit Committees. will seek advice on these details from the sector.</p> <p>The detail of this proposal needs to be tested with member councils before the LGA forms a position.</p>	<p>SUPPORT</p> <p><i>This is largely consistent with current City of Salisbury practise; however the reference to "monitoring expenses of council" is not appropriate or supported. It is at a level of detail that is not and should not be a function of an audit committee, but is the responsibility of the council and its oversight of the administration.</i></p>

Local Government Reform - LGA Summary and CoS Draft response to Bill 2020

Section of Act to change and what it does.	LGA Guide	LGA Comments	City of Salisbury: SUPPORT or OPPOSE and Comment
<p>s126A Regional audits permitted, where 2 or more councils share audit resources. This is optional.</p>		<p>This option may be useful for regional councils who struggle to recruit qualified independent auditors.</p>	<p><u>NEITHER SUPPORT</u> or <u>OPPOSE</u></p>
<p>s128 Auditor Councils must use a different audit firm at least every 5 years. Then a council must wait five years before re-engaging that same auditor.</p>		<p>Unlike the Corporations Act, councils can't just change the particular auditor within the same firm.</p>	<p><u>SUPPORT</u></p>
<p>s129 Conduct of Audit If the SA Auditor-General exercises (existing) powers to perform the council audit, then a normal audit is not required. If the Auditor -General conducts the audit, the council must pay for the reasonable costs incurred.</p>		<p>Note that the Auditor-General also has new powers to conduct a 'review' which is not a full audit but might be, for example, an investigation into a particular aspect of a council's affairs. The broad powers that are already available to the Auditor General to review or audit a council's financial management are further justification that the additional, expensive rates oversight processes outlined in the Bill are unnecessary and unwarranted.</p>	<p><u>SUPPORT</u></p>
<p>s151 Basis of rating Delete council power to use 'site value' as a means of rating. All councils will use 'capital value' method.</p>		<p>The OLG advise that currently only 8 councils use site value. This will mean state-wide consistency for ratepayers, but the detail of this proposal needs to be tested with member councils before the LGA forms a position.</p>	<p><u>SUPPORT</u></p>
<p>s170 Notice of declaration of rates Requirements to give the public notice of</p>		<p>The specific requirements to give the public notice of the declaration of rates will be set out in the Community</p>	<p><u>SUPPORT</u></p>

Local Government Reform - LGA Summary and CoS Draft response to Bill 2020

Section of Act to change and what it does.	LGA Guide	LGA Comments	City of Salisbury: SUPPORT or OPPOSE and Comment
the declaration of rates.		Engagement Charter.	
<p>s194 Revocation of community land</p> <p>Simplification of current unwieldy process to revoke community lands. Cases where the Minister will be required to make the decision is clarified.</p> <p>More situations where councils can make the decision to revoke uncontroversial community land (eg unmade roads).</p> <p>Does not apply to Adelaide Parklands.</p>		<p>On an initial review of this proposed clause the LGA is not convinced that the drafting achieves the policy intention. With assistance from Norman Waterhouse Lawyers, we hope to clarify this and ensure the Minister is not required to approve minor or uncontroversial applications.</p>	<p>SUPPORT</p> <p><i>The intent is supported because council decisions about management, use and potential sale of land it owns should be based, wherever possible on robust community engagement and consultation.</i></p>
<p>s222 (1a) permits for mobile food vending business</p> <p>Removal of automatic granting of permits to mobile food vendors (food trucks).</p>		<p>Mobile food vending business will now be treated like any other business seeking a council permit. This is consistent with ongoing submissions from the sector and LGA advocacy.</p>	<p>SUPPORT</p>
<p>s262A Council Member Behaviour</p> <p>First step requires the council deal with issue in accordance with their (new) behaviour management policy and behaviour support policy.</p>		<p>Council has initial obligation to deal with council member behavioural issues, according to their own 'Code'.</p> <p>This is consistent with previous LGA local government reform submissions.</p>	<p>SUPPORT</p>
<p>s262C Member Behaviour – Action</p> <p>Council has powers to insert consequences/ penalties into their policy for breaches of their Council policy. Councils may:</p> <p>a) censure b) Require a public apology.</p>		<p>Most of these changes are welcome.</p> <p>Legal advice, mediation and other options can be used, if a council elects.</p> <p>Based on the consultation with the sector in 2019, there may be some concern if a majority of council members have a power to suspend a council member,</p>	<p>SUPPORT</p> <p><i>The intent of the proposed amendment is supported as it potentially will help to resolve matters before they might escalate to become a Code of Conduct matter that requires a formal process and seeking legal advice.</i></p> <p><i>The inclusion of mediation and similar mechanisms</i></p>

Local Government Reform - LGA Summary and CoS Draft response to Bill 2020

Section of Act to change and what it does.	LGA Guide	LGA Comments	City of Salisbury: SUPPORT or OPPOSE and Comment
<p>c) Require the councillor to undertake a specified course of training or instruction.</p> <p>d) remove or suspend the member from 1 or more offices held by the member.</p> <p>In dealing with these, council must proceed with as little as possible formality and technicality</p> <p>The clause has been designed in an attempt to enable councils to operate without requiring lawyers.</p> <p>Councils are not bound by the rules of evidence but must provide procedural fairness</p> <p>Council can refuse to deal with a matter because it is frivolous, vexatious, trivial. Council can also decide to take a matter no further.</p>		<p>even after a formal process had been completed.</p> <p>The LGA will seek feedback from member councils on the detail of this proposal.</p>	<p><i>that are aimed at swift and transparent resolution would be useful.</i></p>
<p>s262D Member Behaviour - Reasons</p> <p>If a council refuses to deal with a complaint or determines to take no further action, then the council must provide written reasons.</p>		<p>This is a new administrative step that, ideally, will be part of an overall scheme that is faster and less expensive than currently operating.</p>	<p>SUPPORT</p>
<p>s262E Behaviour Panel</p> <p>Misbehaviour means:</p> <ul style="list-style-type: none"> • A failure by a member of council to comply with a requirement under 262C(1) (ie the council determination about the complaint) • Failure to comply with a council behaviour management policy. 		<p>Classifying these levels of poor behaviour will enable the new Behaviour Panel to issue guidelines on likely penalties.</p> <p>The proposal will give the Panel power to define bullying and harassment, for the purposes of the Local Government Act.</p>	<p>SUPPORT</p> <p><i>For the sake of consistency, the WHS Act definitions of bullying and harassment should be used.</i></p>

Local Government Reform - LGA Summary and CoS Draft response to Bill 2020

Section of Act to change and what it does.	LGA Guide	LGA Comments	City of Salisbury: SUPPORT or OPPOSE and Comment
<p>A failure to comply with an agreement reached following mediation, conciliation arbitration, dispute resolution process (ie a councillor has agreed and reneged).</p> <p>Repeated misbehaviour.</p> <p>Misbehaviour, repeated behaviour and serious misbehaviour are defined.</p> <p>'Serious misbehaviour' means bullying or harassment of another member or employee of council.</p>			
<p>s262F Panel</p> <p>Local Government Behaviour Panel will have 3 members:</p> <ol style="list-style-type: none"> 1. one jointly appointed by Minister and LGA 2. one appointed by Minister and LGA 3. one appointed by LGA. 		<p>This proposal is consistent the LGA's previous local government reform submissions.</p>	<p><u>SUPPORT</u></p> <p><i>A process to enable member councils of the LGA to vote on and determine the 3rd panel member instead of "joint appointment" between the Minister and the LGA would give confidence to councils that the Panel is truly independent and objective.</i></p> <p><i>The amendments should include a "skill set" as a requirement for appointment to the panel.</i></p>
<p>s262J Panel remuneration</p> <p>Remuneration and expenses of the Panel will be determined by Governor.</p>		<p>Early estimates (based on Local Government Grants Commission Model) indicate costs will be \$300-350K for all three Panel Members (and including an Executive Officer and one administrative person).</p> <p>It is proposed that the LGA pay these fixed costs with councils paying on a fee for service basis when their matters come before the Panel. The LGA seeks feedback on whether the sector is prepared to fund the proposed model.</p>	<p><u>SUPPORT</u></p>

Local Government Reform - LGA Summary and CoS Draft response to Bill 2020

Section of Act to change and what it does.	LGA Guide	LGA Comments	City of Salisbury: SUPPORT or OPPOSE and Comment
<p>s262N</p> <p>The Panel must</p> <ul style="list-style-type: none"> • Publish guidelines • Publish model behavioural management policies • Practice directions <p>Panel can perform other functions assigned.</p>		<p>The LGA will seek further details on funding model. At present, the LGA would pay extra, if the Minister assigned the Panel additional functions. This appears to present an open-ended financial commitment. There is a danger that the State Government could use LGA to take on extra regulatory roles (cost shifting). Extra LGA and sector funding needs to be <i>by agreement</i>.</p>	<p><u>SUPPORT</u></p>
<p>s262Q Referral</p> <p>Matters can be referred to the Panel by</p> <ul style="list-style-type: none"> • Resolution of council • CEO of council • at least 3 members of council • the Minister <p>+ any person dissatisfied with council decision.</p>		<p>Council policies should have processes to deal with complaints from the public, council staff and council members. However, appeals do not need to be treated consistently.</p> <p>This clause needs to distinguish members of the public complaining about council member behaviour (already dealt with by s273 with appeals to Ombudsman) and complaints from staff and council members. The public already have the ability to complain about council member behaviour. There is no need (and have been no calls) for an additional grievance process for members of the public.</p> <p>Council staff and members should have access to the Panel where internal council processes have not been successful. This is the specific problem that the Panel is established to solve.</p>	<p><u>SUPPORT</u></p> <p>CoS support is only for the first dot point, namely, a matter can only be referred to the Panel by a resolution of council.</p>

