



## **AGENDA**

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

**16 NOVEMBER 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 19 October 2020.

Presentation of the Minutes of the Confidential Resources and Governance Committee Meeting held on 19 October 2020.

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## REPORTS

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## OTHER BUSINESS

## CLOSE



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

**19 OCTOBER 2020**

**MEMBERS PRESENT**

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

**STAFF**

General Manager Business Excellence, Mr C Mansueto  
Risk and Governance Program Manager, Ms J Crook

The meeting commenced at 7:51 pm

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

**APOLOGIES**

Nil.

**LEAVE OF ABSENCE**

Nil

## PRESENTATION OF MINUTES

Moved Cr P Jensen  
Seconded Cr J Woodman

The Minutes of the Resources and Governance Committee Meeting held on 21 September 2020, be taken as read and confirmed.

**CARRIED**

## REPORTS

### *Administration*

#### **3.0.1 Future Reports for the Resources and Governance Committee**

Moved Cr P Jensen  
Seconded Cr D Hood

1. The information be received.

**CARRIED**

#### **3.0.2 Draft Annual Report 2019/2020**

Moved Cr B Brug  
Seconded Cr J Woodman

1. That the Draft 2019/20 Annual Report forming Attachment 1 to this report (Resources and Governance Committee, 19 October 2020, Item 3.0.2) be endorsed noting that further updates are being made to the report to reflect feedback from the Audit Committee and any further feedback from the Resources & Governance Committee.

**CARRIED**

### *External Relations*

*Mayor G Aldridge left the meeting at 7:56 pm.*

*Mayor G Aldridge returned to the meeting at 7:57 pm.*

#### **3.4.1 Nominations Sought for the South Australian Heritage Council**

Moved Cr K Grenfell  
Seconded Cr B Brug

1. Cr Shiralee Reardon be nominated as a Local Government member on the South Australian Heritage Council.

**CARRIED**

**3.6.1 Voting Advice to Council Delegate for the Local Government Association Annual General Meeting - 29 October 2020**

*Mayor G Aldridge declared a conflict of interest on the basis of being a paid member of the Local Government Board and left the meeting at 8:10 pm.*

Moved Cr K Grenfell

Seconded Cr J Woodman

1. Council direct its voting delegate (Cr Chad Buchanan or Mayor Gillian Aldridge as proxy) to use their discretion when voting on the recommendations, except where Council suggests otherwise, of the Local Government Association Annual General Meeting as set out in the attachment to this report (Resources and Governance, 19 October 2020, Item 3.6.1).
2. Council direct its voting delegate to vote against item 6.12 in Attachment 1 to this report (Resources and Governance, 19 October 2020, Item 3.6.1).

**CARRIED**

*Mayor G Aldridge returned to the meeting at 8:22 pm.*

**OTHER BUSINESS**

Nil

## CONFIDENTIAL ITEMS

### 3.8.1 Audit Committee membership - Appointment of Independent Members

Moved Cr D Hood

Seconded Cr P Jensen

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 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 Council's Audit Committee*

*On that basis the public's interest is best served by not disclosing the **Audit Committee membership - Appointment of Independent Members** 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 8:22 pm.

The meeting moved out of confidence and closed at 8:26pm.

CHAIRMAN.....

DATE.....

<b>ITEM</b>	3.0.1
	<b>RESOURCES AND GOVERNANCE COMMITTEE</b>
<b>DATE</b>	16 November 2020
<b>HEADING</b>	Future Reports for the Resources and Governance Committee
<b>AUTHOR</b>	Michelle Woods, Projects Officer Governance, CEO and Governance
<b>CITY PLAN LINKS</b>	4.2 We deliver quality outcomes that meet the needs of our community
<b>SUMMARY</b>	This item details reports to be presented to the Resources and Governance Committee as a result of a previous Council resolution. If reports have been deferred to a subsequent month, this will be indicated, along with a reason for the deferral.

**RECOMMENDATION**

1. The information be received.

**ATTACHMENTS**

There are no attachments to this report.

**1. BACKGROUND**

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

**2. CONSULTATION / COMMUNICATION**

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

### 3. REPORT

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

Meeting Item	Heading and Resolution	Officer
22/07/2019 3.3.1	<b>Abandoned Shopping Trolleys</b> 5. That Council also monitor the new bylaws implemented by the City of Marion; and report back to Council after six months on the results of their effectiveness. 6. That Staff provide an update to this committee at the conclusion of the Local Nuisance and Litter Control Act review noting any amendments addressing trolleys to be implemented and the likelihood of them coming into effect. 7. Pending no action or willingness by the State Government to tackle this issue, Council review By-Law 6 Waste Management By-Law 2015 and bring a report to Council advising the process to draft changes to this bylaw and/or create a new bylaw to tackle abandoned trolleys in the City of Salisbury.	John Darzanos
<b>Due:</b>	December 2020	
16/12/2019 3.6.3	<b>Building Upgrade Finance - Policy Review</b> 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.	Greg Ratsch
<b>Due:</b>	February 2021	
28/01/2020 3.3.2	<b>Cat By-Law Review</b> 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.	John Darzanos
<b>Due:</b>	December 2020	

### 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: 09/11/2020

<b>ITEM</b>	3.0.2
	<b>RESOURCES AND GOVERNANCE COMMITTEE</b>
<b>DATE</b>	16 November 2020
<b>HEADING</b>	Review of Elected Member Allowances, Facilities and Support Policy and Deferred Items for Further Discussion
<b>AUTHOR</b>	Joy Rowett, Governance Coordinator, CEO and Governance
<b>CITY PLAN LINKS</b>	4.2 We deliver quality outcomes that meet the needs of our community
<b>SUMMARY</b>	<p>This report sets out details related to Elected Member allowances and reimbursements, facilities, and support available under the Local Government Act 1999 and provides a revised draft Elected Member Allowances, Facilities and Support Policy for consideration by Council.</p> <p>In addition, at the 28 October 2019 meeting of Council there were a number of issues relating to Elected Member allowances and reimbursements that were deferred for further discussion. These are now re-presented to Council for consideration.</p>

## RECOMMENDATION

1. The information is received.
2. The Elected Member Allowances, Facilities and Support Policy as contained in Attachment 1 to this report (Resources and Governance Committee 16/11/2020, Item No. 3.0.2) be endorsed.
3. That Council determine the following recommendations from the Resources and Governance Committee meeting deferred from the Council meeting on 28 October 2019:

### 6.1 Deferred Items for Further Discussion

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

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

#### **R&G-OB2 Payment of Elected Member Allowance**

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

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

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

## ATTACHMENTS

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

1. Elected Member Allowances Facilities and Support Policy

### 1. BACKGROUND

- 1.1 Part 5 of the *Local Government Act 1999* deals with the provision of Allowances and Benefits to members of a Council, including reimbursement of expenses and the provision of facilities and support.
- 1.2 Section 77 (1) of the *Local Government Act 1999* also allows for the development of a policy by Council to approve reimbursement of expenses and notes that any policy developed under this section lapses at a general election of the council.
- 1.3 As the Elected Member Allowances, Facilities and Support Policy was last reviewed by the newly elected Council at its meeting in November 2018, it has now been reviewed and updated in line with the latest periodic adjustment of council member allowances as advised by the Local Government Association on 2 November 2020.
- 1.4 In addition, at the 28 October 2019 meeting of Council there were a number of items that were deferred for further discussion, and are now presented for decision by Council.

### 2. CONSULTATION / COMMUNICATION

- 2.1 Internal
  - 2.1.1 Nil
- 2.2 External
  - 2.2.1 The Local Government Association advised of the latest periodic adjustment of council member allowances in its Latest News item dated 29 October 2020, which was circulated to Elected Members on that date.

#### **Review of the Elected Member Allowances, Facilities and Support Policy**

- 2.3 The Elected Member Allowances, Facilities and Support Policy was last reviewed by the newly elected Council at its first meeting in November 2018.
- 2.4 The Policy has now been revised and updated in line with the latest periodic adjustment of council member allowances as advised by the Local Government Association and is attached to this report.
- 2.5 The draft Policy is consistent with the requirements of the *Local Government (Allowances and Benefits) Regulations 2010* and is based on facilities and support previously made available to Elected Members at the City of Salisbury.

### Deferred Items for Discussion

- 2.6 At the 26 August 2019 Council meeting, the following matters formed part of the report to Council from the Resources and Governance Committee meeting on 19 August 2019. The items were deferred by Council for further discussion at an Informal Strategy:

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

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

#### **R&G-OB2 Payment of Elected Member Allowance**

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

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

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

- 2.7 These matters were raised with Members at the Elected Member Workshop held on 7 September 2019, to provide an opportunity for feedback or information to be sought from the administration.
- 2.8 There were no conclusions drawn from the discussion at the time and the matters were brought back to Council for consideration.
- 2.9 These matters were subsequently presented to Council at its meeting on 28 October 2019 where it resolved as follows:

#### **6.1 Deferred Items for Further Discussion**

3. *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.*

*Resolution No. 0307/2019*

- 2.10 While the *Local Government (Members Allowances and Benefits) Regulations 2010* provide that an allowance may be paid in instalments up to 3 months in advance or 3 months in arrears of each month in respect of which an instalment is payable, historically elected members at the City of Salisbury have been paid on a monthly basis, in arrears.
- 2.11 Section 78 of the *Local Government Act 1999* (the Act) allows for the provision of facilities and support to elected members to “*assist the members in performing or discharging official functions and duties*”.
- 2.12 Section 78(2) of the Act states that the provision of facilities and services is at the discretion of the council subject to complying with the following requirements:
- “(a) *The council must specifically resolve that the provision of the facilities or services is necessary or expedient to the performance or discharge of official functions or duties;*

- (b) *Facilities and services must be available to members on a uniform basis (other than facilities or services specifically provided for the benefit of the principal member);*
- (c) *Any property provided to a member remains the council's."*

2.13 Section 78(3) specifies:

*"A member of a council must not use a facility or service provided by the council under this section for a purpose unrelated to the performance or discharge of official functions or duties (unless the use has been approved by the council and the member has agreed to reimburse the council for any additional costs or expenses associated with this use)."*

2.14 Historically, Council has endorsed the Elected Members Allowances, Facilities and Support Policy that specifies elected members allowances, expenses eligible for reimbursement and other facilities and support available to elected members. This has included the provision of a laptop computer and/or an iPad, printer, reimbursement (capped) for broadband internet connection that is privately provided by the Elected Member and various stationery items.

2.15 It is for Council to determine the matters deferred from its meeting on 28 October 2019.

### 3. CONCLUSION / PROPOSAL

- 3.1 Council is asked to consider and endorse the reviewed Elected Member Allowances Facilities and Support Policy as contained in Attachment 1 to this report (Resources and Governance Committee 16/11/2020, Item No. 3.0.2).
- 3.2 Council is also asked to determine the matters deferred from its meeting on 28 October 2019.

### CO-ORDINATION

Officer:	Executive	MG
	Group	
Date:	09/11/2020	06/11/2020



### Elected Member Allowances, Facilities and Support Policy

<b>Policy Type:</b>	Policy	<b>Decision No:</b>	0753/2015, 1516/2016, 2167/2017, 2609/2018, 0004/2018
<b>Approved By:</b>	Council	<b>Last Reapproval Date:</b>	<del>26 November 2018</del> 23 November 2020
<b>Approval Date:</b>	24 November 2014	<b>Internal Reference No.:</b>	
<b>Review Date:</b>	<del>November 2020</del> November 2021	<b>Department:</b>	CEO and Governance
<b>Department:</b>	CEO and Governance	<b>Division:</b>	Governance
<b>Function:</b>	9 - Governance	<b>Responsible Officer:</b>	Manager, Governance

#### A - PREAMBLE

1. The City of Salisbury seeks to ensure that the payment of Elected Member allowances and the reimbursement of expenses is accountable, transparent and in accordance with the *Local Government Act 1999*, Remuneration Tribunal Determination No. 6 of 2018: Members of Local Government Councils and the *Local Government (Members Allowances and Benefits) Regulations 2010*.
2. Allowances, reimbursements, facilities and support are provided to Elected Members to enable them to effectively perform or discharge official functions and duties.

#### B - SCOPE

1. This policy applies to all Elected Members.

#### C - POLICY PURPOSE/OBJECTIVES

1. This policy sets out:
  - Elected Member allowances as determined by the Remuneration Tribunal in Determination No. 6 of 2018: Members of Local Government Councils;
  - the expenses that may be reimbursed to Elected Members, as provided for within the *Local Government (Members Allowances and Benefits) Regulations 2010*; and
  - facilities and other support available to all Elected Members as determined by Council.

