



AGENDA

FOR GOVERNANCE AND COMPLIANCE COMMITTEE MEETING TO BE HELD ON

**19 APRIL 2021 AT CONCLUSION OF FINANCE AND CORPORATE SERVICES
COMMITTEE**

**IN WITTBER & DR RUBY DAVY ROOMS, SALISBURY COMMUNITY HUB,
34 CHURCH STREET, SALISBURY**

MEMBERS

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

REQUIRED STAFF

Chief Executive Officer, Mr J Harry
General Manager Business Excellence, Mr C Mansueto
General Manager City Development, Mr T Sutcliffe
General Manager Community & Org. Development, Ms G Page
Manager Governance, Mr M Petrovski
Risk and Governance Program Manager, Ms J Crook

APOLOGIES

LEAVE OF ABSENCE

PRESENTATION OF MINUTES

Presentation of the Minutes of the Governance and Compliance Committee Meeting held on 15 March 2021.

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Administration

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For Decision

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OTHER BUSINESS

CONFIDENTIAL ITEMS

3.4.1 Dog Attack Investigations and Legislative Authority

Recommendation

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

1. *Pursuant to Section 90(2) and (3)(h) of the Local Government Act 1999, the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because:*
 - *it relates to legal advice.*
2. *In weighing up the factors related to disclosure,*
 - *disclosure of this matter to the public would demonstrate accountability and transparency of the Council's operations*
 - *Non disclosure of this report and attachment 1 at this time will protect Council's position regarding legal advice received.*

*On that basis the public's interest is best served by not disclosing the **Dog Attack Investigations and Legislative Authority** 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.*

3.4.2 Request for Extension of Confidentiality Order: Local Government Governance Panel - Report on the Investigation of Code of Conduct Complaint 03/2015

Recommendation

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

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

*On that basis the public's interest is best served by not disclosing the **Request for Extension of Confidentiality Order: Local Government Governance Panel - Report on the Investigation of Code of Conduct Complaint 03/2015** item and discussion at this point in time.*
3. *Pursuant to Section 90(2) of the Local Government Act 1999 it is recommended the Council orders that all members of the public, except staff of the City of Salisbury on duty in attendance, be excluded from attendance at the meeting for this Agenda Item.*

CLOSE



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

15 MARCH 2021

MEMBERS PRESENT

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

STAFF

General Manager Business Excellence, Mr C Mansueto
General Manager City Development, Mr T Sutcliffe
Manager Development Services, Mr C Zafiropoulos
Manager Environmental Health and Safety, Mr J Darzanos
Risk and Governance Program Manager, Ms J Crook

The meeting commenced at 8:33pm

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

APOLOGIES

There were no apologies.

LEAVE OF ABSENCE

Nil

PRESENTATION OF MINUTES

Moved Cr B Brug
Seconded Mayor G Aldridge

The Minutes of the Governance and Compliance Committee Meeting held on 15 February 2021, be taken as read and confirmed.

CARRIED

REPORTS

Administration

3.0.1 Future Reports for the Governance and Compliance Committee

Moved Cr D Proleta
Seconded Cr K Grenfell

1. The information is received.

CARRIED

Mayor G Aldridge left the meeting at 8:34 pm.

Mayor G Aldridge returned to the meeting at 8:35 pm.

For Decision

3.1.1 Footpath Trading Policy Review

Moved Cr D Proleta
Seconded Cr S Reardon

1. The information is received.
2. That the Footpath Trading Policy as set out in Attachment 1 to this report (Governance and Compliance Committee 15/03/2021, Item No.3.1.1) is endorsed with the following changes to be incorporated:
 - 2.1 The “Street Traffic and Forklifts” section on page 9 to be amended to include the following at the end of the paragraph: *All forklift drivers must have a high risk work licence to operate a forklift truck, or other relevant high risk work licence, issued by SafeWork SA.*

CARRIED

3.1.2 Extreme Heat Policy

Moved Mayor G Aldridge
Seconded Cr S Reardon

1. The Extreme Heat Policy as set out in Attachment 1 to this report (Governance and Compliance 15/03/2021, Item No. 3.1.2) is approved.

CARRIED

3.1.3 Salisbury Water Flow Restrictions Policy for Residential Customers Review

Moved Cr G Reynolds
Seconded Cr B Brug

1. The information be received.
2. The Salisbury Water Flow Restriction Policy for Residential Customers as set out in Attachment 1 to this report (Governance and Compliance 15 March 2021, Item No. 3.1.3) is endorsed.

CARRIED

3.1.4 Delegation Policy for Development Act 1993 and updated Delegations for Planning, Development and Infrastructure Act 2016

Moved Cr K Grenfell
Seconded Cr B Brug

1. The *Development Act 1993 and Development Regulations 2008 Delegation Policy* be endorsed.
2. 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*, contained in Instrument of Delegation B as Attachment 2 to report (Governance and Compliance Committee, 14/12/2020, Item No. 3.1.4).
3. 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 Item No. 3.1.4) are hereby delegated 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.

4. 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 Dog Attack Investigations and Legislative Authority

Moved Cr S Reardon
Seconded Cr A Duncan

1. The information is received.

CARRIED

OTHER BUSINESS

Nil

The meeting closed at 8:41 pm.

CHAIRMAN.....

DATE.....

ITEM	3.0.1
	GOVERNANCE AND COMPLIANCE COMMITTEE
DATE	19 April 2021
HEADING	Future Reports for the Governance and Compliance Committee
AUTHOR	Michelle Woods, Projects Officer Governance, CEO and Governance
CITY PLAN LINKS	4.2 We deliver quality outcomes that meet the needs of our community
SUMMARY	This item details reports to be presented to the Governance and Compliance 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 is 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 Governance and Compliance Committee as a result of a Council resolution:

Meeting Item	Heading and Resolution	Officer
16/12/2019 3.6.3	Building Upgrade Finance - Policy Review 2. That the associated Application Fee for Building Finance Agreements, as endorsed by Council in the 2019/20 budget and provided as Attachment 2 to this report, be waived for a trial period of twelve months until the 31 December 2020. Due: April 2021 Deferred to: May 2021 Reason: Awaiting finalisation of State Review of BUF.	Greg Ratsch

4. CONCLUSION / PROPOSAL

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

CO-ORDINATION

Officer: Executive Group
Date: 12/04/2021

ITEM	3.1.1
	GOVERNANCE AND COMPLIANCE COMMITTEE
DATE	19 April 2021
PREV REFS	Resources and Governance 3.3.1 Committee 16/03/2020
HEADING	Dog Registration Fees 2021 - 2022
AUTHOR	John Darzanos, Manager Environmental Health & Safety, City Development
CITY PLAN LINKS	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
SUMMARY	Under the provisions of the Dog and Cat Management Act, Council has the discretion to set dog registration fees and discounts without any fee cap or approval required from the Minister. The only requirement is a level of consistency in the category of dog registration types and concessions available to help facilitate the required categories on Dog and Cats Online (DACO), the state wide dog registration database. This report presents for Council consideration and endorsement the 2021-2022 dog registration fees. Fees must be approved prior to 31 May 2021 to facilitate the update of DACO and the generation of new registrations for the 2021/22 period.
RECOMMENDATION	<ol style="list-style-type: none"> 1. The information be received. 2. That the maximum dog registration fee for a Non-standard dog be set at \$70.00 for 2020-2021 with the dog registration categories and eligible rebates as per the Dog Registration Fee Schedule 2021-2022 forming Attachment 2 to the Governance and Compliance Committee agenda, 19 April 2021, Item no. 3.1.1 be endorsed and adopted by Council. 3. The Other Fees relating to: <ul style="list-style-type: none"> • Replacement Disc Fee; • Late Registration Penalty, which is applicable 3 clear business days from last day to pay annual registration; • Puppies aged 6 months or less; • Part Year Rebate after 1 January and until end of current registration period for new dogs not previously registered in the area; and • Fee free registration period from 1 June to 30 June. <p>as presented in the Dog Registration Fee Schedule 2021-2022 forming Attachment 2 to the Governance and Compliance Committee agenda, 19 April 2021, Item no. 3.1.1. be endorsed and adopted by Council.</p>

