



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

14 DECEMBER 2020

MEMBERS PRESENT

Cr J Woodman (Chairman)
Mayor Gillian Aldridge (ex officio)
Cr B Brug
Cr A Duncan
Cr K Grenfell
Cr S Reardon (Deputy Chairman)
Cr G Reynolds

OBSERVERS

Nil

STAFF

General Manager Business Excellence, Mr C Mansueto
General Manager City Development, Mr T Sutcliffe
Risk and Governance Program Manager, Ms J Crook
Manager Development Services, Mr C Zafirooulos
Manager Environmental Health & Safety, Mr J Darzanos
Team Leader General Inspectorate, Mr B Scholefield

The meeting commenced at 9:40pm

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

APOLOGIES

An apology has been received from Cr D Proleta.

LEAVE OF ABSENCE

Nil

The Mayor joined the meeting at 9:41pm.

Cr Adam Duncan joined the meeting at 9:41pm

PRESENTATION OF MINUTES

Moved Cr K Grenfell
Seconded Cr S Reardon

The Minutes of the Resources and Governance Committee Meeting held on 16 November 2020, be taken as read and confirmed.

CARRIED

REPORTS

Administration

3.0.1 Future Reports for the Governance and Compliance Committee

Moved Cr G Reynolds
Seconded Cr K Grenfell

1. The information be received.

CARRIED

For Decision

3.1.1 Audit Committee Membership - Appointment of Independent Member

Moved Cr K Grenfell
Seconded Cr G Reynolds

1. Council notes the appointment of Paula Davies as an independent member of the Audit Committee for a term of office of four years.

CARRIED

3.1.2 Abandoned Shopping Trolleys

Moved Cr B Brug
Seconded Mayor G Aldridge

1. The information be received.
2. That the review of Council By-laws to address Abandoned Trolleys be conducted in line with the by-law review process in 2021/2022, providing further opportunity to review the implementation of the City of Marion By-Law and consider any possible future amendments to the Local Nuisance and Litter Control Act.

CARRIED

3.1.3 Delegations under the Planning, Development and Infrastructure Act 2016

Moved Mayor G Aldridge
Seconded Cr G Reynolds

1. In accordance with Section 44(4)(c) of the *Local Government Act 1999*, the Council hereby revokes its previous delegations to the Chief Executive Officer of those powers and functions under the *Planning Development and Infrastructure Act 2016*, effective from midnight on the day before 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. In exercise of the power contained in Section 44 of the *Local Government Act 1999* the powers and functions under the *Planning, Development and Infrastructure Act 2016* and statutory instruments made thereunder contained in the proposed Instrument of Delegation A as attachment 1 to this report (Governance and Compliance Committee, 14/12/2020, Item No. 3.1.3) are hereby delegated, effective from the date 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*, to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
3. Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the *Local Government Act 1999* as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.
4. In exercise of the power contained in Section 100 of the *Planning, Development and Infrastructure Act 2016* the powers and functions under the *Planning, Development and Infrastructure Act 2016* and regulations statutory instruments made thereunder contained in the proposed Instrument of Delegation B as Attachment 2 to this report (Governance and Compliance Committee, 14/12/2020, Item No. 3.1.3) are hereby delegated, 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*, to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
5. Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Section 100(2)(c) of the

Planning, Development and Infrastructure Act 2016 as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

CARRIED

For Information

3.2.1 Cat By-Law Review Status Report

Moved Cr S Reardon
Seconded Cr K Grenfell

1. The information be received.

CARRIED

*Cr G Aldridge left the meeting at 9:56 pm.
Cr G Aldridge returned to the meeting at 10:07 pm.
Cr G Aldridge left the meeting at 10:09 pm.
Cr G Aldridge returned to the meeting at 10:10 pm.*

3.2.2 State Planning Commission Practice Directions - Council Inspections and Swimming Pool Inspections

Moved Cr K Grenfell
Seconded Cr S Reardon

1. Council notes that the *Building and Swimming Pool Inspection Policy* has been superseded by the State Planning Commission's *Practice Direction 8 - Council Swimming Pool Inspections 2019*, and *Practice Direction 9 - Council Inspections 2020* 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 it be noted that, as a consequence of the introduction of the State Commission's Practice Direction 8, Council's current practice of undertaking compliance inspections pools at the request of pool owners for no charge will cease.

CARRIED

The meeting closed at 10:11pm.

CHAIRMAN.....

DATE.....