



AGENDA

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

**17 AUGUST 2020 AT CONCLUSION OF BUDGET AND FINANCE COMMITTEE
IN THE WITTBER AND DR RUBY DAVY ROOMS, 34 CHURCH STREET,
SALISBURY**

MEMBERS

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

REQUIRED STAFF

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

APOLOGIES

LEAVE OF ABSENCE

PRESENTATION OF MINUTES

Presentation of the Minutes of the Resources and Governance Committee Meeting held on 20 July 2020.

Presentation of the Minutes of the Confidential Resources and Governance Committee Meeting held on 20 July 2020.

REPORTS

Administration

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Corporate Governance

3.6.1 Nominations Sought for the Local Government Finance Authority Board of
Trustees 15

OTHER BUSINESS

CONFIDENTIAL ITEMS

3.8.1 Composition of NAWMA Audit Committee

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).*
2. *In weighing up the factors related to disclosure,*
 - *disclosure of this matter to the public would demonstrate accountability and transparency of the Council's operations*
 - *Non disclosure of this matter at this time will protect information contained within the report which includes personal information from applicants for the roles of independent members of the NAWMA Audit Committee. non disclosure of this information will protect personal information of an employment nature of those applicants*

*On that basis the public's interest is best served by not disclosing the **Composition of NAWMA Audit Committee** 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



**MINUTES OF RESOURCES AND GOVERNANCE COMMITTEE MEETING HELD IN
THE WITTBER AND DR RUBY DAVY ROOMS, 34 CHURCH STREET, SALISBURY ON**

20 JULY 2020

MEMBERS PRESENT

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

STAFF

General Manager Business Excellence, Mr C Mansueto
General Manager City Development, Mr T Sutcliffe
Risk and Governance Program Manager, Ms J Crook
Manager Development Services, Mr C Zafiroopoulos

The meeting commenced at 7.53pm.

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

APOLOGIES

An apology was received from Cr D Proleta (Chairman).

LEAVE OF ABSENCE

Nil

In the absence of the Chairman, Cr D Proleta, the Deputy Chairman, Cr Jensen, assumed the Chair.

PRESENTATION OF MINUTES

Moved Cr J Woodman
 Seconded Cr K Grenfell

The Minutes of the Resources and Governance Committee Meeting held on 15 June 2020, be taken and read as confirmed.

CARRIED

REPORTS

Administration

3.0.1 Future Reports for the Resources and Governance Committee

Moved Cr B Brug
 Seconded Cr J Woodman

1. The information be received.

CARRIED

External Relations

3.4.1 Nominations Sought for the State Bushfire Coordination Committee

Moved Cr K Grenfell
 Seconded Cr B Brug

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

CARRIED

3.4.2 Nominations Sought for the Flood Warning Consultative Committee

Moved Mayor G Aldridge
 Seconded Cr K Grenfell

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

CARRIED

3.6.1 Variations to Delegations

Moved Cr K Grenfell

Seconded Cr B Brug

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
 - 1.1 *South Australian Public Health Act 2011*
 - Sections 92(5), 95(13) and 96(3) - as shown in shaded areas in Attachment 3
 - 1.1 *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. 3.6.1Resources 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.
 - 1.1 *Fire and Emergency Services Act 2005*
 - Section 105F(9) – as shown in shaded area in Attachment 2
 - 1.1 *South Australian Public Health Act 2011*
 - Sections 92(5), 95(13) and 96(3) - as shown in shaded areas in Attachment 3
 - 1.1 *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.

CARRIED

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

Moved Cr K Grenfell
Seconded Cr B Brug

1. The information be received.

CARRIED

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

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

Moved Cr B Brug
Seconded Cr J Woodman

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

CARRIED

OTHER BUSINESS

Nil

CONFIDENTIAL ITEMS

3.8.1 Council Assessment Panel - Appointment of Independent Member to Vacant Position

Moved Cr K Grenfell
Seconded Cr D Hood

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

The meeting moved into confidence at 8.19pm.

The meeting moved out of confidence and closed at 8.30pm.

CHAIRMAN.....

DATE.....

ITEM	3.0.1
	RESOURCES AND GOVERNANCE COMMITTEE
DATE	17 August 2020
HEADING	Future Reports for the Resources and Governance Committee
AUTHOR	Michelle Woods, Projects Officer Governance, CEO and Governance
CITY PLAN LINKS	4.2 We deliver quality outcomes that meet the needs of our community
SUMMARY	This item details reports to be presented to the Resources and Governance Committee as a result of a previous Council resolution. If reports have been deferred to a subsequent month, this will be indicated, along with a reason for the deferral.