Local Government Reform - LGA Summary and CoS Draft response to Bill 2020

Section of Act to change and what it does.	LGA Guide	LGA Comments	City of Salisbury: SUPPORT or OPPOSE and Comment
<p>s262S</p> <p>Panel may arrange for investigations, compel reports from council, etc.</p>		<p>Council will often conduct an initial investigation. While the Panel should be a fast and low-cost forum, it may need to (but should not be required to) conduct its own investigation.</p>	<p><u>SUPPORT</u></p>
<p>s262W</p> <p>Powers of the Behaviour Panel.</p> <p>The Panel may:</p> <ul style="list-style-type: none"> • Reprimand • Direct a council to censure • Require a public apology • Require a councillor to undertake a course of training or development. • Require a councillor to reimburse an amount of money. • Remove or suspend an office in capacity as member of another body • Suspend for up to 3 months • Direct council to lodge complaint with SACAT (SACAT can suspend for longer or remove a person from council). <p>If a councillor fails to comply with an order, this is defined as an integrity issue and goes to SACAT (not OPI) and the Panel must make a report to the Minister.</p>		<p>The LGA queries why the Panel refers censures back to councils and doesn't have the power to censure, itself.</p>	<p><u>SUPPORT</u></p> <p><i>The reference to "integrity" contradicts the proposed change to s262Y below.</i></p>
<p>s262Y</p> <p>If corruption or integrity issue - it goes to Office of Public Integrity.</p>		<p>Clarification is required regarding where appeals from Panel go, where there is not corruption.</p>	<p><u>SUPPORT</u></p> <p><i>Refer comment above.</i></p>

Local Government Reform - LGA Summary and CoS Draft response to Bill 2020

Section of Act to change and what it does.	LGA Guide	LGA Comments	City of Salisbury: SUPPORT or OPPOSE and Comment
<p>s273 Action a Minister can take on Report</p> <p>A Minister may, on the basis of information received from:</p> <ul style="list-style-type: none"> • ICAC • Ombudsman • A Designated Authority under s123 • A report of the Small Business Commissioner • A report of the behavioural standards panel; or • A report of a council administrator, <p>ask council why s/he shouldn't direct it.</p> <p>If not satisfied, Minister can direct Council.</p>		<p>This is the clause that gives the Minister broad powers to direct a council on matters arising out of these bodies.</p>	<p>OPPOSE</p> <p><i>There is no evidence that the current governance and oversight frameworks do not work or are somehow deficient.</i></p> <p><i>The Minister should not have the ability to intervene or overrule where a council has acted lawfully.</i></p>

DRAFT

5.4 Audit Committee

No Audit Committee meeting was held in July 2020.

5.5 Council Assessment Panel

Minutes from the Council Assessment Panel meeting held on 16 June 2020 to be noted by Council.

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 20 July 2020 to consider seven (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.

Eight (8) recommendations of the Committee are provided in this report, including one further motion. 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 Budget and Finance Committee meeting on 20 July 2020, contained in the report to Council (Item No. 5.6 on the agenda for the Council meeting held on 27 July 2020), 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 Tuesday 9 June 2020

The information contained in the Innovation and Business Development Sub Committee of the meeting held on 10 June 2020 be received and noted with respect to the following recommendations contained therein to be adopted by Council:

IBDSC1 Future Reports for the Innovation and Business Development Sub Committee

1. The information be received.

IBDSC2 Community Bus to Service Western Suburbs

1. That this report be received.
2. Staff promote Salisbury Home and Community Care transport services and deliver letter drop offs to all senior residents in the Western suburbs to identify need for service and inform the further development of potential service and model options.
3. That opportunities are explored with the Department of Planning, Transport and Infrastructure for development of an on-demand bus service within the City of Salisbury.

Further Motion

That:

1. Staff bring back a further report following assessment of the impact of implementing parts 2 and 3 of the previous motion regarding the Community Bus to Service Western Suburbs, and
2. The report to include advice on possible cost structures and service levels for the provision of a dedicated community transport service to commence in 2021/22 for the western part of the city and link residents to shopping precincts such as Springbank Plaza and the Salisbury Hub, including a:
 - a. fully funded Council-subsidised community bus service;
 - b. partially subsidised model;
 - c. user pays model.

IBDSC3 Community Requests - Response Dashboard

1. The information be received.

6.0.3 Minutes of the Innovation and Business Development Sub Committee meeting held on Monday 13 July 2020

The information contained in the Innovation and Business Development Sub Committee of the meeting held on 13 July 2020 be received and noted with respect to the following recommendations contained therein to be adopted by Council:

IBDSC1 Future Reports for the Innovation and Business Development Sub Committee

1. The information be received.

IBDSC2 Community Event Sponsorship Christmas Carol Grant Criteria

1. A New Initiative Bid of \$30,000 be prepared for consideration by Council in the 2021/22 budget for an annual grant as part of the Community Event Sponsorship Program, commencing 2021/22, for a Christmas Carols event to be staged from December 2021 onwards.
2. That the proposed criteria outlined in this report (Item IBDSC2 Innovation and Business Development Committee 13 July 2020) be approved.

IBDSC3 Performance Excellence Program - participation update

1. That the information be received.
2. That the Innovation and Business Development subcommittee note that the City of Salisbury is participating in the 2020/21 Performance Excellence Program and will participate in the 2021/22 program unless the recommendations of the South Australian Productivity Commission are implemented by February 2021.
3. That the Innovation and Business Development subcommittee note that a new initiative bid of \$12,300 may be required in 2021/22 should the recommendations of the South Australian Productivity Commission not be implemented by February 2021.

IBDSC4 Community Requests - Response Dashboard

1. The information be received.

6.1.1 Council Finance Report – June 2020

1. The information be received.

6.1.2 Certification of the 2020 Annual Financial Statements

1. The information be received.
2. The Mayor and Chief Executive Officer be authorised by Council to sign the Council Certificate certifying the Annual Financial Statements for the financial year ended 30 June 2020, following the Audit Committee's review of these Statements on 13 October 2020.

6.1.3 St Kilda Tramway Museum Assistance Request

1. Note that the current agreement with the St Kilda Tramway Museum (Australian Electric Transport Museum (SA) Inc) expired on the 30 June 2020.
2. That a new three year agreement is entered into with the St Kilda Tramway Museum (Australian Electric Transport Museum (SA) Inc) with a fixed \$5,250 per annum payment.

6.2.1 Review of COVID-19 Community Support Measures

1. That the information is received and noted
2. That a further 3 month extension of the waiving of relevant fees and charges covering the period 1 July 2020 to 30 September 2020 apply for the following categories and individual organisations:
 - a. Land Use Agreements
 - i. St Kilda Tackle & Tucker Pty. Ltd.
 - ii. St Kilda Boat Club Inc.
 - iii. Salisbury North Football Club
 - b. Commercial Leases including Parnil Pty Ltd (Parafield Gardens Swimming Centre)
3. That Council endorse the declaration of an income loss of \$8,339 at the 1st Quarter Budget Review to reflect the waiving of fees and charges covered in part 2 of the resolution.

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4. That in recognition that the restrictions related to COVID-19 are being relaxed and that organisations are gradually recommencing operations, Council administration is authorised to recommence applying the relevant fees and charges for the balance of organisations not covered in part 2 of the resolution as of the 1 July 2020
 5. That in recognition that restrictions related to COVID-19 are being relaxed that administration are authorised to return to 30 day payment terms for suppliers of goods and services from the 31 August 2020
 6. That timed parking limits are routinely monitored to ensure that parking is available so as to facilitate access to local businesses and services, noting that enforcement of time limit parking areas will resume from 1 September 2020.
 7. That staff ensure the appropriate communication is undertaken to advise the relevant clubs and organisations of the change and that staff give consideration to extending due dates for the payment of the relevant fees and charges as part of the transition to normal invoicing process.

Further Motion:

1. That a further 3 month extension of the waving of relevant fees and charges covering the period 1 July 2020 to 30 September 2020 apply for the following categories and individual organisations:
 - a. Community & Sporting Club Leases
2. That Council endorse the declaration of an income loss of \$59,765 at the 1st Quarter Budget Review to reflect the waiving of fees and charges covered in part 1 of the resolution.