4. The Fees Unrelated to Registrations, namely:
- Seizure Fee (Seizing a dog for the purposes of impounding) and includes Day 1 (or first 24 hours) or part thereof of impounding.
 - Daily Pound Fee (Fees for Keeping Dog at Pound daily (or part thereof));
 - Daily Pound Fees – Long term hold;
 - Veterinary Fees;
 - Other animal welfare related costs; and
 - Certified Extract from register (per page).

as presented in the Dog Registration Fee Schedule 2021-2022 forming Attachment 2 to the Governance and Compliance Committee agenda, 19 April 2021, Item no. 3.1.1. be endorsed and adopted by Council

ATTACHMENTS

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

1. Revenue and Expenditure Estimates
2. Dog Registration Fee Schedule 2021-2022
3. Dog Registration Fee Modelling

1. BACKGROUND

- 1.1 Under the provisions of the Dog and Cat Management Act 1995 (the Act) Council has the discretion to set dog registration fees and Councils no longer need approval from the Minister. However notification of set fees are provided to the Dog and Cat Management Board
- 1.2 Fees must be approved prior to 31 May 2021 to facilitate the update of fees on Dogs and Cats Online (DACO) and the generation of new registrations for the 2021/22 period in DACO.
- 1.3 A significant review of dog registration categories occurred in the 2018/19 registration period, where the standard and non-standard dog category was adopted to provide consistency in the required categories on Dog and Cats Online (DACO), the state wide dog registration database.
- 1.4 Since 2018, the City of Salisbury fee for a standard dog being a “desexed and microchipped dog” has been \$32.50 (concession \$16.25), and the maximum fee which is for a non-standard dog has been \$65 (concession \$32.50). A non-standard dog means a dog that is only microchipped or desexed and not both.
- 1.5 In Item 3.3.1, presented to Resources and Governance Committee on the 16 March 2020, Council approved an increase of the standard fee to \$35 and the Non Standard fee at \$70. However in response to the impact of COVID-19 the fees were capped and remained at \$32.50 and \$65.00.

2. CONSULTATION / COMMUNICATION**2.1 Internal****2.1.1 Assistant Accountant, Business Excellence****3. REPORT**

3.1 The Act requires that all money received by Council under the Act must be utilised by Council in the provision of dog and cat management services.

3.2 The services currently provided by Council include those delivered by the Inspectorate Section in the enforcement and administration of the Act, along with significant support services to deliver these functions and upcoming capital projects.

3.3 These services include:

3.3.1 Inspectorate Services:

- Dog attack investigations;
- Dogs wandering at large;
- Dog noise and nuisance complaints;
- Dog leashing laws;
- Guard dog register;
- Provide information and educational material, and participate in events such as micro-chipping day, and dogs day out;
- Dog Registrations assessments;
- After hour and weekend services;
- Management of Council's dog pound activities;
- Dog rehoming via Animal Welfare League contract;
- Organisational overheads;
- Customer Centre staff resources; and
- City Development Administration staff.

3.4 Council also provides for the maintenance of numerous Council facilities provided for dog owners and for dog management. These include the services and facilities provided by City Infrastructure and support services:

- Provision and maintenance of nine dog friendly parks and the recent expansion to include small dog parks;
- Provision and maintenance of dog litter bags and dispensers;
- Installation and maintenance of signage associated with dog laws and dog friendly parks;
- The maintenance of the dog pound; and
- Asset depreciation costs for the pound, parks and signage.

3.5 Upcoming capital projects include:

- the joint pound redevelopment with the City of Tea Tree Gully,
- the maintenance and upgrades of the dog friendly parks due to commence in 2022/23.

- 3.6 Other projects may also be identified as part of the Dog and Cat Management Plan review and the potential for the development and implementation of a cat by law.
- 3.7 The costs for services provided exceed the revenue generated through registration fees, which account for approximately 35% of total expenditure in 2020/21 which is a lower proportion than historically as it includes the committed capital expenditure for the dog pound redevelopment. However in 2021/22 if fees remain at \$32.50/\$65.00, revenue is expected to be approximately 49% of expenditure as the significant capital costs of the pound will not be incurred in this financial year.
- 3.8 The impact of increasing fees upon the proportion of cost recovery is outlined in Attachment 1.
- 3.9 In addition any revenue generated by fees under the Dog and Cat Management Act is utilised to cover other costs associated with the dog management services, capital works and other operational activities consistent with the requirements of the Act.
- 3.10 The summary of fees over the last five financial years is provided in Table 1 below:

Table 1 Dog Registration Fees History - Present to 2016/17

Year	Fee	Fee increase	Percentage change	Comments
2021/22	TBD	TBD	TBD	Council can set their own fees with no cap and must include mandatory new categories of Standard and Non Standard Dog.
2020/21	\$65	\$0	0%	Approved at \$70, however fee increase was amended due to the Councils response to the COVID-19 pandemic.
2019/20	\$65	\$0	0%	Council can set their own fees with no cap and must include mandatory new categories of Standard and Non Standard Dog.
2018/19	\$65	\$0	0%	Council can set their own fees with no cap and must include mandatory new categories of Standard and Non Standard Dog.
2017/2018	\$65	\$2.50	4%	Note: Forecast CPI last year was 2.4%, actual was 0.7%. Forecast CPI for 2017 is 1.7%
2016/2017	\$62.50	\$1.50	2.40%	Fees increased by CPI 2.4%. Maximum fee set at \$62.50

Dog Registration Fees 2021/22

- 3.11 The registration categories as established in 2018/19 will remain consistent and will be utilised to establish the fee structures. The categories include:
- Business Registration;
 - Assistance Dog;
 - Non Standard Dog;
 - Standard Dog;
 - Non Standard Dog – Concession;
 - Standard Dog – Concession;
 - Non Standard Dog – Working; and
 - Standard Dog – Working.

- 3.12 With the mandatory provisions taking effect 1 July 2018, there has been an 11% swing towards standard dogs (including concession) which has resulted in a decline in registration revenue, whilst registration numbers remain reasonably consistent. Standard Dogs make up approximately 71%, increasing from 65% in 2018/19 as represented in Table 2.

Table 2 Dog Registration Classification and Numbers

Classification	2019-2020	2018-2019
Standard	16274	14970
Non Standard	6583	8024
Working Dog	6	4
Business Registration	10	20
Assistance Dog	32	1
Total	22905	23019

- 3.13 All new dogs will eventually be registered as standard dogs resulting in limited number of full fee paying dog registrations. As a result the population of non-standard dogs will eventually decline and transition to a majority standard dogs eligible for a rebate.
- 3.14 If the standard dog registration numbers increase by a further 5% in the 2021/22 period, which is expected to occur, then this will have a negative budgetary impact of approximate \$9k from the 2021/22 projections. However the continued decline in overall registrations may result in a further 2% reduction in overall dog numbers and the estimated budgetary impact is negative variance of approximately \$24K.
- 3.15 The following table summarises the projected revenues from registration fees ranging from \$32.50/\$65.00 to \$37.50/\$75.00 and is based on the projected increase in standard dog registrations.

Table 3 – Projected Dog Registration Revenues

Standard Dog Fees	Non Standard Dog Registration Fee	Percentage Increase from \$32.50/\$65	\$ increase from \$32.50/\$65	Estimated Revenue*	Variation from 2019/20 revenue of \$787933
\$32.50	\$65.00	0	0/0	\$773,012	-\$14,920
\$35.00	\$70.00	7.7	\$2.50 / \$5.00	\$832,467	\$44,534
\$37.50	\$75.00	15.4	\$5.00 / \$10.00	\$891,935	\$104,002

**estimating a 5% increase in standard dog registrations and 2% decline in overall numbers*

- 3.16 These projections indicate that a Standard registration fee of \$35.00 and a Non-Standard maximum registration fee of \$70 are appropriate in 2021/22 to provide a reasonable proportional cost recovery for services.
- 3.17 An increase in registration fees will ensure that the services provided for dog management are funded to an appropriate extent from the registration fees rather than general revenue, reflecting that there is both a benefit to dog owners and a broader community benefit to the dog registration and management framework.

Comparisons to other Councils

- 3.18 In comparison with other metropolitan Councils Salisbury has one of the lowest fee structures.