#### D - DEFINITIONS

1. **Eligible journey** – means a journey (in either direction) between the principal place of residence, or a place of work, of a member of the council, and the place of a prescribed meeting.
2. **Prescribed meeting** – in relation to a member of a council, means a meeting of the council or council committee, or an informal gathering, discussion, workshop, briefing, training course or similar activity which is directly or closely related to the performance or discharge of the roles or duties of the member.
3. **Prescribed reimbursements** – are those reimbursements provided for within Section 77 of the *Local Government Act 1999* (and supporting Regulations).

4. **Facilities and support** – facilities and other forms of support made available to Elected Members in accordance with Section 78 of the *Local Government Act 1999*.

#### E - POLICY STATEMENT

1. Elected Members shall be provided with reimbursements, facilities or support that are necessary or expedient to the performance or discharge of official functions or duties.
2. In support of this philosophy Elected Members are provided with a range of reimbursements, facilities and support on the following basis:
  - All facilities and support are made available to Elected Members on a uniform basis (other than facilities or services specifically provided for the benefit of the Mayor).
  - Any property provided to an Elected Member in accordance with this policy remains the property of Council.
  - Reimbursements will be restricted to *prescribed reimbursements* (travel and child care related) unless otherwise approved within this Policy or specifically approved by way of Council resolution.
  - All reimbursements claimed by Elected Members must be for expenses actually and necessarily incurred. Requests for reimbursement must be received within the financial year relevant to the expense incurred and must include full details of the nature of the expense, be supported by evidence of the expense and accompanied by the relevant request for reimbursement form.
3. Section 77(1)(b) of the *Local Government Act* allows for the provision of further reimbursement of expenses, subject to the approval of council. Schedule 2 of this Policy provides full details relating to reimbursements that may be made to Elected Members.
4. As required by section 79 of the *Local Government Act 1999*, the Chief Executive Officer will ensure a record of the allowances paid, expenses reimbursed or any other benefits paid or provided to a member is maintained (Register of Allowances and Benefits).
5. Elected Member Allowances are prescribed by Remuneration Tribunal Determination No. 6 of 2018: Members of Local Government Councils and will be adjusted in accordance with that Determination on an annual basis.
6. Elected Member reimbursements, facilities and support, as detailed in Schedule 2 and 3 attached to this Policy, will be reviewed annually.

#### F - LEGISLATION

1. *Local Government Act 1999*, sections 76, 77 and 78
2. *Local Government (Members Allowances and Benefits) Regulations 2010*
3. Remuneration Tribunal Determination No. 6 of 2018: Members of Local Government Councils

#### G - REFERENCES

1. Schedule 1 – Elected Member Allowances
2. Schedule 2 – Approved Reimbursements
3. Schedule 3 – Additional Facilities and Support

#### H - ASSOCIATED PROCEDURES

1. Register of Elected Members Allowances and Benefits - *City of Salisbury*
2. Reimbursement Form - *City of Salisbury*

#### Document Control

Document ID	Elected Member Allowances, Facilities and Support Policy
Prepared by	Michelle Woods
Release	23.00
Document Status	Draft
Date Printed	

### Schedule 1 – Elected Member Allowances

1. The *Local Government Act 1999* and *Local Government (Members Allowances and Benefits) Regulations 2010* provide that an Elected Member shall be entitled to receive an allowance determined by the Remuneration Tribunal in relation to the member's office.
2. Elected Member Allowances are determined by the Remuneration Tribunal and set out in Determination No. 6 of 2018: Members of Local Government Councils. The accompanying Report of the Remuneration Tribunal to Determination No. 6 of 2018 states that "the nature of the Determination made by the Tribunal is to create an entitlement for members of Councils to be paid what is described as an allowance, in the nature of a fee, as defined by the *Remuneration Act 1990* . . . for counsel or advice provided in relation to the decisions and actions of Councils in the performance of their statutory responsibilities, including a representative function within that decisions making process".
3. In summary, this Determination provides the following allowances for City of Salisbury Elected Members:

Councillor:	<del>\$24,218</del> <u>\$24,471</u> per annum (effective November <del>2019</del> <u>2020</u> )
Mayor:	<del>\$96,872</del> <u>\$97,884</u> per annum (effective November <del>2019</del> <u>2020</u> )
Deputy Mayor:	<del>\$30,272</del> <u>\$30,588.75</u> per annum (effective November 2019)
Chairman of Standing Committees	<del>\$30,272</del> <u>\$30,588.75</u> per annum (effective November <del>2019</del> <u>2020</u> )
Sitting fee payable to a Councillor (other than the principal member or deputy principle member, chairperson or deputy chairperson or a presiding member of a prescribed committee) who is the presiding member of a committee, that is not a prescribed committee, such as a sub-committee.	<del>\$239</del> <u>\$242</u> per meeting limited to an aggregate amount of <del>\$1,432</del> <u>\$1,447</u> per annum (effective November <del>2019</del> <u>2020</u> )

2. The allowances prescribed in Determination No. 6 of 2018 are operative for all council members from the first ordinary meeting of the Council held after the conclusion of the 2018 Local Government elections.
3. In accordance with section 76(9) and 76(15) of the *Local Government Act*, allowances set out in Determination No. 6 of 2018: Allowances for Members of Local Government Councils will be adjusted annually on the first, second and third anniversary of the 2018 local government election to reflect changes in the Consumer Price Index, where the Consumer Price Index is defined as the "Consumer Price Index (All groups index for Adelaide)" published by the Australian Bureau of Statistics" (section 76(15) *Local Government Act 1999*).

### Schedule 2 - Reimbursement of Expenses

1. In accordance with the requirements of section 77 of the *Local Government Act 1999* and the *Local Government (Members Allowances and Benefits) Regulations 2010* the kinds of expenses for which an Elected Members will be reimbursed are as follows:
  - a) Travelling expenses actually and necessarily incurred by the member in travelling to or from a prescribed meeting if –
    - (i) The journey is an eligible journey; and
    - (ii) The journey is by the shortest or most practicable route;
  - b) Expenses for the care of –
    - (i) A child of the member; or
    - (ii) A dependant of the member requiring full time care
 actually and necessarily incurred by the member as a consequence of the member's attendance at a prescribed meeting.
2. In relation to reimbursement of travelling expenses:
  - a) If an eligible journey relates to travel between a place within the area of the council and a place outside the area of the council (in either direction) the member is only entitled to be reimbursed in respect of expenses that can be attributed to travel within the area of the council (unless the travel relates to an activity specified in clause 4 below).
  - b) The rate of reimbursement for motor vehicle costs will be at a rate equal to the appropriate rate per kilometre prescribed for the purposes of calculated deductions for car expenses as detailed on the Australian Taxation Office website.
  - c) Travel by taxi, bus or other means of public transport is reimbursed on the basis of expenses "actually and necessarily incurred", but is limited to 'eligible journeys' as defined in this Policy.
3. In relation to reimbursement of care expenses:
  - a) A member of council is not entitled to be reimbursed if the care is provided by a person who ordinarily resides with the member.
4. Council has also determined that reimbursement will be available for travel expenses for the following meetings (both within and outside the Council area) and care costs associated with attendance at the following meetings (subject to the limitations set out in clause 2 above):
  - Sub Committee meetings
  - Informal Strategy
  - Working Groups supported by Council
  - Council Representative to Greater Adelaide Regional Organisation of Councils meetings
  - Local Government Association Ordinary and Annual General Meetings
  - Local Government Association Board of Directors (where/when the City of Salisbury has membership – may include accommodation costs for regional meetings) Regional Subsidiary meetings when a member is appointed by Council
  - Annual Christmas Dinner
  - Civic receptions
  - External Committees where an Elected Member is appointed by Council
  - Activities where an Elected Member is representing the Mayor on behalf of Council
  - Conferences and Training
5. As provided under section 77(1)(b) of the *Local Government Act 1999*, reimbursement of travel expenses associated with attendance at meetings that are not included in the above list may be approved by Council on a case by case basis.

### **Schedule 3 – Additional Facilities and Support**

1. To facilitate the performance and discharge of official functions and duties Council has specifically resolved that the provision of the following facilities and services is necessary or expedient to the performance or discharge of official functions and duties. These facilities and services are therefore provided to Elected Members to assist in performing or discharging official functions and duties:
  - A suitable laptop or desktop computer
  - Tablet (eg Apple iPad)
  - A suitable multifunction device (printer, scanner and fax) with up to 16 sets of printer cartridges per Council term.
  - As broadband connection is not provided by Council, reimbursement to the value of \$60 per month for broadband internet connection that is privately provided by the Elected Member.
  - Up to four (4) reams of paper per annum.
  - Envelopes – up to 1500 per Elected Member per annum.
  - Business cards – up to 500 per Elected Member per annum.
  - With Compliments Slips - up to 500 per Elected Member per annum.
2. Where quantities of items are provided on a “per annum” basis these amounts apply for a financial year period (that is, from 1 July until 30 June). During an election year, a pro-rata quantity is determined leading up to and after the conclusion of the election.
3. In addition to the additional facilities and support provided to Elected Members, Council has resolved to make available to the Mayor the following facilities and support to assist in the performance of the Mayor’s official functions and duties:
  - Fully maintained motor vehicle
  - A mobile phone and hands free car kit
  - Office space
  - Access to a Personal Assistant



<b>ITEM</b>	3.2.1
	<b>RESOURCES AND GOVERNANCE COMMITTEE</b>
<b>DATE</b>	16 November 2020
<b>HEADING</b>	Implementing the next phase of the Planning, Development and Infrastructure Act 2016 - Council Assessment Panel, Building Fire Safety Committee, Accredited Professionals Notification Policy
<b>AUTHOR</b>	Chris Zafiropoulos, Manager Development Services, City Development
<b>CITY PLAN LINKS</b>	4.2 We deliver quality outcomes that meet the needs of our community 4.4 We plan effectively to address community needs and identify new opportunities
<b>SUMMARY</b>	This report seeks Council decision on the establishment of a Building Fire Safety Committee under the Planning, Development and Infrastructure Act 2016, and the appointment members to both the Council Assessment Panel and Building Fire Safety Committee, as part of Council's transition in the State government's implementation of the new planning and development system across the state under the <i>Planning, Development and Infrastructure Act 2016</i> .

## RECOMMENDATION

1. That Council adopts the *Accredited Professionals Notification Policy* (Attachment 1, Resources and Governance Committee Agenda 16 November 2020 Item 3.2.1) effective from the day on which the Council's Development Plan is revoked by the Minister by notice in the Gazette pursuant to Clause 9(7) of Schedule 8 of the *Planning, Development and Infrastructure Act 2016*.
2. That Council revokes the Council Assessment Panel Terms of Reference dated 21 January 2019 effective from 31 May 2021.
3. That Council adopts the *Council Assessment Panel Terms of Reference* in Attachment 2 effective from 31 May 2021.
4. That the following persons be appointed to the City of Salisbury Council Assessment panel for a period of two (2) years, from 31 May 2021.
  - Terry Mosel, Presiding Member.
  - Cherie Gill, Independent Member.
  - Ross Bateup, Independent Member.
  - Matthew Atkinson, Independent Member.
5. That the remuneration for the Council Assessment Panel is changed from 31 May 2021 to:
  - Presiding Member \$500 per meeting
  - Independent and Elected Member \$400 per meeting

6. That Council establishes the City of Salisbury Building Fire Safety Committee pursuant to Section 157(17) of the *Planning, Development and Infrastructure Act 2016* effective from the day on which the Council's Development Plan is revoked by the Minister by notice in the Gazette pursuant to Clause 9(7) of Schedule 8 of the *Planning, Development and Infrastructure Act 2016*.
7. That Council adopts the City of Salisbury *Building Fire Safety Committee Terms of Reference* in Attachment 3.
8. That the following persons be appointed to the City of Salisbury Building Fire Safety Committee for a period of three (3) years, from the designated date:
  - Mr Jeff Shillabeer (City of Salisbury staff), Presiding Member being a person appointed by the Council and who holds prescribed qualifications in building surveying.
  - Mr Jackson Ryan (City of Salisbury staff), Member being a person appointed by the Council and who holds prescribed qualifications in building surveying.
  - Mr James Sunjaya, Director J Squared Engineering Pty Ltd - independent member with expertise in the area of fire safety.
  - Mr Peter Hilhorst or Deputy, Member nominated by being an authorised officer under Part 3 Division 5 or section 86 of the Fire and Emergency Services Act 2005, approved by the Chief Officer South Australian Metropolitan Fire Service.