OR

That Council adopt the recommendations of the Budget and Finance Committee meeting on 20 July 2020, contained in the report to Council (Item No. 5.6 on the agenda for the Council meeting held on 27 July 2020), 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. 6.0.1</u> Future Reports for the Budget and Finance Committee</p>	<p>EXECUTIVE SUMMARY: This item details reports to be presented to the Budget and Finance Committee as a result of a previous Council resolution. If reports have been deferred to a subsequent month, this will be indicated, along with a reason for the deferral.</p> <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> The information be received.
<p><u>Item No. 6.0.2</u> Minutes of the Innovation and Business Development Sub Committee meeting held on Tuesday 9 June 2020</p>	<p>EXECUTIVE SUMMARY: The minutes and recommendations of the Innovation and Business Development Sub Committee meeting held on Tuesday 9 June 2020 are presented for Budget and Finance Committee's consideration.</p> <p>COMMITTEE RECOMMENDATION: The information contained in the Innovation and Business Development Sub Committee of the meeting held on 10 June 2020 be received and noted with respect to the following recommendations contained therein to be adopted by Council:</p> <p>IBDSC1 Future Reports for the Innovation and Business Development Sub Committee</p> <ol style="list-style-type: none"> The information be received. <p>IBDSC2 Community Bus to Service Western Suburbs</p> <ol style="list-style-type: none"> That this report be received. Staff promote Salisbury Home and Community Care transport services and deliver letter drop offs to all senior residents in the Western suburbs to identify need for service and inform the further development of potential service and model options. That opportunities are explored with the Department of Planning, Transport and Infrastructure for development of an on-demand bus service within the City of Salisbury. <p>Further Motion That:</p> <ol style="list-style-type: none"> Staff bring back a further report following assessment of the impact of implementing parts 2 and 3 of the previous motion regarding the Community Bus to Service Western Suburbs, and The report to include advice on possible cost structures and service levels for the provision of a dedicated community transport service to commence in 2021/22 for the western part of the city and link residents to shopping precincts such

	<p>as Springbank Plaza and the Salisbury Hub, including a:</p> <ol style="list-style-type: none"> a. fully funded Council-subsidised community bus service; b. partially subsidised model; c. user pays model. <p>IBDSC3 Community Requests - Response Dashboard</p> <ol style="list-style-type: none"> 1. The information be received.
<p><u>Item No. 6.0.3</u> Minutes of the Innovation and Business Development Sub Committee meeting held on Monday 13 July 2020</p>	<p>EXECUTIVE SUMMARY:</p> <p>The Minutes and recommendations of the Innovation and Business Development Sub Committee meeting held on Monday 13 July 2020 are presented for Budget and Finance Committee's consideration.</p> <p>COMMITTEE RECOMMENDATION:</p> <p>The information contained in the Innovation and Business Development Sub Committee of the meeting held on 13 July 2020 be received and noted with respect to the following recommendations contained therein to be adopted by Council:</p> <p>IBDSC1 Future Reports for the Innovation and Business Development Sub Committee</p> <ol style="list-style-type: none"> 1. The information be received. <p>IBDSC2 Community Event Sponsorship Christmas Carol Grant Criteria</p> <ol style="list-style-type: none"> 1. A New Initiative Bid of \$30,000 be prepared for consideration by Council in the 2021/22 budget for an annual grant as part of the Community Event Sponsorship Program, commencing 2021/22, for a Christmas Carols event to be staged from December 2021 onwards. 2. That the proposed criteria outlined in this report (Item IBDSC2 Innovation and Business Development Committee 13 July 2020) be approved. <p>IBDSC3 Performance Excellence Program - participation update</p> <ol style="list-style-type: none"> 1. That the information be received. 2. That the Innovation and Business Development subcommittee note that the City of Salisbury is participating in the 2020/21 Performance Excellence Program and will participate in the 2021/22 program unless the recommendations of the South Australian Productivity Commission are implemented by February 2021. 3. That the Innovation and Business Development subcommittee note that a new initiative bid of \$12,300 may be required in 2021/22 should the recommendations of the South Australian Productivity Commission not be implemented by February 2021. <p>IBDSC4 Community Requests - Response Dashboard</p> <ol style="list-style-type: none"> 1. The information be received.

<p><u>Item No. 6.1.1</u> Council Finance Report – June 2020</p>	<p>EXECUTIVE SUMMARY: This report provides some key financial data as at 30 June 2020 for Council’s consideration, as required by Council’s Treasury Policy.</p> <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. The information be received.
<p><u>Item No. 6.1.2</u> Certification of the 2020 Annual Financial Statements</p>	<p>EXECUTIVE SUMMARY: This report provides a summary of the 2020 end of financial year reporting process and seeks Council’s authorization for both the Mayor and the Chief Executive Officer to sign the certificate certifying the 2020 Annual Financial Statements in their final form once completed.</p> <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. The information be received. 2. The Mayor and the Chief Executive Officer be authorised by Council to sign the Council Certificate certifying the Annual Financial Statements for the financial year ended 30 June 2020, following the Audit Committee’s review of these Statements on 13 October 2020.
<p><u>Item No. 6.1.3</u> St Kilda Tramway Museum Assistance Request</p>	<p>EXECUTIVE SUMMARY: In April 2017 Council resolved to provide \$5,000 per annum for a three year period to the St Kilda Tramway Museum to provide support for the ongoing operation of the Museum.</p> <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. Note that the current agreement with the St Kilda Tramway Museum (Australian Electric Transport Museum (SA) Inc) expired on the 30 June 2020. 2. That a new three year agreement is entered into with the St Kilda Tramway Museum (Australian Electric Transport Museum (SA) Inc) with a fixed \$5,250 per annum payment.
<p><u>Item No. 6.2.1</u> Review of COVID-19 Community Support Measures</p>	<p>EXECUTIVE SUMMARY: This report updates Council on the various measures adopted by Council to support clubs and organisations that have an existing arrangement with Council and responds to the decision of Council to review whether the support is extended further.</p> <p>COMMITTEE RECOMMENDATION:</p> <ol style="list-style-type: none"> 1. That the information is received and noted 2. That a further 3 month extension of the waiving of relevant fees and charges covering the period 1 July 2020 to 30 September 2020 apply for the following categories and individual organisations: <ol style="list-style-type: none"> a. Land Use Agreements <ol style="list-style-type: none"> i. St Kilda Tackle & Tucker Pty. Ltd. ii. St Kilda Boat Club Inc. iii. Salisbury North Football Club

	<p>b. Commercial Leases including Parnil Pty Ltd (Parafield Gardens Swimming Centre)</p> <p>3. That Council endorse the declaration of an income loss of \$8,339 at the 1st Quarter Budget Review to reflect the waiving of fees and charges covered in part 2 of the resolution.</p> <p>4. That in recognition that the restrictions related to COVID-19 are being relaxed and that organisations are gradually recommencing operations, Council administration is authorised to recommence applying the relevant fees and charges for the balance of organisations not covered in part 2 of the resolution as of the 1 July 2020</p> <p>5. That in recognition that restrictions related to COVID-19 are being relaxed that administration are authorised to return to 30 day payment terms for suppliers of goods and services from the 31 August 2020</p> <p>6. That timed parking limits are routinely monitored to ensure that parking is available so as to facilitate access to local businesses and services, noting that enforcement of time limit parking areas will resume from 1 September 2020</p> <p>7. That staff ensure the appropriate communication is undertaken to advise the relevant clubs and organisations of the change and that staff give consideration to extending due dates for the payment of the relevant fees and charges as part of the transition to normal invoicing process.</p> <p>Further Motion:</p> <p>1. That a further 3 month extension of the waving of relevant fees and charges covering the period 1 July 2020 to 30 September 2020 apply for the following categories and individual organisations:</p> <p>a. Community & Sporting Club Leases</p> <p>2. That Council endorse the declaration of an income loss of \$59,765 at the 1st Quarter Budget Review to reflect the waiving of fees and charges covered in part 1 of the resolution.</p>
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CO-ORDINATION

Officer: MG
Date: 23/07/2020

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 13 July 2020 to consider eight (8) 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.

Three (3) recommendations of the Committee requiring ratification of Council are provided in this report together with information regarding those five (5) 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 13 July 2020, contained in the report to Council (Item No. 5.7 on the agenda for the Council meeting held on 27 July 2020), and listed below:

7.0.1 Future Reports for the Sport, Recreation and Grants Committee

1. The information be received.

7.2.1 Community Grants Program Applications for July 2020

1. The information be received and noted.

7.2.2 Sports and Community Clubs COVID-19 Recovery Support Package Applications for July 2019

1. The information be received and noted.

OR

That Council adopt the recommendations of the Sport Recreation and Grants Committee meeting on 13 July 2020, contained in the report to Council (Item No. 5.7 on the agenda for the Council meeting held on 27 July 2020), 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>COMMITTEE AGENDA ITEM NO. and TITLE</p>	<p>EXECUTIVE SUMMARY AND COMMITTEE RECOMMENDATION TO COUNCIL</p>
<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> Community Grants Program Applications for July 2020</p>	<p>EXECUTIVE SUMMARY: This report outlines the Community Grants Program Applications submitted for the July 2020 round.</p> <p>COMMITTEE RECOMMENDATION: 1. The information be received and noted.</p>
<p><u>Item No. 7.2.2</u> Sports and Community Clubs COVID-19 Recovery Support Package Applications for July 2020</p>	<p>EXECUTIVE SUMMARY: This report outlines the Sports and Community Clubs COVID-19 Recovery Support Package Applications submitted for July 2020 for consideration by the Sport, Recreation and Grants Committee in individual reports.</p> <p>COMMITTEE RECOMMENDATION: 1. The information be received and noted.</p>