Council	2020/21 Standard Fee	2020/21 Non Standard Fee
Salisbury	\$32.50	\$65
Playford	\$32.50	\$65
Tea Tree Gully	\$38	\$76
Port Adelaide Enfield	\$42.50	\$85
Gawler	\$47	\$94
Onkaparinga	\$46	\$92
Marion	\$36.75	\$73.50
Charles Sturt	\$50	\$100

Other Revenue

- 3.19 Other revenues collected under the provisions of the Act include, expiations, fines recovered by the Fines Enforcement and Recovery Unit, and pound fees. These revenue sources are variable and dependent on offences being committed and detected and animals impounded. As a result the revenues from dog registration fees are considered the most consistent and predictable source of funds for expenditure associated with dog and cat management.
- 3.20 Other revenues have been considered in the modelling for identifying the balance of funds required for dog and cat management expenditure. Other revenues are estimated to contribute to approximately 15% of all dog and cat expenditure in 2021/22.

Upcoming Projects and Additional Expenditure

- 3.21 The following projects have been raised with Council and are currently under active development and consideration or subject to new initiative bids. The funding for these projects will need to be considered along with the establishment of the maximum dog registration fees. In the absence of sufficient funding from dog and cat management revenues additional budget provision will need to be provided from general rate revenue.

- 3.22 The projects include:

Dog Pound Renewal

- 3.22.1 As per item 2.6.1 presented to Works and Services Committee on 16 September 2019 and endorsed by Council on the 23 September 2019. (Resolution 0271/2019) staff are undertaking a joint pound renewal project with the City of Tea Tree Gully.
- 3.22.2 The capital fund contributions from the City of Salisbury and from the City of Tea Tree Gully have been allocated from the 2020/21 period.

Dog Park Renewals

- 3.22.3 The resolution by Council on 28 January 2020 from Item 7.1 Motion on Notice – Dog Parks, resolved that Council staff undertake a review of dog friendly parks across the city. The report identified upgrades across the dog parks and the proposed capital works program is anticipated to start in 2022/23 and a total budget commitment of \$639,500 over five years to 2026/27. These costs will be factored into future estimates and will result in a greater allocation from rate revenues towards dog and cat management projects.

Dog and Cat Management Plan Review

- 3.22.4 The review of the Dog and Cat Management Plan has been initiated in 2020/21 and the outcomes of this process will identify future strategies and or projects that may require Council commitments, including possible work on a cat by law.

Cat By-Laws

- 3.22.5 As per item 3.3.2, Cat By-Law review presented to Council on 28 January 2020, any requirement to undertake consultation and or implement a cat by-law will require public consultation and legal fees to enact a by-law. Anticipated expenditure for the implementation of a by-law is estimated to be in the vicinity of \$20K and this will be dependent on a future decision of Council. This does not include the resource requirements to undertake by law enforcement.
- 3.23 The estimated revenue from dog registrations for 2021/22 represents approximately 49% of total expenditure on dog and cat services, requiring a contribution from rate revenues of approximately \$567K. An increase to a \$70 nonstandard registration fee is estimated to contribute approximately 53% to dog and cat services, without any of the above projects included.
- 3.24 The revenue and expenditure estimates are presented in Attachment 1.

Registration Fees Schedule

- 3.25 The proposed fees are summarised in Attachment 2 – Dog Registration Fees Schedule and includes the dog pound fees. Attachment 3 presents the registration fee options between \$65 through to \$75, and the final resolution will need to be amended to reflect any changes to the base registration fee to that recommended.

Other fees and Pound fees

- 3.26 Included in the registration fees schedule are the fees associated with the seizure, detention or destruction of dogs and include seizure fees, daily pound fee and any Veterinary/Welfare fee that may be incurred.
- 3.27 Included is recognition of any additional fees that may be incurred and recovered at cost including euthanasia, microchipping, and desexing.
- 3.28 The impounding fees have been reviewed and are being recommended to increase from \$75 to \$80 for the seizure fee and day 1 of impound. This fee has remained at \$75 for the past 4 years however in 2019/20 it was amended to include day 1 of the daily pound fee also, resulting in an overall fee reduction of \$44 to anyone claiming their dog on day 1. The increase is to recognise increased operating costs associated with seizing, transport and impounding dogs since 2017/18.

- 3.29 The daily pound fee has been reviewed and is recommended to increase from \$44 to \$45 as it has remained at \$44 for the last 3 years. The increase is to reflect increased costs for cleaning and pound operating costs.
- 3.30 Included in the schedule is the recognition of daily pound fees for long term hold of dogs when they are required to be held off site at alternative facility for consideration of appeals to Control Orders. Whilst the actual costs can be greater, the fee is aligned with the Council daily pound fee.

4. CONCLUSION / PROPOSAL

- 4.1 The services provided by Council in the area of dog and cat management are diverse, resource intensive and involve a significant budget provision and subsidy from Council's general revenue under historic fee levels.
- 4.2 Registration fees contribute to the provision of these services, on the 'user pays' principle.
- 4.3 Whilst the base fee reflects a non-standard dog fee the majority of registered dogs(73%) are now standard dogs which form the basis of most new dog registrations.
- 4.4 An increase in registration fees will ensure that the services provided for dog management are funded to an appropriate extent from registration fees, and the impact on general revenue is limited.
- 4.5 An annual increase to the registration fees will ensure that fees are contributing to the administration and enforcement of the Dog and Cat Management Act and to the provision of community services and facilities to support dog owners.
- 4.6 A gradual increase will also ensure registration revenue is sustained as the dog population transitions into the new standard dog registration class.
- 4.7 The report outlines options to increase registration fees and it is recommended that registration fees for 2021/22 be increased by a minimum of \$5 to \$70 to maintain Council's current level of subsidy of the services and facilities from general revenue.
- 4.8 A \$5 increase to the maximum fee for non-standard dogs represents an annual increase of \$2.50 (or \$1.25 for concession card holders) to approximately 73% of all registered dog owners.
- 4.9 Consideration to a further increase above \$70 will provide for increased funding from dog registration revenue for upcoming projects and initiatives associated with dog and cat management, and a reduced call on general revenue for these initiatives.

CO-ORDINATION

Officer: EXECUTIVE GROUP
Date: 12.04.2021

Attachment 1 Revenue and Expenditure Estimates

Budget Estimates	2019/20 \$65.00 fee	Revenue as % of Total Expenditure	2020/21 Estimates \$65 fee	Revenue as % of Total Expenditure	2021/22 Estimates with \$65 fee	Revenue as % of Total Expenditure	2021/22 Estimates with \$70 fee	Revenue as % of Total Expenditure	2021/22 Estimates with \$75 fee	Revenue as % of Total Expenditure
Operating Revenue - Registration Fees	(\$767,933)	44	(\$763,500)	35	(\$763,360)	49	(\$832,467)	53	(\$891,936)	56
Operating Revenue - Other	(\$195,406)	11	(\$200,600)	9	(\$235,000)	15	(\$235,000)	15	(\$235,000)	15
Total Operating Revenue	(\$983,339)	55	(\$964,100)	44	(\$998,360)	64	(\$1,067,467)	67	(\$1,126,936)	71
Operating Expenditure	\$1,488,143		\$1,268,531		\$1,341,776		\$1,358,362		\$1,372,635	
Capital Expenditure	\$83,937		\$700,000 **		\$0		\$0		\$0	
Estimated Other Items Expenditure**	\$202,492		\$206,542		\$223,780		\$223,780		\$223,780	
Total Expenditure	\$1,774,573		\$2,175,073		\$1,565,556		\$1,582,142		\$1,596,414	
Net Deficit / (Profit)	\$791,233		\$1,210,973		\$567,196		\$514,675		\$469,478	

Estimated Expenditure

- Organisational overheads (IT, HR, Administration, Accommodation costs)
- Customer Centre staff resources to provide animal management services, (customer requests, registrations)
- Regular maintenance of 9 dog friendly parks
- Provision and maintenance of dog signs (approximately 700 signs throughout the City)
- Provision and maintenance of dog litter bags and dispensers
- Maintenance of the dog pound
- Upgrades of dog parks
- Pound renewal and construction - **Pound renewal budget allocation in 2020/21
- Dog and Cat Management actions, strategies and additional dog management initiatives which can have financial implications for the organisation.
 - Future upgrades of dog parks
 - By Law reviews and potential cat controls