## ATTACHMENTS

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

1. Accredited Professionals Notification Policy
2. Council Assessment Panel Terms of Reference
3. Building Fire Safety Committee Terms of Reference
4. Council Assessment Panel Sitting Fees Comparison

### 1. BACKGROUND

- 1.1 The state government has been implementing the new planning and development system across the state under the Planning, Development and Infrastructure Act 2016 (PDI Act). The program has been staged with elements of the system being turned on since 2016. The final stage of the program, referred to as phase 3, will be the introduction of the new Planning and Design Code with the associated assessment pathways. This phase has been delayed from the original date of July 2020, to date to be announced in 2021. It is understood that the designated date ('go live') for metropolitan Adelaide may be in the first quarter of 2021.
- 1.2 There are a number of decisions that Council needs to make as this final phase is implemented. In addition, internal processes and procedures need to be changed and/or developed to facilitate a smooth transition. This report seeks Council's decision on the establishment of a new Building Fire Safety Committee under the PDI Act, and the appointment of members to the Council Assessment Panel and Building Fire Safety Committee under the new legislative scheme.

- 1.3 This report also includes a draft policy to apply to Accredited Professionals who are assigned specific roles and responsibilities in the new legislative scheme and from whom Council must seek advice from on prescribed matters.
- 1.4 Further reports will be provided to Council in December in relation to the following matters:
- Council's building inspection policy.
  - Delegations.
  - Development Application Fees.

## 2. REPORT

### Council Assessment Panel

- 2.1 Council is required to establish a Council Assessment Panel (CAP) to act as relevant authority for the assessment and determination of development applications under the Planning, Development and Infrastructure Act 2016 (or during the transition to the PDI Act, the Development Act 1993).
- 2.2 Council established the CAP on 21 August 2017. The CAP is comprised of five members and one of the members may be a member of the Council. The Panel is currently comprised of:
- Terry Mosel, Presiding Member.
  - Cherie Gill, Independent Member.
  - Ross Bateup, Independent Member.
  - Matthew Atkinson, Independent Member.
  - Cr Brug, Elected Member.
  - Cr Shiralee Reardon, Deputy Elected Member.
- 2.3 Cr Brug was reappointed as the Elected Member and Cr Reardon as the Deputy Elected Member on 21 September 2020 for a two year term, expiring on 30 November 2022.
- 2.4 The term of appointment for the Independent Members on the Council Assessment Panel expires on 31 May 2020.
- 2.5 Updated *Council Assessment Panel Terms of Reference*, to reflect the transition to the PDI Act, is provided in Attachment 1. The terms of reference are based on the model terms of reference released by Local Government Association of SA and provide for the process to appoint members to the CAP. The terms of reference provide for both an expression of interest to appoint members (2.10) and reappointment of existing members on expiry of their current term (2.19).
- 2.6 It is recommended that Council consider, for the next term, re-appointing the existing members. The re-appointments is recommended because:
- 2.6.1 The proposed designated date for the new planning system is expected in the first quarter of 2021 (the date Planning and Design Code is introduced in the metropolitan area and when the new assessment pathways commence). An Expression in interest and appointment will overlap with this significant transition period.

- 2.6.2 The Panel is currently working through the administrative requirements for the new system and re-appointing the existing members will ensure continuity during this significant transition period.
- 2.6.3 The majority of the independent members were appointed during this term of the Panel and the Panel is operating effectively in discharging its responsibilities under the Act.
- 2.7 An additional clause is recommended in the Terms of Reference (clause 2.11) that will explicitly provide the option for the re-appointment of an existing member for a subsequent term without the requirement to call for an expression of interest.
- 2.8 The appointment of members under the PDI Act, from the ‘go live’ date, requires each member to complete and sign a *Section 83 - Notice of Appointment Form* and their appointment must be registered with the Local Government Association Mutual Liability Scheme with a *CAP Member Registration Form*. The forms have been prepared by the Scheme to inform members of the terms of reference attached to their appointment including indemnity insurance cover. Council staff will arrange for the forms to be completed and submitted ahead of the ‘go live date’.
- 2.9 The sitting fee for independent members on the CAP was last changed in 2010 and it is recommended that Council consider remuneration for the next period. The current remuneration per meeting is:
- Presiding Member \$430
  - Independent / Elected Member \$320
- (noting that members also receive up to \$300 per annum towards training)
- 2.10 A comparison of the remuneration for a sample of other CAPs is provided in Attachment 4.
- 2.11 It is recommended that the remuneration for the CAP be increased as:
- 2.11.1 The remuneration has not been increased over ten years. It is appropriate to set a remuneration to retain and attract suitably qualified people.
- 2.11.2 Changes introduced by the State government for accreditation and training for independent members will impose new costs and time commitments upon members.
- 2.12 The recommended remuneration is proposed within the range of the current sample of CAP remuneration levels:
- Presiding Member \$500
  - Independent / Elected Member \$400

### **Building Fire Safety Committee**

- 2.13 The Building Fire Safety Committee (the BFSC) is charged with the responsibility for all matters arising under Section 157 (17) of the *Planning Development and Infrastructure Act 2016* including associated regulations which are of a building fire safety nature.

- 2.14 The current membership of the BFSC (established under the *Development Act 1993*), due to expire its term on 31 August 2022, is:
- Mr Jeff Shillabeer (City of Salisbury staff) [Presiding Member] - qualifications in building surveying.
  - Mr Jackson Ryan (City of Salisbury staff) – an accredited Building Surveyor.
  - Mr James Sunjaya, Director J Squared Engineering Pty Ltd - independent member with expertise in the area of fire safety.
  - Mr Peter Hilhorst – Member nominated by the Chief Officer South Australian Metropolitan Fire Service (SAMFS).
  - Mr Andrew Sharrad, Deputy Member nominated by the Chief Officer South Australian Metropolitan Fire Service (SAMFS).
- 2.15 The PDI Act does not contain any specific transitional provisions that would result in an existing BFSC under the Development Act (Old Committee) being taken to be a committee under the PDI Act (New Committee). Therefore, councils have been advised to formally re-establish a New Committee under s157(17) of the PDI Act.
- 2.16 The terms of the new committee under the PDI Act are very similar, although not identical, to the terms under the *Development Act 1993*. The differences relate to appointment of members to a New Committee is no longer for a maximum three (3) year term. A fixed three (3) year term is however still recommended. There is also a suggestion that the one member that must be an *authorised officer* approved by the Chief Officer of the relevant fire authority could be a generic appointment. This enables the fire authority appointment to be generic, rather than specific appointment. The LGA has suggested Councils may continue to appoint a specific individual until this matter has been clarified. Operationally, allowing the Chief Officer of the SAMFS to nominate a deputy from time to time provides the committee increased functionality and contribution from a wider expertise base. This approach is recommended.
- 2.17 A new committee may be established at any time and may be established in anticipation of the ‘go live’ date. The Old Committee will cease to exist on repeal of Development Act provisions.
- 2.18 The Terms of Reference of a New Committee may be the same as an Old Committee. It has been recommended that the New Committee’s Terms of Reference should state that the New Committee won’t meet until after the ‘go live’ date. In other words, the Old Committee continues to meet until the ‘go live’ date, after which the New Committee will start to meet.
- 2.19 Appointing the same members to both committees will minimise confusion or practical difficulty with the transition process. On this basis, it is recommended that council appoint the current members on the Old Committee to the New Committee.

### **Policy of Notification – Accredited Professionals**

- 2.20 The Local Government Association has created a model policy that applies to all employees, contractors and independent members of the Council Assessment Panel who are required to hold accreditation for their roles. The Act requires that Council must appoint and take the advice of accredited professionals under the Act and this policy ensures that these accredited professional maintain their accreditation.
- 2.21 The policy sets out the responsibilities and obligations for these staff on maintaining their accreditation. The Policy has explicit requirements to notify Council of any changes to their accreditation.
- 2.22 The policy is intended to commence on the day that the Code commences in operation for each Council (being the time accreditation will be required to make decisions under the PDI Act)

### **3. CONCLUSION / PROPOSAL**

- 3.1 In anticipation of a go live date for the Planning Reforms in the first quarter of 2021, Council may give consideration to matters that it is required to have in place for the new legislative regime. This report seeks to establish a new Building Fire Safety Committee under the PDI Act, and set the policy governing accredited professionals in preparation of the transition to the PDI Act.

### **CO-ORDINATION**

Officer: GMCiD  
Date: 11/11/2020



## Accredited Professionals Notification Policy

Policy Type:	Policy		
Approved By:	Council	Decision No:	
Approval Date:		Last Reapproval Date:	
Review Date:		Internal Reference No.:	
Department:	City Development	Division:	Development Services
Function:	3 - Development Control	Responsible Officer:	Manager, Development Services

### A - PREAMBLE

This Policy applies to Accredited Professionals who require accreditation in order to carry out the functions and/or duties associated with their employment with, or engagement or appointment by, the Council.

### B - SCOPE

This policy applies to all:

- employees of the Council;
- contractors and/or agents of the Council during the course of their engagement; and
- members of Council's Assessment Panel,

who are or become accredited as accredited professionals pursuant to the scheme established under Section 88 of the Planning, Development and Infrastructure Act 2016 (Act) and Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019 (Regulations).

For the purposes of this policy, these persons are known as "Accredited Professionals".

### C – POLICY PURPOSE/OBJECTIVES

The policy sets out the responsibilities and obligations for staff on maintaining their accreditation.

### D - DEFINITIONS

Words and phrases defined by the *Planning, Development and Infrastructure Act 2016* and associated regulations have the same meaning when used in this Policy.

## **E - POLICY STATEMENT**

### **Responsibilities of Accredited Professionals**

1. All Accredited Professionals must take all steps necessary to gain and maintain accreditation under the Act and Regulations at the class required under the Act and Regulations for the role or function they have been employed, engaged or appointed to perform (Accreditation).
2. Without limiting the above clause, all Accredited Professionals must:
  - take all steps necessary to maintain their Accreditation by applying for the continuation of their Accreditation annually as required under the Act and Regulations;
  - ensure they fulfil all requirements of continuing professional development under the Regulations; and
  - act in accordance with the Accredited Professionals Scheme Code of Conduct adopted by the Minister under Schedule 3 of the Act (Code of Conduct) when carrying out their functions and duties as an accredited professional.

### **Obligations of Accredited Persons**

1. An Accredited Professional must, within 3 business days of the occurrence of any of the following events:
  - the commencement of this Policy;
  - becoming registered as an Accredited Professional by the accreditation authority;
  - commencing employment with the Council;
  - being engaged by the Council to act as, or provide advice to the Council in the person's capacity as, an Accredited Professional; or
  - accepting an appointment to the Council Assessment Panel/Regional Assessment Panel,provide a copy of his or her Accreditation to the CEO of the Council, including any conditions or limitations imposed on the Accreditation by the accreditation authority, unless the Accreditation has already been provided to the Council (for example, during the recruitment process).
2. An Accredited Professional must, within 3 business days of receiving confirmation of the renewal of his or her accreditation, provide a copy of the renewal to the CEO of the Council.
3. An Accredited Professional must, within 3 business days of the occurrence of a Notifiable Event (as defined in Clause 4 below), provide to the CEO of the Council written notification of the Notifiable Event and a copy of any correspondence or other documentation (including electronic) received from the accreditation authority in relation to the Notifiable Event.

4. Notifiable Event means:

- a change to the class of an Accredited Professional's Accreditation;
- the addition, substitution or deletion of a condition or limitation on an Accredited Professional's Accreditation pursuant to Regulation 17(5) of the Regulations;
- the surrender by an Accredited Professional of his or her Accreditation pursuant to Regulation 20 of the Regulations;
- the cancellation or suspension of an Accredited Professional's Accreditation pursuant to Regulation 21(1) of the Regulations or Regulation 93A of the Development Regulations 2008;
- the provision of notice to an Accredited Professional by the accreditation authority of a proposal to suspend or cancel the Accredited Professional's Accreditation pursuant to Regulation 22(1) of the Regulations;
- the provision of a final report by a qualified auditor pursuant to Regulation 27(13) of the Regulations, where a copy of the report is provided to the Accredited Professional;
- any action taken by the accreditation authority (including giving directions to an Accredited Professional) pursuant to Regulation 27(14), (15) or (16) of the Regulations;
- the provision of notice to an Accredited Professional of a decision by the accreditation authority to investigate a complaint made against the Accredited Professional under Regulation 28 of the Regulations which relates to an act or omission of the Accredited Professional in the course of their employment with, or engagement or appointment by, the Council;
- the provision of a final report of an investigator to the accreditation authority pursuant to Regulation 28(11)(b) of the Regulations, or the outcome of any process that the accreditation authority has adopted to investigate a complaint made against an Accredited Professional pursuant to Regulation 28 of the Regulations;
- any action taken by the accreditation authority against an Accredited Professional pursuant to Regulation 28(13) of the Regulations following the investigation of a complaint;
- any decision made by the South Australian Civil and Administrative Tribunal (SACAT) or any South Australian Court in relation to an Accredited Professional's Accreditation;
- a finding of guilt for an offence against the Act or the Development Act 1993 (Repealed Act); and
- a finding of guilt for an offence against any regulations under the Act or the Repealed Act, including the Regulations.