RECOMMENDATION

1. The information be received.

ATTACHMENTS

There are no attachments to this report.

1. BACKGROUND

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

2. CONSULTATION / COMMUNICATION

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

3. REPORT

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

Meeting Item	Heading and Resolution	Officer
26/11/2018 6.5	<p>Council and Committee Structure</p> <p>2. The terms of reference be reviewed after the first 12 months of the term of office seeking Elected Member feedback and a report be provided to the Resources and Governance Committee.</p> <p>Due: November 2020</p>	Mick Petrovski
22/07/2019 3.3.1	<p>Abandoned Shopping Trolleys</p> <p>5. That Council also monitor the new bylaws implemented by the City of Marion; and report back to Council after six months on the results of their effectiveness.</p> <p>6. That Staff provide an update to this committee at the conclusion of the Local Nuisance and Litter Control Act review noting any amendments addressing trolleys to be implemented and the likelihood of them coming into effect.</p> <p>7. Pending no action or willingness by the State Government to tackle this issue, Council review By-Law 6 Waste Management By-Law 2015 and bring a report to Council advising the process to draft changes to this bylaw and/or create a new bylaw to tackle abandoned trolleys in the City of Salisbury.</p> <p>Due: December 2020</p>	John Darzanos
28/10/2019 6.1	<p>Deferred Items for Further Discussion</p> <p>2. That the remaining items (OB1, OB2 and OB3) be deferred until the next review of the Elected Members Allowance, Facilities and Support Policy in November 2020.</p> <p>Due: November 2020</p>	Joy Rowett
25/11/2019 3.6.2	<p>Summary Report for Attendance at Training and Development Activity - 2019 Local Government Professionals Australia National Congress and Business Expo, Darwin</p> <p>3. That staff prepare and bring back to the relevant Council Committees, a report/s that considers the prospective implementation of:</p> <p>e. a cost benefit analysis of possible implementation of the SmartCities program akin to the City of Darwin experience;</p> <p>Due: September 2020</p>	Charles Mansueto

16/12/2019 3.6.3	Building Upgrade Finance - Policy Review 2. That the associated Application Fee for Building Finance Agreements, as endorsed by Council in the 2019/20 budget and provided as Attachment 2 to this report, be waived for a trial period of twelve months until the 31 December 2020. Due: February 2021	Greg Ratsch
28/01/2020 3.3.2	Cat By-Law Review 3. Should either no response be received from the Minister, or that responses from the Minister, Dog and Cat Management Board, and Local Government Association not indicate support for legislative amendments that are consistent across all Council areas, a further report be provided to Council canvassing further options for cat management and controls. Due: December 2020	John Darzanos
28/01/2020 MON7.2	Motion on Notice: Drinking Fountain - Salisbury Civic Plaza/Community Hub 4. Staff report back on the feasibility of aligning the Hub opening hours on both Saturday and Sunday to 9.30am to 3.30pm. Due: September 2020 Deferred to: December 2020 Reason: Report will be presented to Council via the Policy and Planning Committee together with other relevant Council resolutions.	Charles Mansueto

4. CONCLUSION / PROPOSAL

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

CO-ORDINATION

Officer: EXECUTIVE GROUP
Date: 10/08/2020

ITEM	3.6.1
	RESOURCES AND GOVERNANCE COMMITTEE
DATE	17 August 2020
HEADING	Nominations Sought for the Local Government Finance Authority Board of Trustees
AUTHOR	Joy Rowett, Governance Coordinator, CEO and Governance
CITY PLAN LINKS	4.2 We deliver quality outcomes that meet the needs of our community
SUMMARY	The LGA is seeking nominations for a local government representative on the Local Government Finance Authority Board of Trustees. Nominations must be submitted by 5pm Wednesday 16 September 2020.

RECOMMENDATION

1. The information be received.
2. _____ be nominated as a member of the Local Government Finance Authority Board of Trustees.

ATTACHMENTS

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

1. Call for Nominations - Part A - Local Government Finance Authority
2. Nomination Information Sheet - Part-B - Local Government Finance Authority

1. BACKGROUND

1.1 The Local Government Association (LGA) is seeking nominations for a local government representative on the Local Government Finance Authority Board of Trustees.

1.2 Nominations must be submitted by 5pm Wednesday 16 September 2020.

2. CONSULTATION / COMMUNICATION

2.1 Internal

2.1.1 LGA News dated 24 July 2020 concerning this matter was emailed to Elected Members and the Executive Group on 27 July 2020.