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

<p><u>Item No. 7.2.3</u> Sports and Community Clubs COVID-19 Recovery Support Package Grant Application – Salisbury United Soccer</p>	<p>EXECUTIVE SUMMARY: The Salisbury United Soccer Club Sports and Community Clubs COVID-19 Recovery Support Package Grant Application is submitted to the Sport, Recreation and Grants Committee for consideration.</p> <p>COMMITTEE DECISION:</p> <ol style="list-style-type: none"> 1. The Sport, Recreation and Grants Committee, in accordance with the delegated powers set out in the Terms of Reference, approve funding of \$5,000 to the Salisbury United Soccer Club to assist with the following COVID-19 related expenses – Macron Clothing, Canteen stock, Electricity Costs, Registration fees – Football SA.
<p><u>Item No. 7.2.4</u> Sports and Community Clubs COVID-19 Recovery Support Package Grant Application – Salisbury RSL Sub Branch</p>	<p>EXECUTIVE SUMMARY: The Salisbury RSL Sub Branch Sports and Community Clubs COVID-19 Recovery Support Package Grant Application is submitted to the Sport, Recreation and Grants Committee for consideration.</p> <p>COMMITTEE DECISION:</p> <ol style="list-style-type: none"> 1. The Sport, Recreation and Grants Committee, in accordance with the delegated powers set out in the Terms of Reference, approve funding of \$5,000 to the Salisbury RSL Sub Branch to assist with the following COVID-19 related expenses – Tile clean, carpet clean, sanitiser stands and chemicals, re-covering of eightball table, replacement of floor and carpet with tiles, MYOB subscription, Memorabilia for Anzac Day, Replacement of defib pads and emergency flip charts, Electricity Account and Gas Account.
<p><u>Item No. 7.2.5</u> Sports and Community Clubs COVID-19 Recovery Support Package Grant Application – Salisbury North Football Club</p>	<p>EXECUTIVE SUMMARY: The Salisbury North Football Club Sports and Community Clubs COVID-19 Recovery Support Package Grant Application is submitted to the Sport, Recreation and Grants Committee for consideration.</p> <p>COMMITTEE DECISION:</p> <ol style="list-style-type: none"> 1. The Sport, Recreation and Grants Committee, in accordance with the delegated powers set out in the Terms of Reference, approve funding of \$5,000 for the Salisbury North Football Club to assist with the COVID-19 related expenses in relation to payment of utility accounts.

<p><u>Item No. 7.2.6</u> Sports and Community Clubs COVID-19 Recovery Support Package Grant Application – Salisbury International Soccer Club</p>	<p>EXECUTIVE SUMMARY: The Salisbury International Soccer Club Sports and Community Clubs COVID-19 Recovery Support Package Grant Application is submitted to the Sport, Recreation and Grants Committee for consideration.</p> <p>COMMITTEE DECISION:</p> <ol style="list-style-type: none"> 1. The Sport, Recreation and Grants Committee, in accordance with the delegated powers set out in the Terms of Reference, approve funding of \$5,000 to the Salisbury International Soccer Club to assist with the following COVID-19 related expenses – loss of Canteen Profits, Cost to replenish Canteen stock, Loss of Club Sponsorship, Loss of player registration, Additional Cleaning expenses, Electricity Costs Mar-June.
<p><u>Item No. 7.2.7</u> Sports and Community Clubs COVID-19 Recovery Support Package Grant Application – Ingle Farm Sporting Club</p>	<p>EXECUTIVE SUMMARY: The Ingle Farm Sporting Club Sports and Community Clubs COVID-19 Recovery Support Package Grant Application is submitted to the Sport, Recreation and Grants Committee for consideration.</p> <p>COMMITTEE DECISION:</p> <ol style="list-style-type: none"> 1. The Sport, Recreation and Grants Committee, in accordance with the delegated powers set out in the Terms of Reference, approve funding of \$5,000 to the Ingle Farm Sporting Club to assist with the following COVID-19 related expenses – Kitchen produce, Cleaning Costs, Sanitary/Hygiene Supplies, Chips/Bar Food Replenishment, Electricity Bill, Soft Drink Replenishment, Security Monitoring, Telephone, Deep clean and full check/service of kitchen and associated areas.

CO-ORDINATION

Officer: MG
Date: 23/07/2020

5.8 CEO Review Committee – Recommendations for Council Ratification

AUTHOR Joy Rowett, Governance Coordinator, CEO and Governance

APPROVING OFFICER Chief Executive Officer

SUMMARY

The CEO Review Committee met on 14 July 2020 and considered three items on its public Agenda. The CEO Review Committee agenda and reports were distributed to all Elected Members and made available to the public prior to the Committee meeting.

Three (3) recommendations of the Committee are provided in this report as recommendations to Council. The corresponding Executive Summary of each report to the Committee is also provided as a prompt.

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

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

RECOMMENDATION

That Council adopt the recommendations of the CEO Review Committee meeting on May 2020, contained in the report to Council (Item No. 5.8 on the agenda for the Council meeting held on 27 July 2020), 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 FY2019/2020

1. It be acknowledged that the CEO has, to the satisfaction of CEO Review Committee:
 - delivered the requirements of his position;
 - successfully achieved 2019/20 Key Performance Indicators;
 - for the ninth year achieved consistently positive results (this year noting that the CEO continues to perform “extremely well” against the performance responsibilities, criteria and behaviours assessed), 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 2019/2020

1. The CEO Review Committee accept the Chief Executive Officer's request to forgo a remuneration increase in 2020, in recognition of the impact of COVID-19 on the Salisbury community.
2. In accordance with Clause 13 of the Employment Agreement and the delegation of authority granted by Council to the CEO Review Committee, that no amendment to the CEO Total Remuneration be made, in accordance with Recommendation 1 of this report.

OR

That Council adopt the recommendations of the CEO Review Committee meeting on 14 July 2020, contained in the report to Council (Item No. 5.8 on the agenda for the Council meeting held on 27 July 2020), and listed below, with the exception of Items ## and ## which will be considered separately:

(To be determined at the meeting)

ATTACHMENTS

There are no attachments to this report.

1. COMMITTEE RECOMMENDATIONS FOR COUNCIL RATIFICATION

<u>COMMITTEE AGENDA ITEM NO. and TITLE</u>	<u>EXECUTIVE SUMMARY AND COMMITTEE RESOLUTION RECOMMENDED TO COUNCIL</u>
<p><u>Item No. 8.1.1</u> Future Reports for the CEO Review Committee</p>	<p>SUMMARY: This item details reports to be presented to the CEO Review Committee as a result of a previous Council resolution. If reports have been deferred to a subsequent month, this will be indicated, along with a reason for the deferral.</p> <p>COMMITTEE RECOMMENDATIONS: That:</p> <ol style="list-style-type: none"> 1. The information be received.
<p><u>Item No. 8.1.2</u> CEO Annual Personal Evaluation System FY2019/2020</p>	<p>SUMMARY: This report provides details of the CEO Personal Evaluation System for 2019/2020.</p> <p>COMMITTEE RECOMMENDATIONS:</p> <ol style="list-style-type: none"> 1. It be acknowledged that the CEO has, to the satisfaction of CEO Review Committee: <ul style="list-style-type: none"> • delivered the requirements of his position; • successfully achieved 2019/20 Key Performance Indicators; • for the ninth year achieved consistently positive results (this year noting that the CEO continues to perform “extremely well” against the performance responsibilities, criteria and behaviours assessed), 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.
<p><u>Item No. 8.1.3</u> Annual Review of CEO Total Remuneration 2019/2020</p>	<p>SUMMARY: This report provides details of the 2019/2020 CEO Remuneration Review.</p> <p>COMMITTEE RECOMMENDATIONS:</p> <ol style="list-style-type: none"> 1. The CEO Review Committee accept the Chief Executive Officer’s request to forgo a remuneration increase in 2020, in recognition of the impact of COVID-19 on the Salisbury community. 2. In accordance with Clause 13 of the Employment Agreement and the delegation of authority granted by Council to the CEO Review Committee, that no amendment to the CEO Total Remuneration be made, in accordance with Recommendation 1 of this report.

CO-ORDINATION

Officer:

MG

Date:

23/07/2020

ITEM 6: GENERAL BUSINESS REPORTS

6.1 Revocation of Community Land Classification – Portion of Parafield Airport Reserve, Mawson Lakes

AUTHOR Lavinia Morcoase, Senior Property Officer, City Infrastructure

CITY PLAN LINKS 3.1 Be an adaptive community that embraces change and opportunities.
4.3 Have robust processes that support consistent service delivery and informed decision making.
1.3 Have a thriving business sector that supports community wellbeing, is globally oriented and creates job opportunities.

SUMMARY This report seeks Council’s endorsement to revoke the Community Land Classification over a portion of Parafield Airport Reserve, Elder Smith Road, Mawson Lakes identified as Allotment 102 in Deposited Plan 9249 and described in Certificate of Title Volume 6055 Folio 319. Ministerial approval for this revocation has been granted to the City of Salisbury.

RECOMMENDATION

1. That the City of Salisbury revoke the classification of Community Land over a portion of Allotment 102 in Deposited Plan 9249 identified in Certificate of Title Volume 6055 Folio 319, also known as Parafield Airport Reserve and measuring approximately 8,000 square metres, pursuant to the provisions of Section 194(3) (b) of the Local Government Act 1999 and having complied with all the requirements.
2. The Manager Property and Buildings be authorised to remove the above-mentioned portion of land from the City of Salisbury’s Community Land Register.
3. The Manager Property and Buildings be authorised to lodge all necessary documentation with the Land Titles Office to allow for the removal of this portion of land as Community Land.