5. The CEO may take such action as is reasonable and appropriate in relation to:

- the failure of an Accredited Professional to comply with their obligations under this policy;  
or
- written notification from an Accredited Professional of a Notifiable Event.

## **F – LEGISLATION**

Planning, Development and Infrastructure Act 2016.

## **G - REFERENCES**

Nil.

## **H - ASSOCIATED PROCEDURES**

Nil.

### **1. Document Control**

2. Document ID	3. Accredited Professionals Notification Policy
4. Prepared by	5. Chris Zafiropoulos
6. Release	7.
8. Document Status	9. Draft
10. Date Printed	11.



# COUNCIL ASSESSMENT PANEL

## Terms of Reference

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Draft for Council endorsement

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## 1. Background

- 1.1. The Salisbury Council Assessment Panel (**CAP**) was appointed as a relevant authority under Section 82 and 83 of the *Planning, Development and Infrastructure Act 2016* (**Act**) by resolution of the City of Salisbury (**the Council**) on 21 August 2017.
- 1.2. The CAP is a relevant authority under the Act and, during transition to the Act, will act as a delegate of the Council for the purpose of the *Development Act 1993*.

## 2. Membership of CAP

### Appointment of Members

- 2.1. The CAP will be constituted of five (5) Members (CAP Members), to be appointed by the Council, comprising:
  - 2.1.1. One (1) Member of the Council (Council Member); and
  - 2.1.2. Four (4) Independent Members (Independent Members), not being Members of the Council or State Parliament.
- 2.2. The Council may determine that the CAP will be constituted by a different number of members for different classes of development, in which case the relevant details will be specified by the Council.
- 2.3. When appointing CAP Members, the Council may have regard to the following:
  - 2.3.1. The candidate's knowledge of the operation and requirements of the Act and, during transition to the Act, the Development Act;
  - 2.3.2. In relation to Independent Members, the candidate's qualifications or experience in a field that is relevant to the activities of the CAP;
  - 2.3.3. In relation to the Council Member, the candidate's experience in local government;
  - 2.3.4. That a balance of qualifications and experience among CAP Members is desirable;
  - 2.3.5. That gender diversity among CAP Members is desirable; and
  - 2.3.6. Such other matters as the Council considers relevant.

### Appointment of Deputy Members

- 2.4. The Council may appoint Deputy Members to the CAP for the purpose of filling in for a CAP Member who is unable to attend a CAP meeting or part of a CAP meeting.
- 2.5. Subject to clause 2.6, a Deputy Member must not be a Member of the Council or State Parliament.

- 2.6. Where a Deputy Member appointed for the Council Member is also a member of the Council, that person may not act as a deputy for any other CAP Member (whereas a Deputy Member who is not a member of the Council may act as a deputy for any CAP Member).
- 2.7. Where more than one Deputy Member is appointed, the Council must specify the circumstances in which each Deputy Members (or any one or more of them) will be invited to attend a CAP meeting.
- 2.8. In appointing a Deputy Member, the Council may have regard to the matters in clause 2.23, as well as to the qualifications and experience of the CAP Member or CAP Members to whom the candidate will be a deputy.
- 2.9. Unless the context otherwise requires, a reference to a CAP Member in this document includes a Deputy Member.

#### **Expression of Interest**

- 2.10. The Council will call for expressions of interest for appointment of CAP Members.
  - 1.
- 2.11. **The Council may reappoint an existing member for a subsequent term without calling for expressions of interest.**

#### **Presiding Member and Acting Presiding Member**

- 2.12. The Council will appoint an Independent Member to be the Presiding Member of the CAP for such term and on such conditions as determined by the Council.
- 2.13. The Presiding Member will preside at any CAP meeting at which he or she is present.
- 2.14. The CAP shall determine a process for the appointment of an Acting Presiding Member in the event that the Presiding Member is not present at a meeting (or part thereof).
- 2.15. A Presiding Members is eligible to be reappointed as the Presiding Member at the expiry of his or her term of office as Presiding Member.
- 2.16. In the event that the Presiding Member resigns or is removed from office, the Council will appoint an Independent Member to be the Presiding Members for such term and on such conditions as determined by the Council.

#### **Term of Appointment**

- 2.17. Subject to clause 5, Independent Members will be appointed for a term of up to two years and on such other conditions as determined by the Council.
- 2.18. Subject to clause 5, the Council Member will be appointed for a term of up to two years and on such other conditions as determined by the Council.

- 2.19. Deputy Members will be appointed for a term of up to two years and on such other conditions as determined by the Council.
- 2.20. A CAP Member is eligible for reappointment for a further term, or further terms, upon the expiry of his or her current term.
- 2.21. A CAP Member whose term of office has expired may nevertheless continue to act as a Member until the vacancy is filled or for a period determined by Council.

### **3. Vacancy in Membership**

- 3.1. In the event of a vacancy arising in the office of a CAP Member, the Council may appoint a person to be a CAP Member for the balance of the original CAP Member's term of office as soon as is reasonably practicable in the same manner as the original CAP Member was appointed.
- 3.2. The CAP Member appointed to fill a vacancy may be a Deputy Member in which case that person will automatically cease to be a Deputy Member.
- 3.3. In appointing a CAP Member pursuant to clause 3.1, the Council may have regard to the matters in clause 2.2 or 2.88 as the case requires.
- 3.4. A vacancy in the membership of the CAP will not invalidate any decisions of the CAP, provided a quorum is maintained during meetings.

### **4. Conditions of Appointment**

- 4.1. At all times, CAP Members must act honestly, lawfully, in good faith, and in accordance with any code of conduct applicable to CAP Members.
- 4.2. CAP Members may be remunerated as determined by the Council for the reasonable time and costs incurred by CAP Members in attending CAP meetings.
- 4.3. Different levels of remuneration may be fixed by the Council for Independent Members, the Council Member, the Presiding Member and Deputy Members.
- 4.4. Upon the commencement of Section 83(1)(c) of the Act:
  - 4.4.1. CAP Members, excluding a Member who is a Member or former Member of the Council, must be accredited professionals under the Act; and
  - 4.4.2. CAP Members who are Members or former Members of the Council must have sufficient experience in local government to satisfy the Council that they are appropriately qualified to act as a Member of the CAP.

## 5. Removal from Office

5.1. A CAP Member will automatically lose office where:

- 5.1.1. the CAP Member has become bankrupt or has applied to take the benefit of a law for the relief of insolvent debtors;
- 5.1.2. the CAP Member has been convicted of an indictable offence punishable by imprisonment;
- 5.1.3. in the case of a Council Member, the Member ceases to be a member of the Council.

5.2. Subject to Clause 5.4, the Council may by resolution remove a CAP Member from office where, in the opinion of the Council, the behaviour of the CAP Member amounts to:

- 5.2.1. a breach of a condition of his or her appointment as a CAP Member;
- 5.2.2. misconduct;
- 5.2.3. a breach of any legislative obligation or duty of a CAP Member;
- 5.2.4. neglect of duty in attending to role and responsibilities as a CAP Member;
- 5.2.5. a failure to carry out satisfactorily the duties of his or her office;
- 5.2.6. a breach of fiduciary duty that arises by virtue of his or her office;
- 5.2.7. inability to carry out satisfactorily the duties of his or her office.
- 5.2.8. except in relation to Deputy Members, a failure without reasonable excuse to attend three consecutive CAP meetings without the CAP previously having resolved to grant a leave of absence to the CAP Member; or
- 5.2.9. in relation to a Deputy Member, a failure without reasonable excuse on three consecutive occasions to attend a meeting of the CAP when requested to do so; or
- 5.2.10. for any other reason the Council considers appropriate.

5.3. The removal of the CAP Member pursuant to clause 5.2 will take effect upon the Council passing a resolution to remove the CAP Member from office (unless the Council resolves otherwise), and such resolution will be confirmed in writing to the CAP Member within 7 days of being passed.

5.4. Prior to resolving to remove a CAP Member from office pursuant to clause 5.2, the Council must:

5.4.1. give written notice to the CAP Member of:

5.4.1.1. its intention to remove the CAP Member from office pursuant to clause 5.2; and

5.4.1.2. the alleged behaviour of the CAP Member falling within clause 5.2.1 or reason the Council considers it appropriate to remove the CAP Member,

not less than 7 days before the meeting of the Council at which the matter is to be considered;

5.4.2. give the CAP Member an opportunity to make submissions to the Council on its intention to remove the CAP Member from office either orally at the Council meeting at which the matter is to be considered, or in writing by such date as the Council reasonably determines; and

2.

5.4.3. have due regard to the CAP Member's submission in determining whether to remove the CAP Member from office.





# **BUILDING FIRE SAFETY COMMITTEE**

## **Terms of Reference**

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Draft for Council endorsement

## Establishment and Status of the Building Fire Safety Committee

Pursuant to Section 157 (17) of the *Planning Development and Infrastructure Act 2016* (“PDI Act”), the City of Salisbury (“the Council”) establishes a body to be known as the Salisbury Building Fire Safety Committee (“the Building Fire Safety Committee”).

The Building Fire Safety Committee is established for the purpose of acting as the “*appropriate authority*” (as that term is defined in the *Planning Development and Infrastructure Act 2016*) in respect of all fire safety matters arising under the PDI Act.

The first meeting of the Building Fire Safety Committee shall not be held until on or after the date on which the Development Act is revoked in the Council’s area (and until such time, members of the committee will continue to meet as a building fire safety committee constituted under section 71 of the Development Act, 1993).

## Membership

1. Membership of the Building Fire Safety Committee shall consist of –

### *Members*

- Mr Jeff Shillabeer (City of Salisbury staff), being a person appointed by the Council and who holds prescribed qualifications in building surveying.
  - Mr Jackson Ryan (City of Salisbury staff), being a person appointed by the Council and who holds prescribed qualifications in building surveying.
  - Mr James Sunjaya, Director J Squared Engineering Pty Ltd, being a person appointed by the Council as a person with expertise in the area of fire safety.
  - Mr Peter Hilhorst or Deputy – Member nominated by being an authorised officer under Part 3 Division 5 or section 86 of the Fire and Emergency Services Act 2005, and approved by the Chief Officer South Australian Metropolitan Fire Service (SAMFS).
2. The Council appoints Jeffrey Shillabeer as the Presiding Member of the Building Fire Safety Committee.
  3. All members of the BFSC are appointed for a term of 3 years.
  4. The office of a member of the Building Fire Safety Committee will become vacant if the member –
    - dies; or
    - completes a term of office and is not reappointed; or
    - resigns by written notice addressed to the Council; or
    - removed from office by the Council for any reasonable cause.