2.1.2 At the time of writing this report no registrations of interest in nominating for the Board have been received.

2.2 External

2.2.1 Nil.

3. REPORT

- 3.1 The Local Government Finance Authority of South Australia (LGFA) is a body corporate established under the Local Government Finance Authority Act 1983 and is administered by a Board of Trustees (LGFA Board). The LGFA provides investment and lending solutions to South Australian Local Government.
- 3.2 The LGA is seeking nominations from suitably qualified council members, or employees of a council or other local government entity, to fill a two-year term commencing from 1 January 2021.
- 3.3 Members receive an annual income of \$7,400 for attendance at meetings. The LGFA Board meets approximately 6 times per year at the LGFA in Pirie Street.
- 3.4 In accordance with the LGA Appointments and Nominations to Outside Bodies Policy, the Nominations Committee of the LGA Board of Directors may undertake preliminary consideration of nominees and make recommendations to the LGA Board of Directors; this may include the Nominations Committee undertaking interviews and/or requesting details of referees. Only nominations submitted following a resolution of council will be considered.
- 3.5 The Call for Nominations Information Sheet (Part A) (attached) provides further information regarding the role, as well as the selection criteria to be addressed by the nominee.
- 3.6 The nominee and council are required to complete the Nominations Form (Part B) (attached) and forward together with an up-to-date Curriculum Vitae and a response to the selection criteria (no more than 2 pages) to the LGA by 5pm Wednesday 16 September 2020.

4. REPORT

- 4.1 Council is asked to determine if a nomination is to be made for the Local Government Finance Authority Board of Trustees.
- 4.2 It should be noted that Council is not obliged to submit a nomination.

CO-ORDINATION

Officer:	EXEC GROUP	MG
Date:	10/08/2020	06/08/2020

PART A

LGA Appointments and Nominations to Outside Bodies — Call for Nominations

Local Government Finance Authority Board of Trustees	
Governing Statute (if applicable)	<i>Local Government Finance Authority Act 1983</i>
Purpose/Objective	Board of Trustees for the management of the Local Government Finance Authority, providing investment and lending solutions to South Australian Local Government.
Administrative Details	6 meetings per annum Remuneration: \$7,400 per annum
Selection Criteria (to be addressed by applicant)	<ul style="list-style-type: none"> Local government knowledge and experience Financial Acumen
<p><i>In accordance with the LGA Appointments and Nominations to Outside Bodies Policy, selection for appointment or nomination to this Outside Body may include the conduct of interviews and checking of referees by the LGA. By applying, the applicant accepts that the LGA may request an interview and/or the details of referees.</i></p>	
<p>Liability and indemnity cover</p> <p><i>The LGA requires that persons appointed to Outside Bodies be appropriately insured throughout the period of their appointment and seeks to collect details of the insurances provided by the Outside Body on an annual basis.</i></p>	
<p>For more information contact: LGA Nominations Coordinator at nominationscoordinator@lga.sa.gov.au or 8224 2000</p>	

PART B

LGA Appointments and Nominations to Outside Bodies — Nomination Form

Instructions

This form:

- *Must be submitted by a council*
- *Must be emailed in PDF format to nominationscoordinator@lga.sa.gov.au*
- *Receipt of nomination will be acknowledged by return email*
- *CV and response to selection criteria (if applicable) may be emailed separately by the nominee and will be treated confidentially*

This nomination form fulfils the requirements of the LGAs Appointments and Nominations to Outside Bodies Policy, [available here](#).

SECTION 1 to be completed by Council, SECTION 2 to be completed by Nominee.

Please refer to the *Call for Nominations* information sheet (Form: PART A) for details of the Outside Body and the selection criteria to be met by the nominee.

SECTION 1: COUNCIL to complete

Local Government Finance Authority Board of Trustees	
Council Details	
Name of Council submitting the nomination	
Contact details of council officer submitting this form	Name: Position: Email: Phone:
Council meeting minute reference and date	
Nominee Full Name	
elected member <input type="checkbox"/> OR employee of council <input type="checkbox"/> OR employee of local government entity <input type="checkbox"/>	
<i>Note: by submitting this nomination council is recommending the nominee is suitable for the role.</i>	