Dog Registration Fee Schedule 2021-2022

Registration Category	Percentage % rebate	2021/22 Registration fee \$70	2021/22 Registration fee including \$10 Late fee
Business Registration	0	\$70.00	\$80.00
Assistance Dog	100	\$0.00	\$0.00
Non Standard Dog	0	\$70.00	\$80.00
Standard Dog	50	\$35.00	\$45.00
Non Standard Dog - Concession	50	\$35.00	\$45.00
Standard Dog - Concession	75	\$17.50	\$27.50
Non Standard Dog - Working	0	\$70.00	\$80.00
Standard Dog - Working	50	\$35.00	\$45.00

Other Fees	2020/21	2021/22
Transfer of Registration	N/A	N/A
Replacement Disc Fee	As determined by the DCMB	As determined by the DCMB
Late Registration Penalty (applies 3 clear business days from last day to pay annual registration)	\$10.00	\$10.00
Puppies aged 6 months or less	Standard Dog or Standard Dog – Concession Fee applies	Standard Dog or Standard Dog – Concession Fee applies
Part Year Rebate after 1 January and until end of current period for new dogs not previously registered in the area	Varies (50% of fee)	Varies (50% of fee)
Fee free registration period from 1 June to 30 June	\$0 for all registrations	\$0 for all registrations
Fees Unrelated to Registrations		
Seizure Fee (Seizing a dog for the purposes of impounding) and includes Day 1 (or first 24 hours) or part thereof of impounding.	\$75.00	\$80.00 (includes day 1 pound fee)
Daily Pound Fee (per day or part thereof) Applicable for Day 2 (or second 24 hour period) or part thereof and Day 3 (or third 24 hour period) or part thereof.	\$44.00	\$45.00 per day
Daily Pound Fees – Long term hold Applicable rate for each and every day dog held for consideration of appeals to Control Orders (onsite at Council Pound or at alternative facility)	N/A	Council Pound \$45.00 per day Alternative facility Fee varies - (Direct costs incurred)
Veterinary Fees (Applicable to dogs and cats, and all direct costs incurred will be claimed)	Varies (Direct costs incurred)	Varies (Direct costs incurred)
Other animal welfare related costs, including euthanasia, microchipping, desexing (Applicable to dogs and cats and all direct costs incurred will be claimed)	Varies (Direct costs incurred)	Varies (Direct costs incurred)
Certified Extract from register (per page)	\$10.00	\$10.00

Dog Registration Fee Modelling \$65 to \$75

Registration Category	Percentage % rebate	2021/22 \$65 fee	2021/22 Including Late fee +\$10
Business Registration	0	\$65.00	\$75.00
Assistance Dog	100	\$0.00	\$0.00
Non Standard Dog	0	\$65.00	\$75.00
Standard Dog	50	\$32.50	\$42.50
Non Standard Dog - Concession	50	\$32.50	\$42.50
Standard Dog - Concession	75	\$16.25	\$26.25
Non Standard Dog - Working	0	\$65.00	\$75.00
Standard Dog - Working	50	\$32.50	\$42.50

Registration Category	% rebate	2021/22 \$70 fee	2021/22 Including Late fee +\$10
Business Registration	0	\$70.00	\$80.00
Assistance Dog	100	\$0.00	\$10.00
Non Standard Dog	0	\$70.00	\$80.00
Standard Dog	50	\$35.00	\$45.00
Non Standard Dog - Concession	50	\$35.00	\$45.00
Standard Dog - Concession	75	\$17.50	\$27.50
Non Standard Dog - Working	0	\$70.00	\$80.00
Standard Dog - Working	50	\$35.00	\$45.00

Registration Category	% rebate	2021/22 \$75 fee	2021/22 Including Late fee +\$10
Business Registration	0	\$75.00	\$85.00
Assistance Dog	100	\$0.00	\$10.00
Non Standard Dog	0	\$75.00	\$85.00
Standard Dog	50	\$37.50	\$47.50
Non Standard Dog - Concession	50	\$37.50	\$47.50
Standard Dog - Concession	75	\$18.75	\$28.75
Non Standard Dog - Working	0	\$75.00	\$85.00
Standard Dog - Working	50	\$37.50	\$47.50

ITEM	3.1.2
	GOVERNANCE AND COMPLIANCE COMMITTEE
DATE	19 April 2021
HEADING	Building Upgrade Agreements Policy Review
AUTHOR	Greg Ratsch, Manager Economic Development & Urban Policy, City Development
CITY PLAN LINKS	2.3 Our community, environment and infrastructure are adaptive to a changing climate
SUMMARY	This report presents the Building Upgrade Agreements Policy for consideration and endorsement. The Policy has been reviewed by and no changes have been made to the existing policy.

RECOMMENDATION

1. The Building Upgrade Agreements Policy as set out in Attachment 1 to this report (Governance and Compliance Committee 19/04/2021, Item 3.1.2) is endorsed.

ATTACHMENTS

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

1. Building Upgrade Agreements Policy

1. BACKGROUND

- 1.1 Council's Policy Framework provides for Council Policies to be reviewed regularly.
- 1.2 This Policy was adopted by Council in August 2017 and is due for review.

2. CONSULTATION / COMMUNICATION

- 2.1 Internal
 - 2.1.1 Financial Services

3. REPORT

- 3.1 The *Local Government Act 1999* was amended in 2017 to enable Councils to enter into Building Upgrade Agreements (BUA) to assist property owners with environmental upgrades to non-residential buildings as well as restoration and upgrades to non-residential heritage buildings.
- 3.2 A Building Upgrade Agreement (BUA) is a voluntary agreement between a building owner, a finance provider and Council where:
 - A building owner agrees to carry out upgrade works to a building as prescribed by the *Local Government (Building Upgrade Agreements) Regulations 2017*. These works cover both environmental upgrades and heritage works;

- A Finance Provider agrees to advance funds to the Building Owner to finance those upgrade works; and
 - A Council levies a charge on relevant land (a building upgrade charge) for the purpose of recouping the money advanced by the finance provider for the upgrade works (and any interest or other charges payable to the finance provider under the agreement); and pays the finance provider any money paid to Council by way of the building upgrade charge.
- 3.3 Since the adoption of the current policy by Council there has been no change to the legislation or other Council policies that would require amendments to be made to the existing Building Upgrade Agreements Policy.
- 3.4 With the low interest rate environment, there has been little demand for the service across South Australia. At this point in time there is one agreement in operation in Salisbury.
- 3.5 Currently The City of Adelaide (as the host of the Building Upgrade Finance Central Facilitator) and the Department for Environment and Water have contracted KPMG to undertake a review of the implementation of Building Upgrade Agreements since it was enabled in August 2017 to inform future operation and requirements.
- 3.6 Specifically the review is examining:
- the effectiveness of current support, processes, tools and communications related to Building Upgrade Finance;
 - the level of industry and local government awareness of the Building Upgrade Finance product and support for it;
 - learnings from the implementation to date;
 - any barriers and limitations impacting implementation; and
 - opportunities to enhance the Building Upgrade Finance product and its effectiveness or efficiency in the marketplace.
- 3.7 At this stage it is not known whether the findings of the review, should they be adopted, will necessitate amendments to Council's policy. Should they do so this policy will be amended and brought back to the Governance and Compliance Committee for consideration.

4. CONCLUSION / PROPOSAL

- 4.1 The Building Upgrade Agreements Policy as contained within Attachment 1 is recommended to Council for endorsement.

CO-ORDINATION

Officer: EXECUTIVE GROUP
Date: 12.04.2021



Building Upgrade Agreements

Policy Type:	Policy		
Approved By:	Council	Decision No:	2017/1966
Approval Date:	28 August 2017	Last Reapproval Date:	n/a
Review Date:	28 August 2019	Internal Reference No.:	
Department:	City Development	Division:	Economic Development & Urban Policy
Function:	4 - Economic Development	Responsible Officer:	Manager, Economic Development & Urban Policy

A - PREAMBLE

- On 10 December 2015, the *Local Government (Building Upgrade Agreements) Amendment Act* passed through Parliament making South Australia the third jurisdiction in Australia to introduce a Building Upgrade finance mechanism after New South Wales and Victoria. The Act was proclaimed and the Regulations made on 25 July 2017, with the mechanism becoming operational on 1 August 2017.
- A Building Upgrade Agreement (BUA) is a voluntary agreement between a building owner, a finance provider and Council where:
 - a Building Owner agrees to carry out upgrade works to a building as prescribed by the *Local Government (Building Upgrade Agreements) Regulations 2017*. These works cover both environmental upgrades and heritage works; and
 - a Finance Provider agrees to advance funds to the Building Owner to finance those upgrade works; and
 - Council levies a charge on relevant land (a building upgrade charge) for the purpose of recouping the money advanced by the finance provider for the upgrade works (and any interest or other charges payable to the finance provider under the agreement); and pays the finance provider any money paid to Council by way of the building upgrade charge.