### Terms of Reference

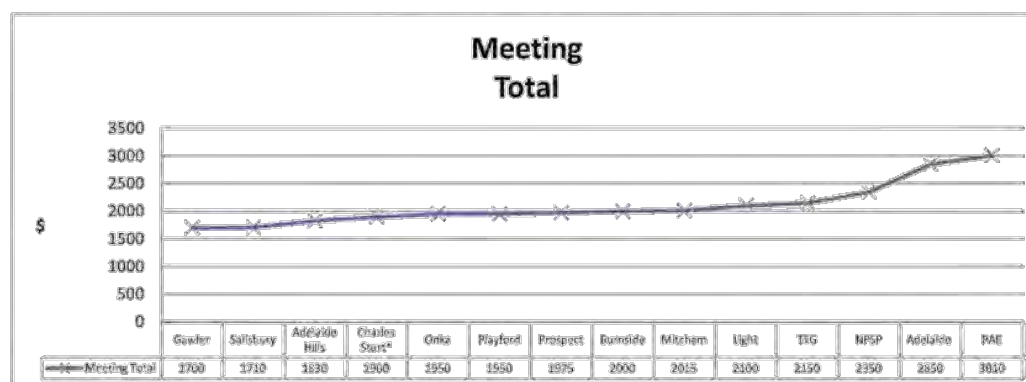
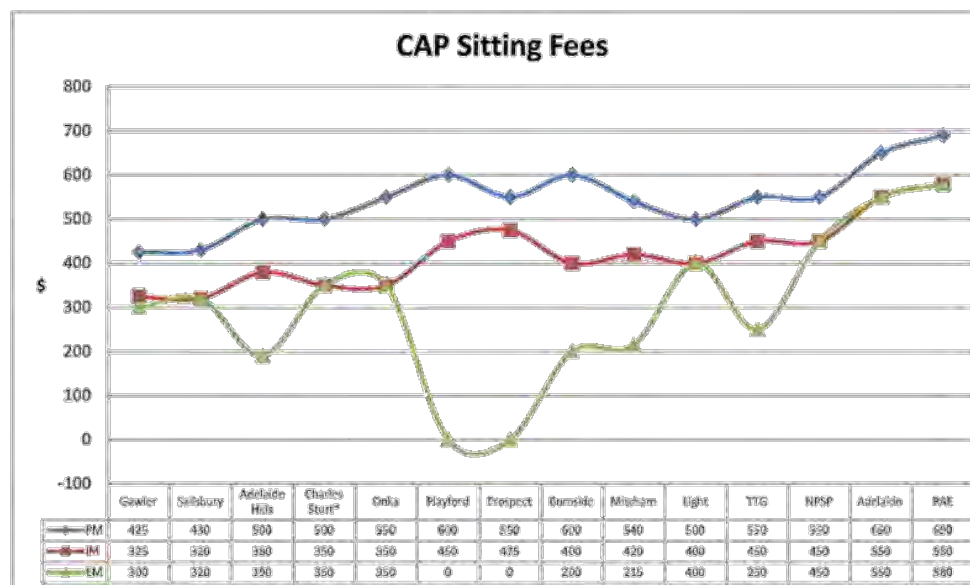
1. The terms of reference and condition for the Building Fire Safety Committee are as follows –
  - a. The Building Fire Safety Committee is charged with the responsibility for all matters arising under Section 157 (17) of the *Planning Development and Infrastructure Act 2016* including associated regulations which are of a building fire safety nature.
  - b. A member of the Building Fire Safety Committee who has a personal interest or a direct or indirect pecuniary interest in any matter before the Building Fire Safety Committee (other than an indirect interest which exists in common with a substantial class of persons) must not take part in any deliberations or decisions of the Building Fire Safety Committee in relation to that matter.
  - c. All committee appointees must act honestly, lawfully, in good faith, and in accordance with any code of conduct applicable to members.

### Meeting procedures

5. A quorum for a meeting of the Building Fire Safety Committee shall be three (3) persons.
6. All decisions of the Building Fire Safety Committee shall be made on the basis of a majority decision of the members present
7. The Building Fire Safety Committee shall meet at the main office of the City of Salisbury at 34 Church Street, Salisbury or at such other places as the Building Fire Safety Committee may, from time to time, determine.
8. The Building Fire Safety Committee shall meet at a day and at a time determined by the Presiding Member with a minimum three (3) ordinary meetings in each calendar year and may hold a special meeting at any other time at the direction of the Presiding Member.
9. The following provisions apply to the calling of meetings –
  - a. in the case of an ordinary meeting of the Building Fire Safety Committee, the Presiding Member must give each member of the Building Fire Safety Committee notice of a meeting at least five (5) clear business days before the date of the meeting.
  - b. in the case of a special meeting of the Building Fire Safety Committee, the Presiding Member must give each member of the Building Fire Safety Committee notice of the meeting at least four (24) hours before the commencement of the meeting.
  - c. notice may be given to a member of the Building Fire Safety Committee –

- personally;
  - by delivering it to any place authorised in writing by the member; or
  - by an email known to be used by the person.
10. All decisions shall be made on the basis of majority decision of the members present and made by majority consensus.
11. The Presiding Member of the Building Fire Safety Committee must keep, or arrange to be kept, minutes of every meeting of the Building Fire Safety Committee. The minutes of the proceedings and meetings of the Building Fire Safety Committee must include –
- the names of the members present;
  - any disclosure of interest made by a member, and
  - all decisions.
12. The City of Salisbury will be responsible for all record holding as required under the *State Records Act 1997*.
13. All committee proceedings shall be treated as confidential.
14. The procedure to be observed at a meeting of the Building Fire Safety Committee insofar as the procedure is not prescribed by these terms of reference may be determined by the Committee.

	PM	IM	EM	Meeting Total
Gawler	425	325	300	1700
Salisbury	430	320	320	1710
Adelaide Hills	500	380	190	1830
Charles Sturt*	500	350	350	1900
Onka	550	350	350	1950
Playford	600	450	0	1950
Prospect	550	475	0	1975
Burnside	600	400	200	2000
Mitcham	540	420	215	2015
Light	500	400	400	2100
TTG	550	450	250	2150
NPSP	550	450	450	2350
Adelaide	650	550	550	2850
PAE	690	580	580	3010
<b>Ave</b>	<b>545</b>	<b>421</b>	<b>297</b>	<b>1913</b>





<b>ITEM</b>	3.6.1
	<b>RESOURCES AND GOVERNANCE COMMITTEE</b>
<b>DATE</b>	16 November 2020
<b>HEADING</b>	Formal Meeting Schedule: December 2020 - December 2021
<b>AUTHOR</b>	Michelle Woods, Projects Officer Governance, CEO and Governance
<b>CITY PLAN LINKS</b>	4.2 We deliver quality outcomes that meet the needs of our community
<b>SUMMARY</b>	This report seeks Council's endorsement for a proposed formal meeting schedule to commence December 2020 and continue for the duration of 2021.

### **RECOMMENDATION**

1. The Formal Meeting Schedule as set out in Attachment 1 to this report (Item 3.6.1, Resources and Governance Committee, 16 November 2020) is endorsed.
2. The Chief Executive Officer is delegated authority to amend the attached Formal Meeting Schedule should the need arise.

### **ATTACHMENTS**

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

1. Formal Committee Structure as resolved 26 October 2020
2. Draft Meeting Schedule December 2020 - December 2021
3. Extract of Delegations Register: Variations to Formal Meeting Schedule

### **1. BACKGROUND**

- 1.1 A requirement of the *Local Government Act 1999* ('the Act') is that Council must determine the time and place of ordinary meetings of Council.
- 1.2 Section 81(1) & (2) of the Act provides that ordinary meetings of Council shall be held at times and places appointed by the Council, but there must be at least one in each month.

### **2. CONSULTATION / COMMUNICATION**

- 1.1 Internal
  - 1.1.1 Manager Governance
- 1.2 External
  - 1.2.1 Nil

## 2. REPORT

- 2.1 At the 26 October 2020 Council Meeting, a new committee structure was established and is attached (Attachment 1) for reference.
- 2.2 In summary, the following committees were resolved to be created, commencing December 2020 and for the remainder of the term of the current Council:
- Policy and Planning Committee
  - Finance and Corporate Services Committee
  - Innovation and Business Development Committee
  - Governance and Compliance Committee
  - Community Wellbeing and Sport Committee
  - Urban Services Committee
  - Audit Committee (in accordance with section 125 of the Local Government Act 1999)
  - Council Assessment Panel (in accordance with the Development Act 1993)
  - CEO Review Committee
- 2.3 Further, the following sub committees were established:
- Youth Council (reporting to the Policy and Planning Committee)
  - Intercultural Strategy and Partnerships Sub-Committee (reporting to the Policy and Planning Committee)
  - Strategic Property Development Sub-Committee (reporting to the Innovation and Business Development Committee)
  - Asset Management Sub Committee (reporting to the Urban Services Committee)
  - Tree Management Appeals Sub Committee (reporting to the Urban Services Committee)
- 2.4 Council also resolved:
7. *A draft Meeting Schedule to accommodate the adopted Council/Committee Structure, commencing December 2020 and for the duration of 2021, be prepared and presented to the November 2020 meeting of the Resources and Governance Committee, to reflect a four week monthly meeting cycle as follows:*
- *week one - informal gatherings and workshops,*
  - *week two - sub committees,*
  - *week three - committees, noting that the Innovation and Business Development Committee and Community Wellbeing and Sport are to meet consecutively*
  - *week four – Council*

2.5 The above schedule is depicted in the following table:

	Week 1	Week 2	Week 3	Week 4
<b>Mon</b>	Informal Strategy	<ul style="list-style-type: none"> <li>• Sub Committees</li> <li>• CEO Review Committee (Jan, Apr, Jul, Oct)</li> </ul>	Committees: 1. Policy & Planning 2. Finance & Corporate Services 3. Urban Services <i>(running concurrently with 4)</i> 4. Governance & Compliance <i>(running concurrently with 3)</i>	Council
<b>Tues</b>	Other workshops If/as required/	<ul style="list-style-type: none"> <li>• Sub committees</li> <li>• Audit Committee (Feb, Apr, Jul, Oct, Nov)</li> <li>• Youth Council (every 2nd month, commencing Feb)</li> </ul>	1. Innovation & Business Dev't 2. Community Wellbeing & Sport	CAP

- 2.6 In the event that a scheduled meeting falls on a public holiday, all meetings for that week will move forward by one day.
- 2.7 In addition to the proposed schedule, sub committees may on occasion need to alter the meeting times as circumstances might require. This will be organised at the time to ensure legislative requirements are met.
- 2.8 As required under the Informal Gatherings Policy, a separate schedule has been prepared for informal meetings and workshops. This schedule includes Informal Strategy and Budget Workshops. This is communicated to Elected Members separately and published on our website on a weekly basis.
- 2.9 Historically, meetings in December are held one week earlier to accommodate Christmas and, where possible, one week later in January to accommodate the New Year.
- 2.10 Consequently, members should note that meetings in December 2020 have been scheduled one week earlier.
- 2.11 This is to avoid the Council Meeting being held between Christmas and New Year.
- 2.12 The Chief Executive Officer has been delegated authority to amend the meeting schedule (refer Attachment 3).

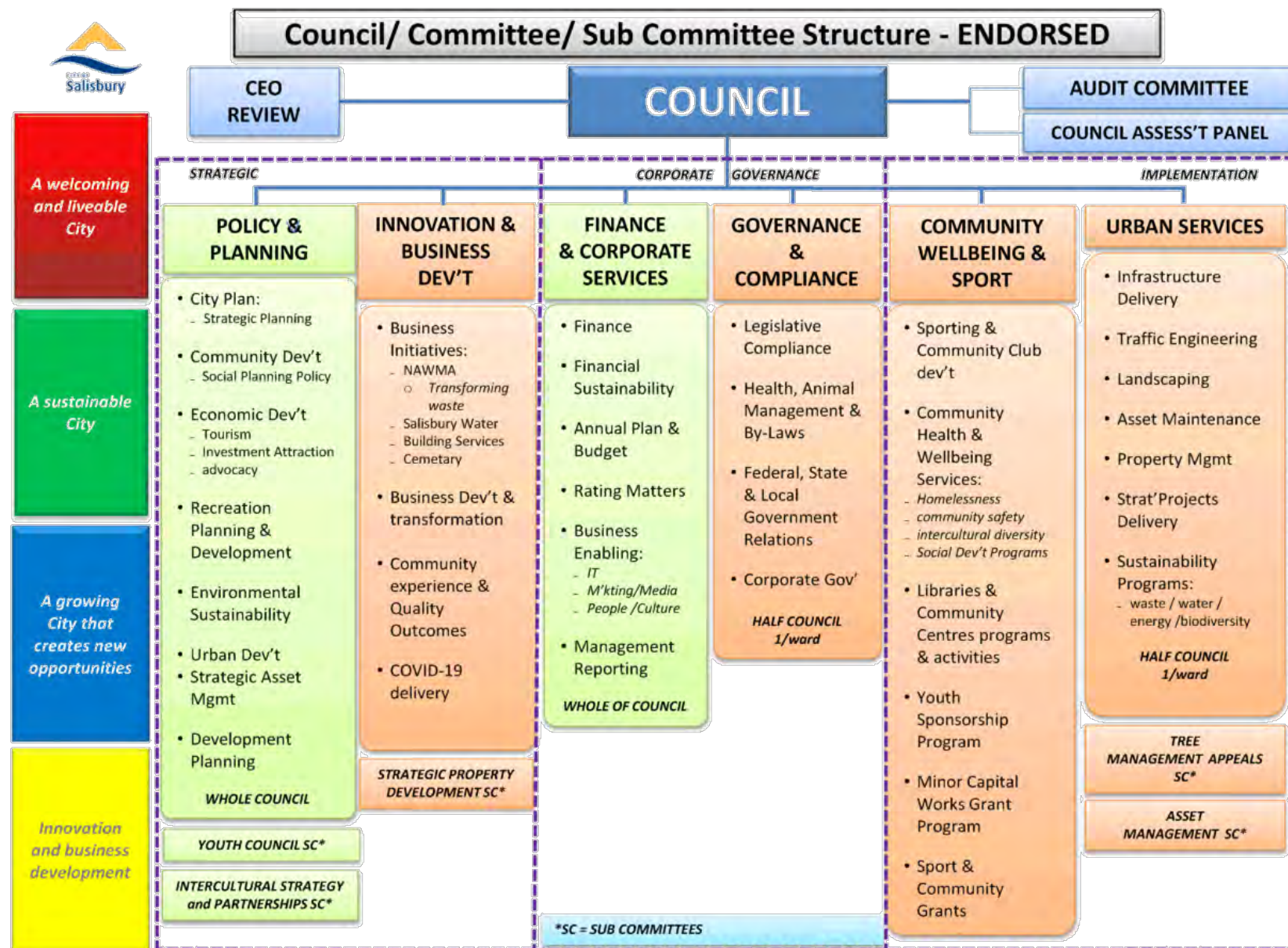
### 3. CONCLUSION / PROPOSAL

- 3.1 A proposed meeting schedule for 2021, based on the meeting structure outlined in the report and approved by Council last month is provided in Attachment 2 to this report for consideration.