ATTACHMENTS

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

1. Attachment 1 - Map of Parafield Airport Reserve Affected by the Revocation of the Community Land Classification
2. Attachment 2 - Letter granting Ministerial Approval for the Revocation of the Community Land Classification

1. BACKGROUND

- 1.1 At the Council meeting held on 15th July 2019, Council authorised staff to undertake the necessary process in line with Section 194 of the Local Government Act 1999 (the Act) to revoke the Community Land Classification over a portion of Allotment 102 in Deposited Plan 9249 identified in Certificate of Title Volume 6055 Folio 319, also known as Parafield Airport Reserve. The affected portion of land is delineated in Attachment 1, Item Number 0.0.

1.2 The following resolution was made at the meeting held on 15th July 2019:

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.*

Resolution Number: 0228/2019

1.3 As no objections were received following the public consultation undertaken, the necessary report was prepared and submitted to the Minister in accordance with the requirements of Section 194 of the Local Government Act 1999.

2. CONSULTATION / COMMUNICATION

2.1 Internal

2.1.1 Staff from the Business Excellence, City Development and City Infrastructure Departments have been involved in discussions on this matter to date

2.2 External

2.2.1 Public Consultation to surrounding residents and property owners in line with Council’s Public Consultation Policy

2.2.2 The Hon. Minister Stephan Knoll’s Office

2.2.3 Department for Planning Transport and Infrastructure

3. REPORT

3.1 Council are now advised that the application to the Minister for revocation of the Community Land Classification over a portion of Allotment 102 in Deposited Plan 9249 identified in Certificate of Title Volume 6055 Folio 319, also known as Parafield Airport Reserve and measuring approximately 8,000 square metres, has been favourably received.

-
- 3.2 Approval for the revocation was granted by the Minister on the 13th July 2020 as documented in the Ministerial response (Attachment 2, Item Number 0.0).
 - 3.3 As a result of this approval, the above-mentioned allotment is required to be divided into three portions of land – one affected by the revocation and two to remain as Community Land. Please refer to the affected areas delineated in Attachment 1, Item Number 0.0.
 - 3.4 Council is now requested to make a formal resolution to give effect to this revocation. A land division is subsequently required to allow this process to be completed.

4. CONCLUSION / PROPOSAL

- 4.1 This report seeks Council's formal resolution to give effect to the revocation of Community Land Classification over a portion of Allotment 102 in Deposited Plan 9249 identified in Certificate of Title Volume 6055 Folio 319, also known as Parafield Airport Reserve.
- 4.2 The Manager Property and Buildings be authorised to lodge documentation with the Land Titles Office to facilitate the land divisions necessary to create three new parcels of land – one parcel subject to the above revocation, the other two parcels to remain classified as Community Land.
- 4.3 The Manager Property and Buildings be authorised to remove the portion of land which has been revoked from the City of Salisbury's Community Land Register, and update the Register subsequent to the Land Title Office's creation of the new parcels of land and associated documentation.

CO-ORDINATION

Officer:

Date:

Attachment 1 -

Portion of Parafield Airport Reserve approved for revocation





Government of South Australia

Department of Planning,
Transport and Infrastructure

*In reply please quote 19MPL0996
Enquiries to David Whiterod
Telephone 7109 7142*

**PLANNING AND LAND USE
SERVICES**

50 Flinders Street
Adelaide SA 5000

GPO Box 1533
Adelaide SA 5001

Telephone: 08 8343 2222

ABN 92 366 288 135

Mr John Harry
Chief Executive Officer
City of Salisbury
PO Box 8
SALISBURY SA 5108

Dear Mr Harry

I write in response to your letter seeking approval for the City of Salisbury (Council's) proposal to revoke the community land classification of a portion of Parafield Airport Reserve, Elder Smith Road Mawson Lakes, known as Allotment 102 in Deposited Plan 9249 contained in Certificate of Title Volume 6055 Folio 319 (the Subject Land).

I have considered the information provided to me by Council and in making my decision (under delegation) I have taken into account the nature of the public consultation undertaken by Council.

After carefully considering the effect of the revocation on the area and the local community, I am of the opinion that, on balance, the revocation will be more positive than not in its effect. I approve Council's proposal to revoke the classification as community land of a portion of Parafield Airport Reserve, Elder Smith Road Mawson Lakes, known as Allotment 102 in Deposited Plan 9249 contained in Certificate of Title Volume 6055 Folio 319, as shown on the **attached** map.

I understand that Council provided a 'Letter of Intent' to the Department in regard to the protection of state public transport infrastructure that is built at the Mawson Lakes Interchange. This letter has also been taken into account in my consideration of Council's proposal to revoke the community land classification of the Subject Land.

If Council wishes to proceed with the revocation it will need to pass a motion to revoke the community land classification pursuant to section 194(3)(b) of the *Local Government Act 1999*.
Yours sincerely

Sally Smith
**EXECUTIVE DIRECTOR
PLANNING & LAND USE SERVICES**

~~June~~ 2020
13 July

KNET # 19MPL0996

6.2 Nominations Sought for Local Government Association President

Author	Michelle Woods, Projects Officer Governance, CEO and Governance
City Plan Links	4.3 Have robust processes that support consistent service delivery and informed decision making.
Summary	The Local Government Association (LGA) has called for nominations for the position of President to commence from the conclusion of the 2020 Annual General Meeting (AGM) and to remain in office until the conclusion of the 2022 AGM.

RECOMMENDATION

1. _____ from (*Name of Council*) be nominated for the position of Local Government Association President.

ATTACHMENTS

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

1. Extract from LGA Constitution, Fact Sheet & Position Description for LGA President - 2020

1. BACKGROUND

- 1.1 The Local Government Association (LGA) has called for nominations for the position of LGA President to commence from the conclusion of the 2020 LGA Annual General Meeting (AGM) and to remain in office until the conclusion of the 2022 AGM.
- 1.2 For this election nominations are sought from a Council that is part of the Greater Regional Organisation of Councils (GAROC).
- 1.3 Nominations must be received by **no later than 24 August 2020**.

2. CONSULTATION / COMMUNICATION

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

3. REPORT

- 3.1 The LGA Constitution specifies that the office of President must be occupied on a rotational basis between a council member from a council in the South Australian Regional Organisation of Councils (SAROC) and a council member from a council in the Greater Adelaide Regional Organisation of Councils (GAROC).
- 3.2 For this election, nominations are for council members within GAROC.
- 3.3 To be eligible for nomination, a person must be a council member and be a current member of the GAROC Committee and have been in that role for at least 1 year.
- 3.4 An eligible candidate needs to be nominated by a member council but does not need to be nominated by their own council. Please refer to the attached Fact Sheet and Position Description for further information on eligibility and role responsibilities.
- 3.5 Nominations must be received by the LGA no later than 5pm Monday 24 August 2020. Late nominations will not be accepted.
- 3.6 Key (indicative) timings and relevant LGA Constitution provisions are outlined in the table below.

Indicative Timing	Headline	LGA Constitution Provision
	Office of President	Position of President – rotated between SAROC and GAROC (Clause 28.6) Current President is SAROC.
	Returning Officer	Returning Officer for all LGA electoral matters is the Chief Executive Officer (Clause 29.1).
20 July 2020	Nominations Called	CEO to write to members calling for nomination for position of President (Clause 28.2) at least 3 months before AGM.
24 August 2020	Nominations Close	Nominations must be received by the CEO no later than 5pm on the day specified for the close of nominations, being 24 August 2020 (Clause 28.7).
	Nominations equal to vacancies	If only 1 nomination is received for President, the Chief Executive shall declare such person duly elected (Clause 29.3). If the number of persons nominated for the office of President exceeds 1 person then an election must be held (Clause 29.4).
7 September 2020	Ballot papers prepared and posted	CEO shall deliver ballot papers to each member at least 6 weeks before AGM (Clause 29.5.1) (last date 17 Sept).
19 October 2020	Voting closes	The CEO as returning officer will determine when voting closes, being 19 October 2020.

20 October 2020	Counting of votes	The CEO shall nominate the date, time and place for the counting of votes (Clause 29.5.6).
29 October 2020	Final declaration of result	CEO shall declare the candidate with the most votes elected at the AGM (Clause 29.5.8).
26 October 2020	President takes office	President takes office at the conclusion of the AGM (Clause 30.1).

3.7 The following is a list of eligible candidates from which a President can be elected:

- Mayor Gillian Aldridge OAM (City of Salisbury)
- Mayor Angela Evans (City of Charles Sturt)
- Mayor Kevin Knight (City of Tea Tree Gully)
- Cr Christel Mex (City of Norwood Payneham & St Peters)
- Mayor David O'Loughlin (City of Prospect)
- Mayor Karen Redman (Town of Gawler)
- Lord Mayor Sandy Verschoor (City of Adelaide)
- Mayor Jan-Claire Wisdom (Adelaide Hills Council)

3.8 It should be noted that although Mayor Clair Boan (City of Port Adelaide Enfield) is a member of GAROC, she was only elected in April this year, so has not served the required 1 year in order to be eligible for the position of President.

Timing of the LGA Election

3.7 The LGA Constitution provides for the election of LGA President, SAROC and GAROC members, and the LGA Board to take effect from the LGA's AGM, every other year. This enables the outgoing President to deliver their annual report and finance statements for the preceding year, before handing over to the incoming President.