B - CITY OF SALISBURY

- This policy will apply to all Building Upgrade Agreements involving the City of Salisbury.

C – POLICY PURPOSE/OBJECTIVES

- The purpose of this policy is to specify the circumstances under which the City of Salisbury will enter into and administer a Building Upgrade Agreement.

2. Building Upgrade Agreements provide a mechanism to help building owners to access loans to improve the energy, water and environmental efficiency or sustainability of commercial buildings that are at least two years old by providing access to reduced interest and longer term finance.
3. Building Upgrade Agreements can also support funding of heritage works (to maintain, repair, upgrade or reinstate heritage significance of a building; achieve compliance with requirements under Building Rules within the meaning of the *Development Act 1993* or the Commonwealth's Disability Discrimination Act 1992; or facilitate ongoing occupation of a building).
4. Council's participation in the Building Upgrade Agreement program is consistent with its objective to position Salisbury as the place of choice for businesses to invest and grow and its desire to support business competitiveness through efficient resource use.

D - DEFINITIONS

1. Nil

E - POLICY STATEMENT

1. Council's consideration of approaches to enter into a Building Upgrade Agreement will be guided by its requirements under the *Local Government Act 1999* and its broader strategic objectives as articulated in the City Plan.
2. Council will only consider entering into a Building Upgrade Agreement if the following criteria are met:

2.1 Upgrade Works

- a) The proposed works are consistent with the relevant provisions of Schedule 1B of the *Local Government Act 1999*.
- b) The proposed works are consistent with the relevant objectives of Council's City Plan.

2.2 Building

- a) The building is located in the City of Salisbury Local Government Area and was constructed at least 2 years ago.
- b) The building is a prescribed building under the *Local Government Act 1999*, used primarily for commercial, industrial or other non-residential purposes.
- c) There are no outstanding Orders that have been issued in relation to the Building pursuant to any relevant legislation.
- d) There are no encumbrances noted or registered on the title for the Building which may impact on the City of Salisbury exercising its enforcement rights.

2.3 Building Owner

- a) The Building Owner has successfully completed and submitted a BUA Application Form to City of Salisbury.
- b) The Building Owner has provided the City of Salisbury with a Statutory Declaration that satisfies the *Local Government Act 1999* Schedule 1B clause 2 (5) and (6) requirements.
- c) The Building Owner has no overdue debts to City of Salisbury and is not in dispute with City of Salisbury regarding any matter.

- d) The Building Owner has consulted City of Salisbury to ensure that all property development compliance requirements have been met or will be met prior to the earlier of the date that the BUA is executed by the Building Owner, City of Salisbury and Finance Provider or the Commencement Date.
- e) The Building Owner agrees to be bound by the requirements of the BUA (including any additional conditions as required by City of Salisbury), this Policy and Council's broader approach to enforcing non-payment of rates and other charges.

2.4 Finance Provider

- a) The Finance Provider acknowledges and agrees that it has undertaken a credit assessment of the Building Owner and is satisfied that at the Commencement Date the Building Owner is able to comply with its obligations under the BUA.
 - b) The Finance Provider agrees to be bound by the requirements of the BUA (including any additional conditions as required by the City of Salisbury) and this Policy.
3. The City of Salisbury will:
- a) Issue billing notices to the Building Owner on a quarterly basis showing the Building Upgrade Charge (BUC) in accordance with the Agreed Repayment Arrangements;
 - b) Only accept payment of a BUC via direct debit;
 - c) Only accept pre-payments of the BUC when twenty eight (28) days prior notice in writing is given;
 - d) Charge the Building Owner all applicable fees/charges (as defined in the BUA) in the event that the Building Owner fails to pay the BUC on the Charge Payment Date; and
 - e) Not be a party to any dispute that may arise between the Building Owner, a tenant or the Finance Provider as to any matter relating to a BUA.
4. To provide a consistent approach to the receipt and assessment of applications, building owners will be required to complete and submit a Building Upgrade Agreement application form to the City of Salisbury.

F - LEGISLATION

- 1. Local Government Act 1999
- 2. Local Government (Building Upgrade Agreements) Amendment Act 2015

G - REFERENCES

- 1. Nil

H - ASSOCIATED PROCEDURES

- 1. Building Upgrade Finance Administration

1. Document Control

2. Document ID	3. Building Upgrade Finance
4. Prepared by	5. Greg Ratsch
6. Release	7. 1.00
8. Document Status	9. Endorsed
10. Date Printed	11. 14/04/2021

ITEM	3.1.3
	GOVERNANCE AND COMPLIANCE COMMITTEE
DATE	19 April 2021
HEADING	Voting Advice to Council Delegate for the Local Government Association Ordinary General Meeting - 30 April 2021
AUTHOR	Michelle Woods, Projects Officer Governance, CEO and Governance
CITY PLAN LINKS	4.2 We deliver quality outcomes that meet the needs of our community
SUMMARY	In accordance with a previous Council resolution, this report presents the items to be considered at the Local Government Association Ordinary General Meeting (LGA OGM) to be convened on Friday 30 April 2021 and provides guidance to enable Council to instruct its delegate how to vote in relation to each item.

RECOMMENDATION

1. Council directs its voting delegate (Cr Chad Buchanan or Mayor Gillian Aldridge as proxy) to vote on the recommendations of the Local Government Association Ordinary General Meeting as set out in the attachment to this report (Governance and Compliance, 19 April 2021, Item 3.1.3).

ATTACHMENTS

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

1. LGA - DRAFT OGM Voting Guidance April 2021

1. BACKGROUND

- 1.1 At the February 2015 meeting of Council, it was resolved that Council direct the City of Salisbury's voting delegate in relation to voting on Local Government Association (LGA) General Meeting recommendations. To give effect to this resolution a report is prepared prior to each LGA Ordinary General Meeting (OGM) and Annual General Meeting (AGM) that summarises the matters being considered and puts forward a recommended position for each matter, based on advice from the Chief Executive Officer (CEO).

2. CONSULTATION / COMMUNICATION**2.1 Internal**

- 2.1.1 Recommendations contained within this report are as a result of discussions between the CEO and Manager Governance.

2.2 External

- 2.2.1 Nil.

3. REPORT

- 3.1 Due to the size of the agenda (102 pages), a hard copy of the full agenda is not distributed to all Elected Members. Cr Chad Buchanan, current voting delegate and Mayor Gillian Aldridge (proxy delegate), have been provided a copy of the agenda.
- 3.2 The full agenda contained within an LGA News Item was circulated by email to Elected Members on 31 March 2021, both of which are available on the Elected Members' Portal for reference.
- 3.3 Attachment 1 to this report contains a list of each of the recommendations to be considered at the LGA OGM taking place on Friday 30 April 2021. The CEO has provided guidance regarding the appropriate voting position for the City of Salisbury.

4. CONCLUSION / PROPOSAL

- 4.1 Council is asked to review the items listed in Attachment 1 and confirm or vary the voting guidance provided by the CEO.