PART B**SECTION 2: NOMINEE to complete**

< Name of Outside Body >			
Nominee Details			
Full Name		Gender	
Home / Postal Address			
Phone		Mobile	
Email			
Why are you interested in this role?			
CV	attached <input type="checkbox"/> OR forwarding separately <input type="checkbox"/>		
Response to selection criteria (if applicable)	<i>Nominee to provide response to selection criteria (of no more than 2 pages) for consideration by the LGA Board of Directors.</i> Please refer to the Call for Nominations information sheet for the selection criteria to be addressed. attached <input type="checkbox"/> OR forwarding separately <input type="checkbox"/>		
Do you agree for your details to be retained on the LGA Nominees Database for a period of 12 months in order to be considered for other vacancies to Outside Bodies? Yes <input type="checkbox"/> OR No <input type="checkbox"/> If Yes, please list any fields of interest or Outside Bodies of interest: • _____			
Undertaking: <i>The LGA Board resolved in January 2015 to ensure that appointees to external Boards and Committees remain current local government members or officers. If you leave local government for any reason during the term of your appointment, are you prepared to resign your appointment if requested to do so by the LGA?</i> Yes <input type="checkbox"/> No <input type="checkbox"/>			
Signature of Nominee: _____			

ITEM	3.6.1FI
	RESOURCES AND GOVERNANCE COMMITTEE
DATE	17 August 2020
HEADING	Nominations Sought for the Local Government Finance Authority Board of Trustees
AUTHOR	Michelle Woods, Projects Officer Governance, CEO and Governance
CITY PLAN LINKS	4.2 We deliver quality outcomes that meet the needs of our community
SUMMARY	Nominations are being called for the Local Government Finance Authority Board. This report addresses an additional avenue for submission of a nomination to the Board.

RECOMMENDATION

1. The information be received.
2. _____ be nominated as a member of the Local Government Finance Authority Board of Trustees via the [Local Government Association / Local Government Finance Authority] process.
3. No notice of motion be submitted to the Local Government Finance Authority.

ATTACHMENTS

There are no attachments to this report.

1. BACKGROUND

- 1.1 Further to the distribution of the original item regarding nominations to the Local Government Finance Authority (LGFA) Board, this report presents information in relation to an additional avenue to submit a nomination to the Board.
- 1.2 The original item (3.6.1; Resources and Governance Committee; 17/08/2020) addresses the process via the Local Government Association (LGA).
- 1.3 This report addresses the other process for submitting a nomination, which is directly via the LGFA.

2. CONSULTATION / COMMUNICATION

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

3. REPORT

Nominations for Members of the Board

- 3.1 Pursuant to the Act, the Board is made up of seven (7) members of whom:
- 2 are nominated by the LGA (addressed in the original item 3.6.1; Resources and Governance Committee; 17/08/2020)
 - 2 are elected by Councils (the subject of this further information item)
 - 1 is a person appointed by the Minister;
 - 1 is a person appointed by the Treasurer;
 - 1 is the person for the time being holding or acting in the office of Secretary of the LGA (ie the LGA CEO).
- 3.2 The two current members appointed by Councils are:
- Ms Annette Martin (City of Charles Sturt)
 - Mr Michael Sedgman (The Rural City of Murray Bridge).
- 3.3 Current appointments expire 31 December 2020.
- 3.4 Nominations from suitably qualified council members, or employees of a council or other local government entity, to fill a two-year term commencing from 1 January are now being called.
- 3.5 Should a nomination be made, the process will be:
- a nomination form is required to be completed and signed by the CEO and the candidate being nominated;
 - there is an option to provide a brief resume of the candidate;
 - if more than two persons are nominated an election will be held by postal ballot and a report will be presented to Council for a resolution;
 - the successful candidate will be declared elected at the AGM on 29 October 2020.
- 3.6 Due to the deadline in which to advise the LGFA of any nominations (Friday 21 August 2020), the recommendation of the Resources and Governance Committee will be the one actioned by staff.

Notice of Motion

- 3.7 Council has the opportunity to submit a notice of motion to the LGFA AGM, stating the motion, the reason for the motion and any suggested action.
- 3.8 The General Manager Business Excellence is not aware of any issue that warrants a notice being submitted.
- 3.9 Should the Resources and Governance Committee determine that a Notice of Motion be submitted, due to the deadline, staff will need to action the committee's recommendation.

4. CONCLUSION / PROPOSAL

- 4.1 Council is asked to determine if a nomination be made to the LGFA Board and if so, via which avenue it should be made (via the LGA nominations process or direct to the LGFA).

4.2 There is also the option to submit a motion to the LGFA.

4.3 Council should note it is not obligated to make a nomination or submit a motion.

CO-ORDINATION

Officer:

MG

Date:

17/08/2020