### CO-ORDINATION

Officer: Executive Group MG  
 Date: 09/11/2020 11/11/2020









### December 2020 Formal Meeting Schedule

Month	Meetings	Date	Time
	Sub-Committees as required	Mon 7	6:30pm (Youth 5:30pm)
	Sub-Committees (incl. Youth) as required	Tues 8	
	Policy & Planning Committee	Mon 14	6:30pm
	Finance & Corporate Services Cmte		At concl of P&P
	Urban Services Cmte		At concl of F&CS
	Governance & Compliance Committee		At concl of F&CS
	Innovation & Business Dvt Committee	Tues 15	6:30pm
	Community Wellbeing & Sport Cmte		At concl of IBD
	Council	Mon 21	6:30pm
	Council Assessment Panel (CAP)	Tues 22	

## 2021 Formal Meeting Schedule

CITY of Salisbury

Salisbury

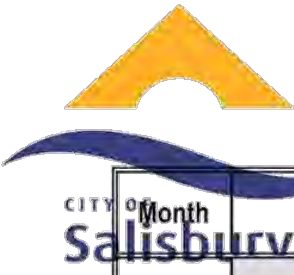
Month	Meetings	Date	Time
JAN	Informal Strategy (tbc)	Mon 4	6:30pm
	Workshops if required	Tues 5	
	Sub-Committees (incl. CEO Review) as required	Mon 11	6:30pm
	Sub-Committees as required	Tues 12	
	Policy & Planning Committee	Mon 18	6:30pm
	Finance & Corporate Services Cmte		At concl of P&P
	Urban Services Cmte		At concl of F&CS
	Governance & Compliance Committee		At concl of F&CS
	Innovation & Business Dvt Committee	Tues 19	6:30pm
	Community Wellbeing & Sport Cmte		At concl of IBD
	Council	Mon 25	6:30pm
	Council Assessment Panel (CAP)	Wed 27	
	FEB	Informal Strategy	Mon 1
Workshops if required		Tues 2	
Sub-Committees as required		Mon 8	6:30pm (Youth 5:30pm)
Sub-Committees (incl. Youth & Audit) as required		Tues 9	
Policy & Planning Committee		Mon 15	6:30pm
Finance & Corporate Services Cmte			At concl of P&P
Urban Services Cmte			At concl of F&CS
Governance & Compliance Committee			At concl of F&CS
Innovation & Business Dvt Committee		Tues 16	6:30pm
Community Wellbeing & Sport Cmte			At concl of IBD
Council		Mon 22	6:30pm
Council Assessment Panel (CAP)		Tues 23	
MAR 5 weeks		Informal Strategy	Mon 1
	Workshops if required	Tues 2	
	Sub-Committees as required	Tues 9	6:30pm
	Sub-Committees as required	Wed 10	
	Policy & Planning Committee	Mon 15	6:30pm
	Finance & Corporate Services Cmte		At concl of P&P
	Urban Services Cmte		At concl of F&CS
	Governance & Compliance Committee		At concl of F&CS
	Innovation & Business Dvt Committee	Tues 16	6:30pm
	Community Wellbeing & Sport Cmte		At concl of IBD
	Council	Mon 22	6:30pm
	Council Assessment Panel (CAP)	Tues 23	

## 2021 Formal Meeting Schedule

CITY of Salisbury

Salisbury

Month	Meetings	Date	Time	
APR	Informal Strategy	Tues 6	6:30pm	
	Workshops if required	Wed 7		
	Sub-Committees (incl. CEO Review) as required	Mon 12	6:30pm (Youth 5:30pm)	
	Sub-Committees (incl. Youth & Audit) as required	Tues 13		
	Policy & Planning Committee	Mon 19	6:30pm	
	Finance & Corporate Services Cmte		At concl of P&P	
	Urban Services Cmte		At concl of F&CS	
	Governance & Compliance Committee		At concl of F&CS	
	Innovation & Business Dvt Committee	Tues 20	6:30pm	
	Community Wellbeing & Sport Cmte		At concl of IBD	
	Council	Tues 27	6:30pm	
	Council Assessment Panel (CAP)	Wed 28		
	MAY	Informal Strategy	Mon 3	6:30pm
Workshops if required		Tues 4		
Sub-Committees as required		Mon 10	6:30pm	
Sub-Committees as required		Tues 11		
Policy & Planning Committee		Mon 17	6:30pm	
Finance & Corporate Services Cmte			At concl of P&P	
Urban Services Cmte			At concl of F&CS	
Governance & Compliance Committee			At concl of F&CS	
Innovation & Business Dvt Committee		Tues 18	6:30pm	
Community Wellbeing & Sport Cmte			At concl of IBD	
Council		Mon 24	6:30pm	
Council Assessment Panel (CAP)		Tues 25		
JUN 5 weeks	Informal Strategy	Mon 7	6:30pm	
	Workshops if required	Tues 8		
	Finance & Corporate Services Cmte	Tues 15	6:30pm (Youth 5:30pm)	
	Sub-Committees as required			
	Sub-Committees (incl Youth) as required	Wed 16	6:30pm	
	Policy & Planning Committee	Mon 21		
	Urban Services Cmte			At concl of F&CS
	Governance & Compliance Committee			At concl of F&CS
	Innovation & Business Dvt Committee	Tues 22	6:30pm	
	Community Wellbeing & Sport Cmte		At concl of IBD	
	Council	Mon 28	6:30pm	
	Council Assessment Panel (CAP)	Tues 29		



### 2021 Formal Meeting Schedule

Month	Meetings	Date	Time
<b>JUL</b>	Informal Strategy	Mon 5	6:30pm
	Workshops if required	Tues 6	
	Sub-Committees (incl. CEO Review) as required	Mon 12	6:30pm
	Sub-Committees as required (incl. Audit)	Tues 13	
	Policy & Planning Committee	Mon 19	6:30pm
	Finance & Corporate Services Cmte		At concl of P&P
	Urban Services Cmte		At concl of F&CS
	Governance & Compliance Committee		At concl of F&CS
	Innovation & Business Dvt Committee	Tues 20	6:30pm
	Community Wellbeing & Sport Cmte		At concl of IBD
	Council	Mon 26	6:30pm
	Council Assessment Panel (CAP)	Tues 27	
<b>AUG</b> 5 weeks	Informal Strategy	Mon 2	6:30pm
	Workshops if required	Tues 3	
	Sub-Committees as required	Mon 9	6:30pm
	Sub-Committees (incl Youth) as required	Tues 10	(Youth 5:30pm)
	Policy & Planning Committee	Mon 16	6:30pm
	Finance & Corporate Services Cmte		At concl of P&P
	Urban Services Cmte		At concl of F&CS
	Governance & Compliance Committee		At concl of F&CS
	Innovation & Business Dvt Committee	Tues 17	6:30pm
	Community Wellbeing & Sport Cmte		At concl of IBD
	Council	Mon 23	6:30pm
	Council Assessment Panel (CAP)	Tues 24	
<b>SEP</b>	Informal Strategy	Mon 6	6:30pm
	Workshops if required	Tues 7	
	Sub-Committees as required	Mon 13	6:30pm
	Sub-Committees as required	Tues 14	
	Policy & Planning Committee	Mon 20	6:30pm
	Finance & Corporate Services Cmte		At concl of P&P
	Urban Services Cmte		At concl of F&CS
	Governance & Compliance Committee		At concl of F&CS
	Innovation & Business Dvt Committee	Tues 21	6:30pm
	Community Wellbeing & Sport Cmte		At concl of IBD
	Council Assessment Panel (CAP)	Mon 27	6:30pm
	Council	Tues 28	



## 2021 Formal Meeting Schedule

Month	Meetings	Date	Time
<b>OCT</b>	Informal Strategy	Tues 5	6:30pm
	Workshops if required	Wed 6	
	Sub-Committees (incl. CEO Review) as required	Mon 11	6:30pm (Youth 5:30pm)
	Sub-Committees as required (incl. Youth & Audit)	Tues 12	
	Policy & Planning Committee	Mon 18	6:30pm
	Finance & Corporate Services Cmte		At concl of P&P
	Urban Services Cmte		At concl of F&CS
	Governance & Compliance Committee		At concl of F&CS
	Innovation & Business Dvt Committee	Tues 19	6:30pm
	Community Wellbeing & Sport Cmte		At concl of IBD
	Council	Mon 25	6:30pm
	Council Assessment Panel (CAP)	Tue 26	
<b>NOV</b> 5 weeks	Informal Strategy	Mon 1	6:30pm
	Workshops if required	Tues 2	
	Sub-Committees as required	Mon 8	6:30pm
	Sub-Committees as required (incl. Audit)	Tues 9	
	Policy & Planning Committee	Mon 15	6:30pm
	Finance & Corporate Services Cmte		At concl of P&P
	Urban Services Cmte		At concl of F&CS
	Governance & Compliance Committee		At concl of F&CS
	Innovation & Business Dvt Committee	Tues 16	6:30pm
	Community Wellbeing & Sport Cmte		At concl of IBD
	Council	Mon 22	6:30pm
	Council Assessment Panel (CAP)	Tues 23	
<b>DEC</b>	Sub-Committees as required	Mon 6	6:30pm (Youth 5:30pm)
	Sub-Committees (incl Youth) as required	Tues 7	
	Policy & Planning Committee	Mon 13	6:30pm
	Finance & Corporate Services Cmte		At concl of P&P
	Urban Services Cmte		At concl of F&CS
	Governance & Compliance Committee		At concl of F&CS
	Innovation & Business Dvt Committee	Tues 14	6:30pm
	Community Wellbeing & Sport Cmte		At concl of IBD
	Council	Mon 20	6:30pm
	Council Assessment Panel (CAP)	Tues 21	



City of Salisbury

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Delegations Register

**1. Delegation of Authority****D. COUNCIL****COUNCIL POLICY****Variations to Formal Meeting Schedule**

6474	The Chief Executive Officer be delegated authority to amend the 2021 Formal Meeting Schedule should the need arise.	000174 Chief Executive Officer -
6476	A condition on the exercise of this delegation be that advice be given to elected members as soon as practicable when a need for change is determined and no later than three clear business days before the relevant meeting(s).	000174 Chief Executive Officer - not to be sub delegated -
6475	In the event that changes to the Formal Meeting Schedule are made, the Chief Executive Officer ensure that appropriate advice of any changes is provided to Elected Members and public notification of changed meeting details is made via the Notice of Meetings.	000174 Chief Executive Officer - not to be sub delegated -

Last reviewed on 24/06/2019

Printed as at 5/11/2020



<b>ITEM</b>	3.6.2
	<b>RESOURCES AND GOVERNANCE COMMITTEE</b>
<b>DATE</b>	16 November 2020
<b>HEADING</b>	Emergency Management Policy
<b>AUTHOR</b>	Janet Crook, Risk & Governance Program Manager, CEO and Governance
<b>CITY PLAN LINKS</b>	1.5 Our community is resilient and adaptive to change 2.3 Our community, environment and infrastructure are adaptive to a changing climate 4.2 We deliver quality outcomes that meet the needs of our community
<b>SUMMARY</b>	The City of Salisbury Emergency Management Policy provides formal scope, direction and authority to participate in emergency management as required under the <i>State Emergency Management Plan</i> .