CO-ORDINATION

Officer: Executive Group
Date: 12/04/2021

DRAFT VOTING GUIDANCE FOR LOCAL GOVERNMENT ASSOCIATION ORDINARY GENERAL MEETING

Friday 30 April 2021, 11:00am, National Wine Centre

Item No	Item Description	Agenda Page No	Voting Guidance
6.	LGA BUSINESS		
6.1	LGA Member Services Update That the Ordinary General Meeting notes the report.	33	SUPPORT
6.2	LGA Advocacy Update That the Annual General Meeting notes the report.	36	SUPPORT
6.3	LGA Strategic Plan 2021 - 2025 That the Ordinary General Meeting notes the LGA Strategic Plan 2021-2025 adopted by the LGA Board of Directors on 18 March 2021 following consultation with member councils.	44	SUPPORT
6.4	LGA Climate Commitment Action Plan That the Ordinary General Meeting: 1. notes the LGA Climate Commitment Action Plan adopted by the Board of Directors on 18 March 2021, which outlines 24 actions for the LGA to implement in its own operations; and 2. notes that the LGA Climate Commitment Action Plan will be reviewed annually and that members will receive an annual progress report at an LGA General Meeting.	60	SUPPORT
7.	RECOMMENDATION REPORTS FROM THE SAROC COMMITTEE - Nil		
8.	RECOMMENDATION REPORTS FROM THE GAROC COMMITTEE		
8.1	COVID-19 Response (City of Salisbury) That the Ordinary General Meeting requests the LGA to seek direct local government input to any review that is undertaken into the State's response to the COVID-19 emergency with a view to playing a stronger partnership role in any future state-wide emergency.	72	SUPPORT

DRAFT VOTING GUIDANCE FOR LOCAL GOVERNMENT ASSOCIATION ORDINARY GENERAL MEETING

Friday 30 April 2021, 11:00am, National Wine Centre

Item No	Item Description	Agenda Page No	Voting Guidance
8.2	Damage to Infrastructure by Developers and Builders (Tea Tree Gully) That the Ordinary General Meeting: <ol style="list-style-type: none"> calls on the Attorney General, Hon Vickie Chapman MP to work with the local government sector to investigate and implement an effective solution to the long-standing problem of councils and their ratepayers being left out of pocket when public infrastructure is damaged during private construction projects; and calls on the Local Government Association to seek to undertake further collaborative discussions with the various public utilities and/or their agents to improve the quality and timeliness of reinstatement works to any damaged local government infrastructure in the course of carrying out their works. 	78	SUPPPORT
8.3	Electric Vehicles Fleet Incentives (Campbelltown) <ol style="list-style-type: none"> That the Ordinary General Meeting requests the LGA to lobby the Federal Government to remove the luxury vehicle tax on electric vehicles and to introduce incentives for local vehicle manufacturing to create local industries to change the Internal combustion fleet to an electric fleet based on renewable, locally produced power; and That the Ordinary General Meeting requests the LGA to lobby the State Government to assist councils convert to an electric vehicle fleet by providing incentives. 	88	SUPPPORT

DRAFT VOTING GUIDANCE FOR LOCAL GOVERNMENT ASSOCIATION ORDINARY GENERAL MEETING

Friday 30 April 2021, 11:00am, National Wine Centre

Item No	Item Description	Agenda Page No	Voting Guidance
8.4	<p>Seeking a review of mandatory statutory rebates and exemptions from payment of local government rates (Adelaide)</p> <p>That the Ordinary General Meeting:</p> <ol style="list-style-type: none"> calls for the State Government to undertake a comprehensive review of statutory rate rebates and exemptions; requests that the LGA urgently progresses the key action in the LGA Advocacy Plan for 2019-2023 (Financial Sustainability theme) that the LGA work with interested councils to undertake analysis and prepare an issues paper to inform and advocate for a review of the mandatory rate rebates that councils are compelled to provide; and requests that following preparation of the issues paper and consultation with interested councils, the LGA seeks to engage an appropriate economic advisory consultant to prepare a report for government advocating for changes to statutory rate rebates and exemptions in SA. <p><i>That the Ordinary General Meeting:</i></p> <ol style="list-style-type: none"> <i>calls on the State Government to undertake a targeted review of statutory rate rebates and exemptions where negotiated agreements exist between Councils and State Government and other relevant entities for payments of monies in lieu of Council rates, and including legislatively mandated rebates such as community housing; and</i> <i>requests that the LGA urgently progresses the key action in the LGA Advocacy Plan for 2019-2023 (Financial Sustainability theme) that the LGA work with affected councils to undertake analysis and prepare an issues paper to inform and advocate for a review of the mandatory rate rebates that councils are compelled to provide in those cases; and</i> <i>requests that following preparation of the issues paper and consultation with affected councils, the LGA seeks to engage an appropriate economic advisory consultant to undertake an assessment of the support in subsidies and exemptions that councils receive from State and Federal Governments, and to prepare a separate report for government to be used by the LGA for advocating for changes to statutory rate rebates and exemptions in SA in those cases where negotiated agreements exist between Councils and relevant entities for payments of monies in lieu of Council rates.</i> 	95	That the City of Salisbury OPPOSE the printed motion and propose that the motion be amended to read as shown in <i>italics</i> under the original motion to the left of this page.

DRAFT VOTING GUIDANCE FOR LOCAL GOVERNMENT ASSOCIATION ORDINARY GENERAL MEETING

Friday 30 April 2021, 11:00am, National Wine Centre

Item No	Item Description	Agenda Page No	Voting Guidance
9.	RECOMMENDATION REPORTS FROM THE LGA BOARD OF DIRECTORS - Nil		

ITEM	3.1.4
	GOVERNANCE AND COMPLIANCE COMMITTEE
DATE	19 April 2021
HEADING	Nominations Sought for the Environment Protection Authority Board
AUTHOR	Joy Rowett, Governance Coordinator, CEO and Governance
CITY PLAN LINKS	4.2 We deliver quality outcomes that meet the needs of our community
SUMMARY	The LGA is seeking nominations for a local government representative on the Environment Protection Authority Board for a term commencing on 8 August 2021.

RECOMMENDATION

1. _____ be nominated as a Local Government member on the Environment Protection Authority Board.

ATTACHMENTS

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

1. EPA - Call for Nominations Sheet - Part A
2. EPA - Nomination Form - Part B

1. BACKGROUND

- 1.1 The LGA is seeking nominations for a local government representative on the Environment Protection Authority Board for a term commencing on 8 August 2021.
- 1.2 The Environment Protection Authority (EPA) Board is a statutory corporation/body corporate to which the provisions of the Environment Protection Act 1993 apply.
- 1.3 The Board is responsible for the governance, strategic planning and pursuit of the Authority's objective, namely to protect human health and the environment by reducing the harmful effects of pollution and waste.

2. CONSULTATION / COMMUNICATION

- 2.1 Internal
 - 2.1.1 LGA News item dated 30 March 2021 was emailed to the Executive Group, Elected Members, and Divisional Managers on 30 March 2021. At the time of writing this report, no expressions of interest in being nominated have been received.
- 2.2 External
 - 2.2.1 Nil

3. REPORT

- 3.1 The Environment Protection Authority (EPA) Board is a statutory corporation/body corporate to which the provisions of the Environment Protection Act 1993 apply.
- 3.2 The Board is responsible for the governance, strategic planning and pursuit of the Authority's objective, namely to protect human health and the environment by reducing the harmful effects of pollution and waste.
- 3.3 The LGA is seeking nominations from suitably qualified council members, or employees of a council or other local government entity, to fill a position with a term of 3 years commencing 8 August 2021.
- 3.4 There are two LGA nominated positions on the EPA Board currently held by Dr Helen McDonald (Clare and Gilbert Valleys) and Mark Withers (Port Adelaide Enfield). Mr Withers' term expires on 7 August 2021, and he is eligible for re-appointment.
- 3.5 The Board meets eleven (11) times per year, generally on the morning of the 2nd Tuesday of the month, at the EPA offices in Victoria Square, Adelaide (on-line attendance available). Sitting fees of \$24,000 pa are paid.
- 3.6 The Environment Protection Regulations 2009 requires the LGA to provide a panel of three nominees from which the Minister will select the appointee. In accordance with section 36A of the Acts Interpretation Act 1915 the panel of nominees must include at least one male and one female.
- 3.7 In accordance with the LGA Appointments and Nominations to Outside Bodies Policy (Policy) establishes the Nominations Committee of the LGA Board of Directors which may undertake preliminary consideration of nominees and make recommendations to the LGA Board of Directors. In this case it may undertake interviews and request the details of referees of shortlisted candidates.
- 3.8 LGA nominations on Outside Bodies will, unless determined otherwise by the LGA Board of Directors, be currently serving council members or employees of a council or other local government entity. Only nominations submitted by a council, following a resolution of council, will be considered.
- 3.9 The Policy also enables the LGA Secretariat to maintain a Nominees Database, which will record the details of nominees who agree to be considered for other vacancies for a period of 12 months based on the nominee's preferences. The Nomination Form asks nominees whether they want to be listed on the database.
- 3.10 The Call for Nominations Information Sheet (Part A) (attached) provides further information regarding the role, as well as any selection criteria to be addressed by the nominee.
- 3.11 The nominee and council are required to complete the Nomination Form (Part B) (attached) and forward to the LGA by COB Monday 24 May 2021.
- 3.12 An up-to-date Curriculum Vitae and a response to the selection criteria (no more than 2 pages) must be supplied by the nominee.