4. CONCLUSION / PROPOSAL

- 4.1 Council is asked to determine if a nomination is to be made for LGA President.
- 4.2 It should be noted that Council is not obliged to submit a nomination.

CO-ORDINATION

Officer: MG
Date: 23/07/2020

Extract – LGA Constitution

Clause 28 – Nominations for the Office of President

- 28.1 The office of President shall be elected by Members biennially.
- 28.2 In the year in which a new President is to be elected, and at least 3 months before the Annual General Meeting, the Chief Executive shall write to all Members calling for nominations for the position of President.
- 28.3 Every Member is entitled to nominate an eligible person to the office of President.
- 28.4 To be eligible for nomination as a candidate for the position of President, a person must be a Council Member.
- 28.5 To be eligible for the position of President, a person must also be a current member of SAROC or GAROC who has undertaken that role for a period of not less than 1 year.
- 28.6 The eligibility for office of President shall rotate each term between a person who is a Council Member of a Member within Regional Groupings of Members in SAROC and a Council Member of a Member within Regional Groupings of Members in GAROC.
- 28.7 A nomination of a person for the office of President shall be by resolution of a Member and must be received by the Chief Executive not later than 5 pm on the day specified for the closure of nominations. A nomination must be signed by the candidate indicating his or her willingness to stand for election and be in the form determined by the Chief Executive.
- 28.8 If no nomination is received for the office of President under clause 28.7, then the Chief Executive shall call for additional nominations from and by the Delegates at the Annual General Meeting and will conduct an election at the meeting.

LGA President Election Fact Sheet

1. Who can nominate a person?

All LGA member councils (**Members**) are entitled to nominate an eligible person to the office of President.

2. Who can be nominated?

To be eligible for nomination as a candidate in the 2020 President Election, a person must be a Council Member, and must be a current member of the GAROC Committee who has undertaken that role for a period of not less than 1 year.

3. How is a nomination made?

A person is nominated by resolution of a Member. The LGA President Nomination Form must be signed by both the candidate indicating their willingness to stand for election and by the Chief Executive of the nominating Member and must be received by the LGA CEO no later than **5:00pm on Monday 24 August 2020**.

4. What is the election process?

If only one eligible person is nominated, the CEO will declare such person duly elected. If the number of eligible persons nominated exceeds one person, then an election will be held. The CEO is the Returning Officer for any election for the office of President. The CEO will notify all Members of the nominated candidates and will conduct the election as follows (timings are indicative only):

1. The CEO will deliver ballot papers to each Member at least six weeks prior to the Annual General Meeting (no later than 17 September).
2. The ballot papers will list the candidates for election, specify the date of closure of the election as 19 October 2020, and be accompanied by an envelope marked "Ballot Paper" and a second envelope marked "Returning Officer".
3. Each Member then determines by resolution the candidate it wishes to vote for and mark the ballot paper accordingly and place it in a sealed envelope for delivery to the CEO.
4. The CEO will nominate the date, time, and place for the counting of votes and will invite each candidate and a person nominated as the candidate's scrutineer to be present.
5. At the counting of the votes the CEO will produce unopened envelopes marked "Ballot Paper" and if satisfied that all votes are valid, count the number of votes.
6. The candidate with the most votes will be deemed elected and the CEO will declare the candidate elected at the Annual General Meeting.
7. If candidates receive the same number of votes, the CEO will draw lots at the counting of the votes and the lot drawn will be the candidate elected.

LGA President	
Position Title:	LGA President
Position Status:	Elected for two year term
Reporting Arrangements:	This position reports to the LGA Board of Directors
Location:	Local Government House, 148 Frome Street, Adelaide
Special Conditions:	Some intra/interstate travel with overnight stays is required. Out of hours work required.
LGA Values and Behaviours	

Position Description

Position

The Board of Directors is the governing entity of the LGA.

The Board of Directors consists of:

- the President;
- the Immediate Past President;
- the chairperson of SAROC and the chairperson of GAROC; and
- 6 additional persons (each of which must be a Council Member) with relevant business and governance experience elected in equal proportions from the Council Members of SAROC (3 persons) and the Council Members of GAROC (3 persons).

Each Director must:

- undertake his or her role as a Director honestly and act with reasonable care and diligence in the performance and discharge of functions and duties;
- not make improper use of information acquired by virtue of his or her position as a Director to gain, directly or indirectly, an advantage for himself or herself or for another person or to cause detriment to the LGA;
- not make improper use of his or her position as a Director to gain, directly or indirectly, an advantage for himself or herself or for another person or to cause detriment to the LGA; and
- not act in any matter where the Director has a conflict of interest (provided that an interest shared in common with all or a substantial proportion of the Directors will not be an interest giving rise to a conflict of interest).

Functions, Duties and Powers

1. Chair and lead the LGA Board of Directors who have the following roles, functions and duties:
 - The role of the Board of Directors is to oversee corporate governance of the LGA and provide strategic direction and leadership. The Directors do not represent SAROC, GAROC or a specific Member or Members.
 - The functions of the Board of Directors include:
 - appointing a Chief Executive and superintending his or her performance;
 - holding the Chief Executive accountable for the performance of the LGA Office;
 - advocating for the LGA, the Members and the local government community;
 - superintending the activities of the LGA;
 - determining matters which may be placed on the agenda of a General Meeting; and
 - undertaking such other functions as may be provided for, or envisioned by, this Constitution.
 - The Board of Directors must ensure that:
 - the LGA acts in accordance with applicable laws and the Constitution;
 - the LGA acts ethically and with integrity, respecting diversity and striving for gender balance participation in all activities;
 - the activities of the LGA are conducted efficiently and effectively and that the assets of the LGA are properly managed and maintained;

- o subject to any overriding fiduciary or other duty to maintain confidentiality, the affairs of the LGA are undertaken in an open and transparent manner; and
- o the LGA performs to its business plan and achieves or better the financial outcomes projected in its budget.

2. The President shall:

- preside at all General Meetings and meetings of the Board of Directors, but in his or her absence a member of the Board of Directors chosen by the Board of Directors shall preside at the meeting.
- act as the principal spokesperson of the LGA.
- exercise other functions of the LGA as the LGA Board of Directors determines.
- represent the LGA to government, stakeholders and events.

The key responsibilities of the LGA President

The President acts as an important link between the Board and the organisation's management via the CEO. The President is responsible for leadership of the Board including:

- Facilitating proper information flow to the Board.
- Facilitating the effective functioning of the Board including managing the conduct, frequency and length of Board meetings.
- Communicating the views of the Board, in conjunction with the CEO, to the LGA's members, State and Federal Government, broader stakeholders and to the public.
- Facilitating open and constructive communications amongst Board members and encouraging their contribution to Board deliberations.
- Overseeing and facilitating Board, committee and Board member evaluation reviews and succession planning.
- Liaising and interfacing with the CEO as the primary contact between the Board and management.
- Liaising with and counselling, as appropriate, board members.

Inside the boardroom the President is responsible for the following:

- Acting as an important link between the Board and management but without necessarily preventing direct access of fellow directors.
- Establishing and maintaining an effective working relationship with the CEO.
- Setting the tone for the Board, including the establishment of a common purpose.
- Chairing Board meetings efficiently and shaping the agenda in relation to goals, strategy, budget and executive performance.
- Obtaining appropriate information to present to the Board.
- Encouraging contributions by all Board members and seeking consensus when making decisions.
- Motivating Board members and where appropriate dealing with underperformance.
- Overseeing the process for appraising the Board as a whole.
- Overseeing negotiations for the CEO's employment and evaluating the CEO's performance.
- Planning for CEO succession.
- Assisting with the selection of Board and Committee members.

Eligibility Criteria

As per clause 28 of the LGA Constitution:

- To be eligible for nomination as a candidate for the position of President, a person must be a Council Member.
- To be eligible for the position of President, a person must also be a current member of SAROC or GAROC who has undertaken that role for a period of not less than 1 year.
- The eligibility for office of President shall rotate each term between a person who is a Council Member of a Member within Regional Groupings of Members in SAROC and a Council Member of a Member within Regional Groupings of Members in GAROC.
- A nomination of a person for the office of President shall be by resolution of a Member and must be received by the Chief Executive not later than 5 pm on the day specified for the closure of nominations. A nomination must be signed by the candidate indicating his or her willingness to stand for election and be in the form determined by the Chief Executive.

Performance/Accountability

The Board of Directors will conduct an annual performance review to assess its performance as a Board and in meeting the LGA's objectives and strategies. This may include a review of individual Directors including the President.

6.3 Nominations Sought for the Greater Adelaide Regional Organisation of Councils (GAROC)

Author	Michelle Woods, Projects Officer Governance, CEO and Governance
City Plan Links	4.3 Have robust processes that support consistent service delivery and informed decision making.
Summary	The Local Government Association (LGA) has called for nominations to fill the eight (8) positions on the Greater Adelaide Regional Organisation of Councils (GAROC) to commence office from the conclusion of the 2020 LGA Annual General Meeting (AGM) and to remain in office until the conclusion of the 2022 AGM.

RECOMMENDATION

1. _____ be nominated for the Greater Adelaide Regional Organisation of Councils (GAROC) to represent the Northern region.