## RECOMMENDATION

1. The Emergency Management Policy as set out in Attachment 2 to this report (Item 3.6.2, Resources and Governance Committee, 16/11/2020) is approved.

## ATTACHMENTS

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

1. Council Ready Action Plan
2. Emergency Management Policy

## 1. BACKGROUND

- 1.1 The Council Ready Program is a program developed by the Local Government Association South Australia (LGASA) to build the emergency management capacity of all South Australian Councils as a means to strengthen disaster resilience in South Australian communities. Funding support for the program was provided by the Natural Disaster Resilience Program (by the South Australian State Government and the Commonwealth Department of Home Affairs) and the LGA Mutual Liability Scheme.
- 1.2 City of Salisbury participated in an emergency management health check with the LGA Council Ready Program in October 2018 which provided an overview of the current emergency management framework at council.
- 1.3 A Council Ready emergency management health check report was provided by the LGA to Council in January 2019 which identified the key opportunities for improvement within the current emergency management framework.

- 1.4 City of Salisbury entered into an Action Plan with the Council Ready Program. The Action Plan is Council's commitment to update the emergency management framework and rectify those gaps that were identified in the October 2018 health check. A copy of the Action Plan appears as Attachment 1 to this report.
- 1.5 There are three key deliverables to be achieved as part of the Council Ready program;
  - 1.5.1 To develop the City of Salisbury Emergency Management Policy.  
The policy will provide formal scope, direction and authority for Council to undertake its roles and responsibilities in emergency management in accordance with the *State Emergency Management Plan* and *Local Government Emergency Management Framework*.
  - 1.5.2 To update the Council Emergency Management Plan.  
The plan will detail the strategic direction and actions Council is responsible for to reduce disaster risk, maintain incident operational capability and prepare for recovery.
  - 1.5.3 Document Council's Incident Operational Arrangements.  
These arrangements will describe how Council will organize and take practical action immediately before, during and immediately after an incident.
- 1.6 Upon completion of the deliverables set out in paragraph 1.5 of this report, these components will constitute Council's agreed framework for its approach to emergency management. The Administration will then provide Council with advice on the manner in which it will resource the responsibilities it considers a priority within the policy.
- 1.7 Council will utilize resourcing provided by the LGA Council Ready program to ensure deliverable timeframes are met. Strategic oversight will be provided by the CEO & Governance Department.

## 2. CITY PLAN CRITICAL ACTION

- 2.1 Adoption of the City of Salisbury Emergency Management Policy confirms Councils commitment to City Plan 2035 links:
  - 2.1.1 *1.5 – Our community is resilient and adaptive to change*  
By outlining Councils responsibility to build and promote disaster resilience within our Community, and undertaking public education and awareness to support community preparedness measures.
  - 2.1.2 *2.3 - Our community, environment and infrastructure are adaptive to a changing climate*  
By understanding and communicating current and emerging disaster risks, and integrating disaster risk into existing plans and decision making

### 3. CONSULTATION / COMMUNICATION

#### 3.1 Internal

##### 3.1.1 Executive and Governance

#### 3.2 External

##### 3.2.1 Local Government Council Ready Program facilitator.

### 4. REPORT

4.1 The development of an Emergency Management Policy is the first deliverable of the Council Ready Action Plan.

4.2 The City of Salisbury Emergency Management Policy details the key roles and responsibilities Council will undertake in the field of disaster risk reduction, Incident Operations and Recovery. These roles and responsibilities are undertaken in accordance with the comprehensive emergency management principle of Prevention, Preparedness, Response and Recovery. The draft Emergency Management Policy appears as Attachment 2 to this report.

4.2.1 Prevention includes all activities concerned with minimizing the occurrence of emergency events.

4.2.2 Preparedness encompasses all activities undertaken in advance of the occurrence of an emergency event to decrease the impact, extent and severity of the event and to ensure more effective response activities.

4.2.3 Response includes any measures taken in anticipation of, during or immediately after an emergency event to ensure the effect of the emergency is minimised and that affected individuals are given immediate relief and support.

4.2.4 Recovery is the coordinated process of supporting emergency-affected communities in reconstruction of the physical infrastructure and restoration of emotional, social, economic and physical well-being.

4.3 Many of the roles and responsibilities outlined in the Emergency Management Policy are already being undertaken as a part of Council business as usual. A review of the core responsibilities is being undertaken, and where gaps are identified, action plans will be developed to ensure our obligations are being met.

4.4 Responsibility for the City of Salisbury Emergency Management Policy will sit within the Governance division and review will be conducted in accordance with Council's existing Policy review framework.

4.5 Responsibility for the implementation of the Policy will sit with the individual Departments whose key business functions align with Council's commitment to our emergency management responsibilities. Governance will provide oversight of the emergency management framework and ensure actions are completed by regular reporting and internal audits of related business functions.

4.6 The Emergency Management Policy was reviewed by the Audit Committee on 10 November 2020. The Audit Committee commented that:

4.6.1 the template document prepared by the LGA has not been sufficiently tailored for the City of Salisbury;

- 4.6.2 a review process be included covering lessons learned from past incidents and how it was managed; and
- 4.6.3 the policy content be amended to provide more clarity.
- 4.7 The Audit Committee resolved that:
  - 4.7.1 *“The Audit Committee supports the Emergency Management Policy as drafted and set out in Attachment 2 to this report (Item 4.2.1, Audit Committee, 10/11/2020) for further consideration of the Resources and Governance Committee in November 2020, with recognition of Audit Committee comments being incorporated into the report to the Resources and Governance Committee.”*
- 4.8 The Resources and Governance Committee can recommend any changes to the Emergency Management Policy that it deems necessary taking into account the feedback provided by the Audit Committee.

## **5. CONCLUSION / PROPOSAL**

- 5.1 City of Salisbury entered into an Action Plan with the Council Ready Program to develop an Emergency Management Policy, update the Emergency Management Plan and document Council’s Incident Operational Arrangements.
- 5.2 The Emergency Management Policy has been reviewed by the Executive Group and the Audit Committee.
- 5.3 The Emergency Management Policy is put to the Resources and Governance Committee for endorsement for Council approval.

## **CO-ORDINATION**

Officer: Executive Group  
Date: 09/11/2020



## 1. Background

The Council Ready program aims to support councils with emergency management planning, and activities that strengthen disaster resilience in communities. The program is being centrally coordinated by the Local Government Association of South Australia (LGA-SA), with a team of project facilitators providing tailored assistance to all 68 councils between 2019 and 2021.

The City of Salisbury participated in an Emergency Management Health Check on the 24<sup>th</sup> October 2018 as part of the first stage of Council Ready. The outcomes, including a series of opportunities for strengthening emergency management planning, were documented in a Summary Report provided to the council.

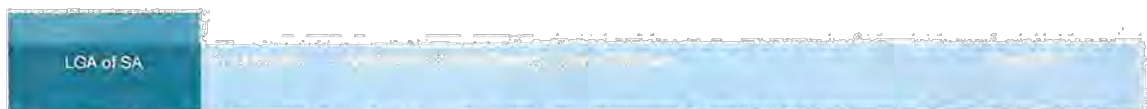
This Action Plan documents the actions that the council and the LGA Council Ready program will progress together between July 2020 and June 2021 to strengthen the emergency management maturity of the City of Salisbury. It is a partnership approach with both the LGA Council Ready Program and the City of Salisbury committing time and resources to achieve the outcomes described in this document.

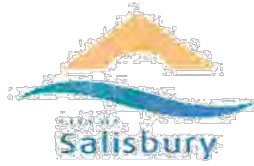
## 2. Aims

1. To develop emergency management documentation that defines Council's role in emergency management
2. To raise awareness and communicate council's emergency management roles and responsibilities across prevention, preparedness, response and recovery; and
3. To strengthen the emergency management maturity of the City of Salisbury

## 3. Deliverables

Number	Description	Deadline
1	To develop City of Salisbury Emergency Management Policy	November 2020
2	To update City of Salisbury Emergency Management Plan	June 2021
2	To develop City of Salisbury Emergency Management Incident Operations arrangements.	June 2021





## 4. Methodology

### 4.1 Deliverable 1 – Development of Emergency Management Policy for Council

The Emergency Management Policy provides formal scope, direction and authority for the council to participate in emergency management, from prevention and planning through to recovery. Council will take this opportunity to use the Policy and Operational Arrangements to educate elected members on council contribution to emergency management, the impact of emergencies on council and council role in the South Australian emergency management arrangements.

Task	Deadline	Responsibility- Council	Responsibility – LGA
1.1 Adapt LGA Model Policy template and draft policy relevant to the City of Salisbury	August 2020	Liaise with Governance Team to approve LGA policy template format to be consistent with current council policy	Provide support to develop draft policy
1.2 Consult with key internal stakeholders on draft policy	September 2020	Email draft policy to appropriate people within council for comment. Review feedback and update policy	N/A
1.3 Finalise draft Policy submit to Audit Committee prior to Council endorsement	November 2020	Final review and management of endorsement process	N/A
Deliverable 1*	November 2020		

\*Deliverable under Council Ready program will be to get document to final draft stage ready for Council approval process. Council staff to coordinate approval/endorsement process with Council.





#### 4.2 Deliverable 2 – Updated Council Emergency Management Plan

This deliverable will review and update the existing Emergency Management Plan which will outline council's responsibilities and actions to reduce disaster risk, maintain incident operational capability and prepare for recovery.

Task	Deadline	Responsibility- Council	Responsibility – LGA
2.1 Meeting with key council staff having oversight and knowledge of relevant business functions that relate to emergency management and disaster risk reduction	September 2020	Organise meetings with key council staff	N/A
2.2 Undertake emergency management risk assessments on identified hazards using NERAG	February 2021	Coordinate meetings with key personnel	Assist with conduct of R/A process
2.3 Draft emergency management plan based on meeting feedback and using the LGA Emergency management plan template	March 2021	Review and edit draft emergency management plan	Draft emergency management plan with input from key operational council contacts
2.4 Meeting with key council contacts to discuss draft Plan	April 2021	Identify relevant people available for meeting. Organise venue, date and invites	Facilitate meeting, then review feedback and update draft plan
2.5 Finalise draft emergency management plan submit to Audit Committee prior to Council endorsement	June 2021	Final review and management of endorsement process	N/A
Deliverable 2*	June 2021		

\*Deliverable under Council Ready program will be to get document to final draft stage ready for Council approval process. Council staff to coordinate approval/endorsement process with Council.



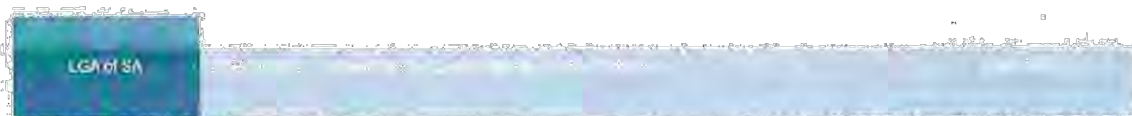


#### 4.3 Deliverable 3 – Documentation of Council's Emergency Incident Operational Arrangements

This deliverable will document Incident Operational Arrangements for council with input from council staff having experience and knowledge of current practices. The Incident Operational Arrangements describe how the council will organise and take practical action immediately before, during and immediately after an incident. The Incident Operational Arrangements is a tool for communication of council procedure during times of emergency between Council Commander and Council staff, and between council and the emergency services.

Task	Deadline	Responsibility- Council	Responsibility – LGA
3.1 Meeting with key council staff to identify desired outcomes of incident operations for City of Salisbury	October 2020	Identify relevant staff. Organise meeting Collate feedback	N/A
3.2 Meetings with council staff who have experience and knowledge of current approaches to incident operations	December 2020	Identify relevant people available for meeting. Organise venue, date and invites	Attend and document meeting outcomes
3.3 Draft Operational Arrangements based on meeting outcomes and using LGA Incident Operational Arrangements template	January 2021	Review and edit draft Incident Operational Arrangements	Draft Incident Operational Arrangements with input from key operational council contacts
3.4 Meeting with key council contacts to discuss draft arrangements	March 2021	Identify relevant people available for meeting. Organise venue, date and invites	Facilitate meeting, then review feedback and update draft arrangements
3.5 Finalise draft incident operational arrangements for council endorsement	May 2021	Final review and management of endorsement process	N/A
Deliverable 3*	June 2021		

\*Deliverable under Council Ready program will be to get document to final draft stage ready for Council approval process. Council staff to coordinate approval/endorsement process with Council.