4. CONCLUSION / PROPOSAL

- 4.1 Council is asked to determine if a nomination is to be made for the Environment Protection Authority Board.
- 4.2 It should be noted that Council is not obliged to submit a nomination.

CO-ORDINATION

Officer: Executive Group
Date: 12/4/2021

PART A

LGA Appointments and Nominations to Outside Bodies — Call for Nominations

Environment Protection Authority Board	
Governing Statute (if applicable)	Section 14B <i>Environment Protection Act 1993</i>
Purpose/Objective	The Board, amongst other things, is responsible for the governance, strategic planning and pursuit of the Authority's objective, namely to protect human health and the environment by reducing the harmful effects of pollution and waste.
Administrative Details	<p>Eleven (11) meetings held per year generally on the morning of the 2nd Tuesday of the month.</p> <p>Meetings are held at the EPA offices in Victoria Square, Adelaide with on-line attendance available.</p> <p>Annual remuneration is \$24,000.</p>
Selection Criteria (to be addressed by applicant)	<ul style="list-style-type: none"> • Local government knowledge and experience • Senior officer or well-connected elected member • A working knowledge of the Litter and Nuisance Control Act and EPA operations relevant to local government • Proposed approach to engaging with the LGA as a local government nominee to an outside Board.
<p><i>In accordance with the LGA Appointments and Nominations to Outside Bodies Policy, selection for appointment or nomination to this Outside Body may include the conducting of interviews and checking of referees by the LGA. By applying, the applicant accepts that the LGA may request an interview and/or the details of referees.</i></p>	
<p>Liability and indemnity cover</p> <p><i>The LGA requires that persons appointed to Outside Bodies be appropriately insured throughout the period of their appointment and seeks to collect details of the insurances provided by the Outside Body on an annual basis.</i></p>	
<p>For more information contact: LGA Nominations Coordinator at nominationscoordinator@lga.sa.gov.au or 8224 2031</p>	

PART B

LGA Appointments and Nominations to Outside Bodies — Nomination Form

Instructions

This form:

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

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

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

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

SECTION 1: COUNCIL to complete

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

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

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



ITEM	3.1.5
	GOVERNANCE AND COMPLIANCE COMMITTEE
DATE	19 April 2021
HEADING	Terms of Reference update - Audit Committee and Community Wellbeing and Sport Committee
AUTHOR	Mick Petrovski, Manager Governance - CEO/Governance, CEO and Governance
CITY PLAN LINKS	4.4 We plan effectively to address community needs and identify new opportunities
SUMMARY	To provide advice about the Terms of Reference (ToR) for the Audit Committee and Community Wellbeing and Sport Committee, proposing that they be amended to ensure that quorum requirements for the former are clarified and, with the latter, that delegations provided to the previous Sport Recreation and Grants Committee are replicated with the new committee.

RECOMMENDATION

1. The amendments to the Terms of Reference for the Audit Committee, as shown in Attachment 1 to this report (Governance and Compliance Committee 19/04/2021, Item No. 3.1.5) is approved.
2. The amendments to the Terms of Reference for the Community Wellbeing and Sport Committee, as shown in Attachment 2 to this report (Governance and Compliance Committee 19/04/2021, Item No. 3.1.5) is approved.

ATTACHMENTS

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

1. Terms of Reference - Audit Committee April 2021
2. Terms of Reference - Community Wellbeing and Sport Committee April 2021

1. BACKGROUND

- 1.1 Council, at its meeting on October 2020, reviewed its Council and Committee structure.
- 1.2 As part of that process, the ToR of each of the Committees and Sub Committees were also reviewed.
- 1.3 In the case of the Audit Committee and (the new) Community Wellbeing and Sport Committee, due to an administrative oversight the ToR were not complete:
 - 1.3.1 Audit Committee - reference to quorum for the Committee omitted the requirement for at least two independent members of the Committee to be present, in addition to the legislated requirement that quorum is achieved by the presence of at least half plus one of the membership being present for a meeting to proceed.

- 1.3.2 Community Wellbeing and Sport Committee – the previous Sport Recreation and Grants Committee ToR provided delegated authority, where the applications complied fully with the grant criteria, for the Committee to approve.

CONSULTATION / COMMUNICATION

1.4 Internal

- 1.4.1 General Manager Business Excellence

1.5 External

- 1.5.1 Nil.

2. REPORT

2.1 Audit Committee

- 2.1.1 Prior to the review of the Council and Committee structure, the ToR for the Audit Committee provided as follows; “*A quorum shall consist of three members, at least two of whom will be independent members*”.
- 2.1.2 The draft ToR presented to Council for approval at its October 2020 meeting omitted (in error) the requirement “*at least two of whom will be independent members*”.
- 2.1.3 While the current ToR are compliant with the requirements of the *Local Government (Procedures at Meetings) Regulations 2013*, the City of Salisbury created this requirement as an added condition to forming quorum for meetings of the Committee. This was to maintain a level of public confidence in the objective aspect of the role that the Audit Committee plays; that is, in order to provide the necessary assurance to Council, the Committee will:
- Satisfy itself that appropriate policies, practices and procedures of internal control are implemented and maintained.
 - Ensure that these controls are appropriate for achieving the council’s goals and objectives, safeguarding the council’s assets
 - and as far as possible maintaining the accuracy and reliability of council records.
 - Satisfy itself that the organisation is meeting its fiduciary and legislative responsibilities.
- 2.1.4 Accordingly, it is proposed that the adopted terms of reference be revised to include the requirement “*A quorum shall consist of three members, at least two of whom will be independent members*”, as shown in Attachment A.

2.2 Community Wellbeing and Sport Committee

- 2.2.1 Prior to the review of the Council and Committee structure, the ToR for the (previous) Sport Recreation and Grants Committee provided delegated authority for the Committee to:
- allocate the funds available within the annual Minor Capital Works Program budget;
 - allocate funds available within the annual Community Grants budget;
 - award Phoebe Wanganeen Indigenous Scholarships;
 - assess and determine all applications for the Youth Sponsorship program applying the Team Funding Allocation Scale;
 - assess and determine all applications submitted for Community Grants (Projects and Events) and allocate those funds to successful applicants;
 - Youth Sponsorship Applications be assessed by the Chairman of the Sport, Recreation and Grants Committee and one other Committee Member.
- 2.2.2 Enabling the Committee to approve these grants ensured that the relevant applicants did not have to wait unduly, therefore it is proposed for Council to amend the ToR as shown in Attachment 2 and reinstate the above delegations to the Committee, drafted to reflect name changes as necessary:
- allocate the funds available within the annual Minor Capital Works Program budget;
 - allocate funds available within the annual Community Grants budget;
 - award Phoebe Wanganeen Indigenous Scholarships;
 - assess and determine all applications for the Youth Sponsorship program applying the Team Funding Allocation Scale;
 - assess and determine all applications submitted for Community Grants and the Community Events Sponsorship Program and allocate those funds to successful applicants;
 - Youth Sponsorship Applications be assessed by the Chairman and/or Chairman of the Committee and one other Committee Member.
- 2.2.3 The final dot point in the proposed change refers to the Chairman “and/or” the Deputy Chairman “and” one other Committee Member to ensure that there are at least two members of the Committee exercising the delegation because Council cannot delegate its authority to a single Councillor under the *Local Government Act 1999*.

3. CONCLUSION / PROPOSAL

- 3.1 The Terms of Reference for the Audit Committee and Community Wellbeing and Sport Committee require updating due to omissions that were not included when they were reviewed as part of the changes made to Council's Committee structure in October 2020.
- 3.2 It is proposed to amend the Terms of Reference to reinsert the omitted quorum requirements for the Audit Committee and reinstate the delegations for the Community Wellbeing and Sport Committee.