ATTACHMENTS

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

1. GAROC Regional Groupings
2. GAROC Terms of Reference Extract

1. BACKGROUND

1.1 On 21 July 2020, the Chief Executive Officer of the LGA, Matt Pinnegar, wrote to the Chief Executive Officer inviting nominations to fill the eight (8) positions on the Greater Adelaide Regional Organisation of Councils (GAROC) to commence office from the conclusion of the 2020 LGA Annual General Meeting and to remain in office until the conclusion of the 2022 Annual General Meeting.

1.2 Nominations must be received by **no later than 24 August 2020**.

2. CONSULTATION / COMMUNICATION

2.1 Internal

2.1.1 Nil.

2.2 External

2.2.1 Nil.

3. REPORT

3.1 The role of GAROC is regional advocacy, policy initiation and review, leadership, engagement and capacity building in the GAROC Region.

3.2 The terms of the current members of the Greater Adelaide Regional Organisation of Councils (GAROC) expire at the 2020 LGA Annual General Meeting (AGM).

- 3.3 This includes the City of Salisbury’s Mayor Aldridge is currently a member of GAROC representing the Northern region, along with Mayor Redman from the Town of Gawler.
- 3.4 The LGA hereby calls for nominations to fill the two (2) positions allocated to each Regional Grouping of Councils on GAROC (eight positions in total) to commence office from the conclusion of the 2020 LGA Annual General Meeting and to remain in office until the conclusion of the 2022 AGM.
- 3.5 Nominations must be received by the LGA no later than **5pm Monday 24 August 2020**. Late nominations will not be accepted.
- 3.6 At the 2019 LGA AGM, members endorsed the establishment of four (4) GAROC Regional Groupings to take effect from the 2020 GAROC elections, with membership of GAROC to comprise two eligible members elected by a majority vote of the councils within each Regional Grouping, provided that each person elected for that Regional Grouping is from a different member. Additionally, the Lord Mayor of the City of Adelaide will be a standing member of GAROC.
- 3.7 As a Member Council in the North Regional Grouping, the LGA is inviting one (1) nomination from the City of Salisbury for a position on the North Regional Grouping of GAROC. A list of the GAROC Regional Groupings is attached to this report.
- 3.8 Each Member of the GAROC Regional Grouping may nominate a candidate for membership of GAROC, provided that:
- (a) a person nominated as a member of GAROC must be a representative of a member on the relevant Regional Grouping of Members; and
 - (b) only a Council Member can be nominated to GAROC.
- 3.9 A nomination of a person may only be made by resolution of the council.

Voting

- 3.7 The GAROC Terms of Reference (TOR) (extract attached) outlines the process as to how an election will occur. The Returning Officer (LGA CEO) is required to conduct a ballot if the number of nominations for each GAROC Regional Grouping exceeds the number of positions. If a ballot is required, the distribution of ballot papers to councils will include any information provided on the candidate information sheet.
- 3.10 Key (indicative) timings and GAROC Terms of Reference provisions are outlined in the following table:

Indicative Timing	Headline	GAROC Terms of Reference Provision
	Returning Officer	Returning Officer for all LGA electoral matters is the Chief Executive Officer (Clause 4.4.1).
20 July 2020	Nominations Called	CEO to write to members of GAROC Regional Groupings calling for nomination for position of members of GAROC at least 3 months before AGM (Clause 4.3.2)

24 August 2020	Nominations Close	Nominations must be received by the CEO no later than 5pm on the day specified for the close of nomination, being 24 August 2020 (Clause 4.3.4).
	Nominations equal to vacancies	If the number of nominations received equals the number of vacant positions for the Regional Grouping each candidate is elected and takes office at the conclusion of the AGM (Clause 4.4.3)
7 September 2020	Ballot papers prepared and posted	In the event of an election being required the CEO shall deliver ballot papers to each member of the relevant Regional Grouping at least 6 weeks before AGM GAROC (Clause 4.4.5(a))
19 October 2020	Voting closes	The CEO shall nominate the date, time and place for the counting of votes and shall invite each candidate and a person nominated as the candidate's scrutineer to be present (Clause 4.4.5(f))
20 October 2020	Counting of votes	The CEO shall nominate the date, time and place for the counting of votes (Clause 4.4.5(f))
29 October 2020	Final declaration of result	CEO shall declare the candidate with the most votes elected at the AGM (Clause 4.4.5(h))
29 October 2020	Takes office	GAROC members take office at the conclusion of the AGM (Clause 4.5)
29 October 2020	Voting for Board Members	GAROC should meet at the conclusion of the AGM to elect 3 of its members (plus its Chair) to the Board of Directors (Clause 6.4.1 and 6.4.2) who's term of office commences after the AGM.

LGA Board Appointments

3.9 Under the LGA Constitution and the GAROC TOR, once members are elected to GAROC, these members will then elect a Chair and three GAROC members to form the LGA Board of Directors. These GAROC LGA Board Directors will be accompanied by their equivalent from SAROC, as well as the President and Immediate Past President, to form the ten (10) member LGA Board of Directors.

4. CONCLUSION / PROPOSAL

4.1 Council is asked to determine if a nomination is to be made for the Greater Adelaide Regional Organisation of Councils (GAROC) to represent the Northern region of Councils; Gawler, Playford, Salisbury, and Tea Tree Gully.

4.2 It should be noted that Council is not obliged to submit a nomination.

CO-ORDINATION

Officer: MG

Date: 22/07/2020

List of GAROC Regional Groupings

GAROC Regional Grouping	Members
Adelaide	Adelaide City
North	Gawler Playford Salisbury Tea Tree Gully
West	Charles Sturt Holdfast Bay Port Adelaide Enfield West Torrens
South	Marion Mitcham Onkaparinga
East	Adelaide Hills Burnside Campbelltown Norwood Payneham & St Peters Prospect Unley Walkerville

Extract – GAROC Terms of Reference

Clause 4 – GAROC

4. GAROC

4.1. Role

The role of GAROC is regional advocacy, policy initiation and review, leadership, engagement and capacity building in the GAROC Region.

4.2. Membership

4.2.1. Each Regional Grouping of Members listed in the schedule to these Terms of Reference will elect in accordance with clause 4.3 and 4.4 from the Members of the Regional Grouping of Members, 2 Council Members of Members in the Regional Grouping of Members as members of GAROC provided that each person elected is from a different Member.

4.2.2. In addition to the members of GAROC elected in accordance with clause 4.2.1, the Lord Mayor of the City of Adelaide will be a standing member of GAROC.

4.3. Nominations for election to GAROC

4.3.1. The members of GAROC will be elected biennially.

4.3.2. In the year in which GAROC members will be elected, and at least 3 months before the Annual General Meeting, the Chief Executive shall write to all Members of the GAROC Regional Grouping as listed in the schedule calling for nominations for the membership of GAROC.

4.3.3. Each Member of the GAROC Regional Grouping may nominate a candidate for membership of GAROC, provided that:

- (a) a person nominated as a member of GAROC must be a representative of a member on the relevant Regional Grouping of Members; and
- (b) only a Council Member can be nominated to GAROC.

4.3.4. A nomination of a person as a member of GAROC must be by resolution of the Member received by the Chief Executive not later than 5 pm on the day specified for the closure of nominations (Close of Nominations). A nomination must be signed by the candidate indicating his or her willingness to stand for election and be in the form determined by the Chief Executive.

4.4. Election to GAROC

4.4.1. The Chief Executive shall be the returning officer for any election of members to GAROC.

4.4.2. After the Close of Nominations, the Chief Executive will notify Members of each Regional Grouping of Members of the candidates for membership of GAROC nominated by the Regional Grouping of Members.

- 4.4.3. If the only nominations received from a Regional Grouping of Members by the Close of Nominations match the membership positions described in clause 4.2.1, then the Chief Executive will declare those persons duly elected to those membership positions.
- 4.4.4. If the number of persons nominated by the Close of Nominations by a Regional Grouping of Members exceeds the number of membership positions described in clause 4.2.1, then an election for the purpose of clause 4.2.1 must be held in accordance with this clause.
- 4.4.5. In the event of an election being required, the Chief Executive shall conduct the election as follows:
- (a) at least six weeks before the Annual General Meeting, the Chief Executive shall deliver ballot papers to each Member of the Regional Grouping of Members;
 - (b) the ballot papers shall:
 - (i) list the candidates for election;
 - (ii) specify the day of closure of the election;
 - (iii) be accompanied by an envelope marked "Ballot Paper" and a second envelope marked "Returning Officer";
 - (c) each Member shall determine by resolution the candidate or candidates (as relevant) it wishes to elect;
 - (d) the chair of the meeting for that Member shall mark the ballot paper with an "X" next to the candidate or candidates (as relevant) that the Member wishes elected and seal the ballot paper in the envelope marked "Ballot Paper" inside the envelope marked "Returning Officer". Before sealing the second envelope the chair must indicate the Member's name on the inside flap of the envelope. The envelope may then be sealed and delivered to the Returning Officer;
 - (e) on receipt of the envelopes the Chief Executive must:
 - (i) open the outer envelope addressed to the "Returning Officer" and record the name of the Member which appears on the inside flap of the envelope on the roll of Member's eligible to vote; and
 - (ii) place the envelope marked "Ballot Paper" unopened into the ballot box;
 - (f) the Chief Executive shall nominate the date, time and place for the counting of votes and shall invite each candidate and a person nominated as the candidate's scrutineer to be present;
 - (g) at the counting of the votes the Chief Executive shall produce unopened envelopes marked "Ballot Paper" and if satisfied that all votes are valid, count the number of votes received by each candidate;
 - (h) in respect of an election for the purposes of clause 4.2.1, the 2 candidates from a Regional Grouping of Members with the most votes shall be deemed elected in respect of that Regional Grouping of Members and the Chief Executive shall declare the candidates elected at the Annual General Meeting; and
 - (i) in the case of candidates for membership positions described in clause 4.2.1 from a Regional Grouping of Members receiving the same number of votes, the Chief

Executive shall draw lots at the counting of the votes to determine which candidate is elected.