## 5. Stakeholder engagement

### Internal stakeholders

Stakeholder	Likely interest in the project	Engagement Activities
CEO & Governance	Framework Owner	Meetings/workshops
City Infrastructure	Development and use	Meetings/workshops
Business Excellence	Development and use	Meetings/workshops
City Development	Development and use	Meetings/workshops
Community and Organisational Development	Development and use	Meetings/Workshops

### External stakeholders

Stakeholder	Likely interest in the project	Engagement Activities
ZEMC	Assurance of council's emergency management documentation	Provide updates at ZEMC meetings
External Emergency services/agencies	For information	Provide finalised documents
LGFSG	For information	Provide finalised documents

## 6. Resourcing

### City of Salisbury

To support the aims and deliverables outlined in this Action Plan, Council commits internal resources to contribute towards:

- Project management
- Engagement with internal and external stakeholders
- Participation in development of documents
- Review and approval of documents
- Application of council design and communication standards
- Provide venues and work space as required

The project manager with day to day responsibility for project delivery from the City of Salisbury is:

Lee Kightley

Strategic oversight will be provided by: Janet Crook / Mick Petrovski





#### Local Government Association – Council Ready Program

To support the aims and deliverables outlined in this Action Plan, LGA commits Council Ready program resources to contribute towards:

- Project management
- Engagement with council staff
- Facilitation of workshops
- Participation in the development of documents
- Mentoring, support and guidance as required
- Access to templates, guidelines and other support resources.

The Council Ready Project Facilitator with day to day responsibility for project delivery from the LGA is Helen Psarras.

Strategic oversight will be provided by Michael Arman, Manager LG Emergency Management Planning.

There are no financial costs for council to access assistance provided by the LGA Council Ready program. Council Ready received funding support under the Natural Disaster Resilience Program by the South Australian State Government and the Commonwealth Department of Home Affairs, and from the LGA Mutual Liability Scheme.

#### 7. Document ownership

All documents produced as a result of this partnership will be owned and maintained by the City of Salisbury.

The City of Salisbury may provide other councils or the LGA access to documents produced for the benefit of collaboration across the local government sector.

#### 8. Variance to this agreement

Should there be any changes to the deliverables (section 4) and methodology (section 5); it will be confirmed in writing. Any variation will be agreed to by the signatories of the Statement of Commitment in Section 10.

#### 9. Review

Upon completion of the deliverables in this agreement, there will be a review process facilitated by the LGA Council Ready program to identify:

- What was achieved?
- How well was the project delivered?
- What are the next steps for council?
- What are the learnings for other councils?

The City of Salisbury agrees to participate in this review process and any other review processes to contribute to the overall monitoring and evaluation of the Council Ready program.





## 10. Statement of commitment

This Action Plan will be delivered as a partnership between the City of Salisbury and the LGA Council Ready Program. Both parties commit to working in a collaborative and consultative manner to achieve the aims and deliverables of this Action Plan.

It is acknowledged that delays from council in terms of engagement of key internal stakeholders and the provision of critical information will impact upon the deadlines established in this agreement.

Charles Mansueto  
Acting Chief Executive Officer  
City of Salisbury  
[20 / 08 / 2020]

Michael Arman  
Manager LG Emergency Management Planning  
Local Government Association of South Australia  
[20 / 08 / 20]







## Emergency Management Policy

Policy Type:	Policy		
Approved By:	Council	Decision No:	
Approval Date:	23 November 2020		
Review Date:	November 2022	Internal Reference No.:	
Department:	CEO & Governance	Division:	Governance
Function:	30 - Emergency Management	Responsible Officer:	Manager Governance

### A – PREAMBLE

1. Emergencies have the potential to disrupt the strategic and operational activities of council and adversely impact communities.
2. The roles of local government in emergency management are informed by the *State Emergency Management Plan* and the *Local Government Emergency Management Framework*. They are enabled by the *Local Government Act 1999* (the Act), which outlines the requirement for councils to consider risks (including emergency risks) as follows:
  - make informed decisions;
  - take measures to protect their area from natural hazards;
  - provide infrastructure for community and for development;
  - ensure the sustainability of the council's long-term financial performance;
  - assess the maintenance, replacement or development needs for infrastructure;
  - Identify anticipated or predicted changes in any factors that make a significant contribution to the costs of the council's activities or operations.
3. In addition, section 8(d) of the Act requires councils to *"give due weight, in all its plans, policies and activities to regional, state and national objectives and strategies concerning the economic, social, physical and environmental development and management of the community"*.

### B-SCOPE

1. This policy applies to City of Salisbury in exercising powers and functions under the various Acts and agreements to which it is a party in the State of South Australia.
2. This policy does not apply to City of Salisbury workplace emergency response procedures, which are covered under *PD007 - WHS Emergency Management Policy*.

**C – POLICY PURPOSE/OBJECTIVES**

1. The purpose of the policy is to:
  - Define City of Salisbury's roles and responsibilities in emergency management
  - Ensure that City of Salisbury maintains appropriate delegations and authority to undertake its emergency management responsibilities
  - Ensure that City of Salisbury prepares and maintains appropriate emergency management documents
  - Support the City of Salisbury to maintain safe working practices during emergencies
  - Support City of Salisbury to maintain effective protection for council workers, assets and liabilities associated with emergency management activities.

**D – DEFINITIONS**

1. **Emergency Management** – A range of measures to manage risks to communities and the environment; the organisation and management of resources for dealing with all aspects of emergencies. Emergency management involves the plans, structures and arrangements which are established to bring together the normal endeavours of government, voluntary and private agencies in a comprehensive and coordinated way to deal with the whole spectrum of emergency needs including prevention, response and recovery
2. **Disaster Risk Reduction** – Activity aimed at preventing new and reducing existing disaster risk and managing residual risk, all of which contribute to strengthening resilience and therefore to the achievement of sustainable development
3. **Incident Operations** – Actions undertaken by the local government sector immediately before, during and immediately after an emergency incident
4. **Recovery** – The coordinated process of supporting emergency-affected communities in reconstruction of the physical infrastructure and restoration of emotional, social, economic and physical well-being
5. **i-Responda Operating Platform** - The i-Responda Operating Platform has been developed by the Local Government Association to assist councils in the planning phase as well as the implementation of their response to emergencies. In these situations, councils are often asked to provide plant, equipment and personnel to assist the authority responsible for managing the incident. The key objective of the i-Responda Operating Platform is to ensure that council personnel are trained, authorised and are therefore empowered to participate safely and that the risks to council and council workers are appropriately managed

**E – POLICY STATEMENT**

1. The City of Salisbury will undertake the following roles and responsibilities in accordance with the *State Emergency Management Plan* and the *Local Government Emergency Management Framework*:

**Disaster Risk Reduction**

- build and promote disaster resilience
- undertake cost-effective measures to mitigate the effects of emergencies on local communities, including routinely conducting emergency risk assessments
- Systematically taking proper account of risk assessments in land-use planning to reduce disaster risk
- represent community interests in emergency management to other levels of government and contribute to decision-making processes
- ensure all requisite local emergency planning and preparedness measures are undertaken
- undertake public education and awareness to support community-preparedness measures
- Understand and communicate current and emerging disaster risks
- Integrate disaster risk into existing plans and decision-making (e.g. City plans, Strategic risk frameworks, Strategic asset management plans, Climate change adaptation plan, Community land management plan, Landscape plan)
- Partner with local stakeholders in addressing priority emergency risks

#### **Incident operations**

- ensure an adequate local council emergency response capability is in place
- ensure appropriate local resources and arrangements are in place to provide and support emergency relief and recovery assistance to communities
- Participate in post-emergency assessment and analysis.
- Develop a locally relevant risk based suite of incident operational arrangements.
- Build the capability of council to participate in the Local Government Functional Support Group LGFSG)
- Participate in incident operations in accordance with the i-Responda operating platform.

#### **Recovery**

- Provide senior representation on local recovery committees
- Provide representation at community meetings
- Identify community impacts arising from disasters
- Liaise with the State agencies to determine potential recovery services
- Appoint a local recovery coordinator (if not provided by the State).
- Open lines of communication with local recovery service providers
- Establish communications with the community impacted by disasters
- Provide support in assessing, mapping and informing the community of the potential impacts of the disaster on the council area
- Support liaison between the local recovery coordinator and the local recovery committee
- Appoint a community development officer (if not provided by the State)
- Implement community development packages (if not provided by the State)
- Support local recovery centres

- Support local recovery service providers
- Secure grants and other funding assistance to support disaster recovery.

## 2. Emergency management documents

In addition to this policy, the City of Salisbury will maintain any other supporting documentation that:

- Describes the strategies and actions that council will take to implement this policy
- Identifies relevant local, regional and state emergency management plans and arrangements that impact upon council
- Responds to guidance for council provided by the *State Emergency Management Plan* and other emergency management plans, strategies, frameworks and guidelines
- Identifies linkages between emergency management objectives and the City of Salisbury's strategic, business, financial and other plans.

Council will maintain its commitment to locally relevant plans developed in consultation with Northern Area Zone Emergency Management Committee (NAZEMC) member Councils. Where Council resource commitments are made in these plans they will be subject to normal strategic and business planning processes of council. Council's emergency management documentation will be reviewed in line with council processes.

## 3. Maintain delegations

The City of Salisbury will maintain relevant emergency management delegations as listed in the City of Salisbury Delegations Register, in accordance with City of Salisbury Business rules for delegations.

## 4. Financial spending during emergencies

Arrangements for financial spending during emergencies are managed through existing corporate budgets. Where financial outlays cannot be absorbed, funding will be sought through non-discretionary budget bids in accordance with existing Council budget policy.

## 5. Support to control agencies and emergency services

City of Salisbury works within the requirements of the *Work Health and Safety Act 2012*. Council staff and/or equipment may be requested to support control agencies and emergency services in managing an emergency. When council resources are made available to support control agencies and emergency services this will be in accordance with:

- Council's emergency management plan
- Council's incident operations arrangements
- LGASA Mutual Protection guide for incident operations
- The Local Government Incident Operations guide (including i-Responda)
- Requirements of Council's Work, Health and Safety Management System, policies and procedures

**6. Local Government Functional Support Group**

City of Salisbury is a participating organisation of the Local Government Functional Support Group (LGFSG). The LGFSG has the responsibility of “Coordinating response from local government during an emergency” in accordance with Section 2.2 of Part Two of the *State Emergency Management Plan*.

**7. Protection**

To maintain effective workers compensation and liability coverage, City of Salisbury, when supporting the emergency services and control agencies in incident operations will:

- Apply appropriate risk management principles in accordance with Work, Health and Safety legislation and Council’s Work Health and Safety Management System, policies and procedures; and
- Have regard to the arrangements of the LGA Asset Mutual Fund, the LGA Workers Compensation Scheme and LGA Mutual Liability Scheme.

To achieve this, council resources will operate in line with the I-Responda Operational Platform and LGFSG operational arrangements.

**F – LEGISLATION**

1. Local Government Act 1999
2. Emergency Management Act 2004
3. Fire and Emergency Services Act 2005
4. Environmental Protection Act 1993
5. Public Health Act 2011
6. Planning, Development and Infrastructure Act 2016
7. Natural Resources Management Act 2004
8. Road Traffic Act 1961
9. Work, Health and Safety Act 2012

**G – REFERENCES**

1. Sendai Framework For Disaster Risk Reduction 2015 – 2030
2. National Disaster Risk Reduction Framework 2018
3. National Strategy For Disaster Resilience 2011
4. State Emergency Management Plan
5. South Australia Disaster Resilience Strategy 2019-2024
6. Local Government Emergency Management Framework
7. Northern Adelaide Zone Emergency Management Plan
8. Local Government Association of SA Protection Guide for Incident Operations

**H – ASSOCIATED PROCEDURES**

1. City of Salisbury Emergency Management Plan
2. City of Salisbury Emergency Management Incident Operation Arrangements
3. Community Safety Strategy
4. Extreme Heat Policy

5. City of Salisbury Development Plan
6. Community Land Management Plan
7. Asset Management Plan
8. Landscape Design Plan
9. Tree Management Policy
10. Drainage and Waterways Asset Management Plan

**Document Control**

<b>Document ID</b>	Emergency Management Policy
<b>Prepared by</b>	Lee Kightley
<b>Release</b>	1.0
<b>Document Status</b>	DRAFT
<b>Issue Date</b>	