- 4.4.6. The Chief Executive may, in his or her discretion, appoint a deputy returning officer and delegate any of his or her powers, functions or duties to that person who shall act accordingly.
- 4.4.7. The Chief Executive may, in his or her discretion, delegate any of his or her powers, functions or duties to an Executive Officer of a Regional Grouping of Members who shall act accordingly for the conduct of elections for the purpose of clause 4.2.1 in respect of the Regional Grouping of Members relevant to that Executive Officer.

ITEM 7: MOTIONS ON NOTICE

7.1 Motion on Notice: Rage Cage - Fairbanks Reserve

Cr Chad Buchanan has submitted the following Motion on Notice:

1. Staff bring back a report on the cost of constructing a ‘rage cage’ multi sports facility as part of the proposed upgrade of Fairbanks Drive Reserve, Paralowie.
2. Staff to provide further information and costings to include ‘rage cage’ multi sports facilities as part of the criteria for district playgrounds.

Administration Comment:

The cost for the construction of a “rage cage” multi sports facility is anticipated to be in the order of \$150,000 to \$200,000.

The design for the upgrade of Fairbanks Reserve is underway and some type of sports court was envisaged, however a “rage cage” option would be more expensive than the existing budget allowed for. In line with the Place Activation Strategy, Ward Councillors will be actively engaged in the design process. A report is expected to be provided in October, following public consultation, to inform EMs of the outcome of the consultation process.

7.2 Motion on Notice: Elections

Cr Adam Duncan has submitted the following Motion on Notice:

1. That the Mayor write to the Premier and Leader of the State Opposition, on behalf of the City of Salisbury, to express Council's:
 - Opposition to the use of corflutes for State, Federal and Council election purposes within the City of Salisbury;
 - Support for compulsory preferential voting in South Australian State, Federal and Council elections.

Administration Comment:

If the motion is adopted, the letter will be drafted for the Mayor’s signature and sent to the intended recipients.

CO-ORDINATION

Officer:

Date:

ITEM 8: MAYOR'S DIARY

RECOMMENDATION

1. That this information be noted.

Date	Time	Function
18/06/2020	11:30 AM	Meeting with CEO
22/06/2020	04:00 PM	OFFICE TIME - Schedule upcoming week/ Signing/Speeches and Resident Enquiries
22/06/2020	04:30 PM	Pre Council Meeting Briefing
22/06/2020	06:30 PM	Council Meeting
23/06/2020	10:30 AM	Resident meeting
23/06/2020	12:30 PM	Media Issues - Regular Catch-up & Mayor's Video Message (Recording)
24/06/2020	10:30 AM	Meeting to discuss visit to Hub by Adeladys
24/06/2020	12:30 PM	Parking problems – discussion with resident
24/06/2020	08:00 PM	Dinner – with residents
25/06/2020	09:00 AM	Meeting Adelady
25/06/2020	01:30 PM	Meeting with local church leader
25/06/2020	04:30 PM	Meeting with resident
26/06/2020	11:30 AM	Lunch with Mayor Michael Pengilly/ Mayor Gillian Aldridge
28/06/2020	02:00 PM	HOLD - Ground breaking ceremony of First Shia Muslim Cemetery in Australia.
30/06/2020	10:00 AM	Media Issues - Regular Catch-up
30/06/2020	10:15 AM	Mayor's Video Message (Recording)
30/06/2020	06:30 PM	Mawson Lakes Rotary Handover
1/07/2020	10:30 AM	Regular Catchup to Discuss Current/Upcoming Planning/Building Issues
1/07/2020	12:30 PM	Meeting with developers
3/07/2020	10:30 AM	Meet with Comms re media release
3/07/2020	11:00 AM	Meet with PA - document signing
3/07/2020	12 Noon	Meeting with local business owner
6/07/2020	10:00 AM	GAROC Committee Meeting
6/07/2020	03:00 PM	Issues with Mayor's Phone (connectivity) – staff assistance
6/07/2020	03:30 PM	Meeting with Vietnam Veterans Association representative re Vietnam Veterans Day
6/07/2020	04:00 PM	OFFICE TIME - Schedule upcoming week/ Signing/Speeches and Resident Enquiries
6/07/2020	04:30 PM	Meeting with City of Salisbury and RSL
6/07/2020	06:30 PM	Informal Strategy
7/07/2020	10:15 AM	Mayor's Radio Show – Capital Program
7/07/2020	11:30 AM	Time with PA - Signing etc
7/07/2020	12:30 PM	Mayor's Video Message (Recording)
7/07/2020	12 Noon	Media Issues - Regular Catch-up

10/07/2020	11:00 AM	Meet to discuss SALA exhibition
13/07/2020	10:00 AM	Meet with Frances Bedford & Petitioners - Dunkley Green
13/07/2020	06:30 PM	Asset Management Sub Committee
13/07/2020	06:30 PM	Innovation and Business Development SC
13/07/2020	06:30 PM	Sport, Recreation and Grants Committee
14/07/2020	11:00 AM	Meeting re re-location of Maxima Disability
14/07/2020	12:30 PM	Meeting with staff
14/07/2020	02:00 PM	Correspondence /signing
14/07/2020	03:30 PM	Meeting with Zoe Bettison
14/07/2020	05:00 PM	Tourism & Visitor Sub Committee
14/07/2020	06:30 PM	CEO Review Committee
14/07/2020	07:00 PM	EM Workshop: Statutes Amendment (Local Government Review) Bill 2020
15/07/2020	01:00 PM	Filming of LGA Video
15/07/2020	01:45 PM	Meeting with resident
15/07/2020	12 Noon	Media Issues - Regular Catch-up
16/07/2020	02:00 PM	Kiekebusch Playground/Exercise space opening with Blair Boyer
20/07/2020	02:30 PM	Briefing from LGA
20/07/2020	03:00 PM	Meeting with Resident
20/07/2020	03:30 PM	Meeting with Resident
20/07/2020	04:00 PM	OFFICE TIME - Schedule upcoming week/ Signing/Speeches and Resident Enquiries
20/07/2020	06:30 PM	Standing Committee Meetings
21/07/2020	10:15 AM	Mayor's Radio Show – SALA Festival, Vietnam Veterans Day
21/07/2020	11:30 AM	Media Issues - Regular Catch-up
21/07/2020	12:30 PM	Meeting with Builder/Developer
21/07/2020	06:00 PM	Dinner with resident
22/07/2020	04:00 PM	Tour of newly upgraded Copper Coast Sports & Leisure Centre
22/07/2020	04:15 PM	Bus tour of Copper Coast Council departing from CCSL
22/07/2020	06:30 PM	Combined SAROC & LGA Board of Directors dinner hosted by Copper Coast Council Mayor Roslyn Talbot

ITEM 9: ELECTED MEMBER REPRESENTATION ACTIVITIES

ITEM 10: QUESTIONS WITHOUT NOTICE

ITEM 11: QUESTIONS ON NOTICE

There are no Questions on Notice.

ITEM 12: OTHER BUSINESS / MOTIONS WITHOUT NOTICE

ITEM 13: CONFIDENTIAL ITEMS

13.1 Works and Services Committee - Confidential Recommendations for Council Ratification**Recommendation**

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 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.*
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 commercially sensitive information concerning the applicant's future operations*

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

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

13.2 Resources and Governance Committee – Confidential Recommendations for Council Ratification

Recommendation

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 grounds that:

1. *Pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999, the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because:*
 - *it relates to information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead); and*
 - *commercial information of a confidential nature (not being a trade secret) the disclosure of which would, on balance, be contrary to the public interest.*
2. *In weighing up the factors related to disclosure,*
 - *disclosure of this matter to the public would demonstrate accountability and transparency of the Council's operations*
 - *Non-disclosure of the matter and discussion of this item in confidence would protect information relating to the personal affairs of the persons affected and proposed action by Council in considering the individuals to whom those personal affairs relate for appointment as Independent members of the Council Assessment Panel.*

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

13.3 Request for Extension of Confidentiality Order - Employment Contract and Legal Advice

Recommendation

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 grounds that:

1. Pursuant to Section 90(2) and (3)(a) and (g) and (h) of the *Local Government Act 1999*, the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because:
 - it relates to information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead); and
 - matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty; and
 - legal advice.
2. In weighing up the factors related to disclosure,
 - disclosure of this matter to the public would demonstrate accountability and transparency of the Council's operations
 - Non disclosure of the information will protect information relating to the personal affairs of a person, protect legal advice, enable Council to meet an obligation to maintain confidentiality of contractual information.

*On that basis the public's interest is best served by not disclosing the **Request for Extension of Confidentiality Order - Employment Contract and Legal Advice** 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.

13.4 NAWMA Waste Management Opportunities

Recommendation

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 grounds that:

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

*On that basis the public's interest is best served by not disclosing the **NAWMA Waste Management Opportunities** 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