CO-ORDINATION

Officer: Executive Group
Date: 12/4/2021

 Audit Committee - Terms of Reference -	
Endorsed by Council:	Review Date:

1. Establishment

- 1.1 Pursuant to section 41 of the *Local Government Act 1999* (the Act) the Council establishes a committee to be known as the **Audit Committee** ("the Committee").
- 1.2 The Committee will exist for the term of the Council or unless resolved otherwise by the Council.
- 1.3 The Committee is established as a Standing Committee within the Council's governance framework.

2. Functions and Responsibilities

- 2.1 The Committee is established to assist the Council in the performance of its functions as set out in the attached Special Term 1.

3. Authority

- 3.1 The Committee is mandated under section 126 of the Act.
- 3.2 The Audit Committee can request the conduct of investigations into any matters within the scope of its responsibility. It is empowered to:
 - Recommend to Council the appointment and oversee the work of any external auditor appointed by the City of Salisbury.
 - Resolve any disagreements between management and the external auditor regarding financial reporting.
 - Pre-approve all auditing and non-audit services.
 - Request through the Chief Executive Officer (CEO) the right to retain independent counsel, accountants or others to advise the committee or assist in the conduct of an investigation.
 - Seek any information it requires from anyone employed by City of Salisbury, all of whom are directed to cooperate with the committee's requests or those of external parties acting on behalf of the committee.
 - Meet with City of Salisbury employees or the appointed external auditors as necessary.

 <p>Audit Committee - Terms of Reference -</p>	
Endorsed by Council:	Review Date:

3.3 The Committee does not enjoy the delegation of any powers or functions of the Council but acts in accordance with these Terms of Reference and any additional authorisations provided by the Council.

3.4 All decisions of the Committee will, therefore, constitute recommendations to the Council.

4. Membership

4.1 Membership of the Committee is determined by the Council and is set out in the attached Special Term 2, noting that it is a legislated requirement that the majority membership consist of independent members.

4.2 Membership continues for the term of the Committee unless a member resigns from the Committee or is removed earlier by resolution of Council.

4.3 All members must attend meetings of the Committee and, where unable to do so, must provide an apology prior to the meeting.

4.4 Members of the Committee, where they are not elected members of the Council must, nevertheless, comply with the *Code of Conduct for Council Members* and all members of the Committee must comply with the conflict of interest provisions of the Act. In particular, sections 62 (general duties), 63 (code of conduct) and 73, 74, 75 and 75A (conflicts of interest, must be observed.

4.5 The appointment of the Chair will be made by the Council for a term determined by the Council.

4.6 The Deputy Chair will be appointed at the first meeting of the Committee for a period of 12 months, after which time the Committee will make another 12-month appointment.

4.7 The Committee shall be provided with administrative support by the services of an employee of the Council appointed by the Chief Executive Officer or his/her delegate.

 <p>Audit Committee</p> <p>- Terms of Reference -</p>	
Endorsed by Council:	Review Date:

5. Operational Matters

- 5.1 Meetings of the Committee will be held in the Council Offices at 34 Church Street, Salisbury, in the Council/ Committee Rooms. Meetings will occur on such dates and times as set out in Special Term 3.
- 5.2 In the event that a meeting falls on a public holiday, the meeting will convene on the next business day in that same week.
- 5.3 In accordance with section 87 of the Act, a minimum of three clear days' notice of an ordinary meeting of the Committee will be provided to members to the Committee.
- 5.4 Public notice of meetings will be given through publication of the annual meeting schedule on the City of Salisbury website. A copy of the Notice of Meeting and Committee Agenda will be displayed publicly on a monthly basis.
- 5.5 Members of the public are able to attend all meetings of the Committee, unless prohibited by resolution of the Committee under the confidentiality provisions of section 90 of the Act.
- 5.6 The quorum is determined by dividing the total number of members of the Committee in office by two (ignoring any fractions) and adding one. See Special Term 3.

6. Meeting Procedures

- 6.1 All meetings will be held in accordance with the Act and the *Local Government (Procedures at Meetings) Regulations 2013* (the Regulations) and the *City of Salisbury Code of Practice for Meeting Procedures*. Insofar as the Act and Regulations and these Terms of Reference do not prescribe the procedure to be observed in relation to the conduct of a meeting of the Committee, the Committee may determine its own procedure. Refer to Special Term 4 for more detail regarding meeting procedures.
- 6.2 All members of the Committee have equal voting rights. A question arising for decision will be decided by a majority of votes cast by all members present.

 <p style="margin: 0;">Audit Committee</p> <p style="margin: 0;">- Terms of Reference -</p>	
Endorsed by Council:	Review Date:

- 6.3 Each member must vote on a question arising for decision.
- 6.4 The Chair has a deliberative vote only and does not, in the event of an equality of votes, have a casting or second vote.
- 6.5 In the event of an equality of votes, the Committee has not made a decision on that item, which will then be referred to the Council for decision.

7. Minutes and Documents

- 7.1 Minutes and documents will be managed in accordance with the *City of Salisbury Code of Practice for Access to Meetings and Documents*.
- 7.2 Minutes will be kept of the proceedings at each Committee meeting. Members of the Council will be provided with a copy of all minutes of the proceedings of the Committee within five days after a Committee meeting.
- 7.3 Members of the public are entitled to access to all documents received at a meeting of the Committee unless it is resolved to be confidential under the Act.

8. Reporting

- 8.1 The Committee reports directly to the Council.
- 8.2 Decisions made by the Committee will be referred to the next Council meeting, presented as Committee recommendations to Council.

9. Winding Up of the Committee

The Committee cannot be "wound up", it is mandated under section 126 of the Act.



Audit Committee

- Terms of Reference -

Endorsed by Council:

Review Date:

SPECIAL TERM 1

Clause 2 Functions and Responsibilities


The Audit Committee is charged with undertaking the following functions:

- 2.1 In accordance with section 126(4) of the *Local Government Act 1999 (the Act)* the committee's roles include -
- "(a) reviewing annual financial statements to ensure that they present fairly the state of affairs of the council; and*
(ab) proposing, and providing information relevant to, a review of the council's strategic management plans or annual business plan; and
(ac) proposing, and reviewing, the exercise of powers under section 130A; and
(b) liaising with the council's auditor; and
(c) reviewing the adequacy of the accounting, internal control, reporting and other financial management systems and practices of the council on a regular basis".
- 2.2 The Committee, in order to fulfil its role and provide the necessary assurance to Council, will:
- Satisfy itself that appropriate policies, practices and procedures of internal control are implemented and maintained.
 - Ensure that these controls are appropriate for achieving the council's goals and objectives, safeguarding the council's assets and as far as possible maintaining the accuracy and reliability of council records.
 - Satisfy itself that the organisation is meeting its fiduciary and legislative responsibilities.
- 2.3 Taking into consideration both the risk and the opportunities of matters considered, so as to enable Council to act as an informed and responsible decision maker representing the interests of the community.

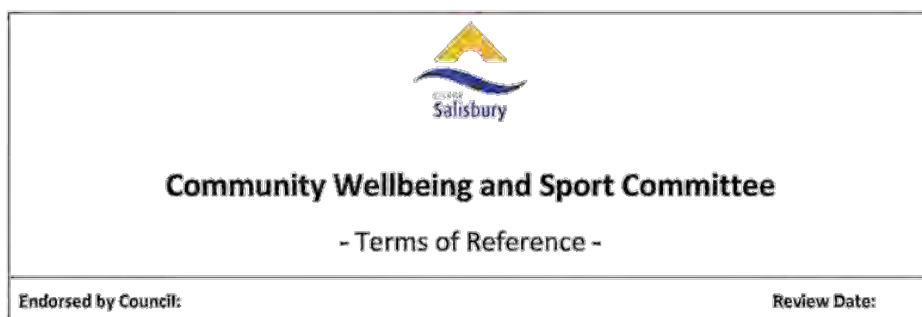
SPECIAL TERM 2

Clause 4 Membership

The membership of the Committee comprises two Elected Members of the City of Salisbury, with three independent members who are appointed for a four year term of office, with a review undertaken every two years, and will serve no more than two consecutive terms.

 <p>Audit Committee - Terms of Reference -</p>	
Endorsed by Council:	Review Date:

SPECIAL TERM 3	
Clause 5	Operational Matters The Committee meets on at least a quarterly basis. Quorum for the Committee is 3 <u>members, at least two of whom will be independent members.</u>
SPECIAL TERM 4	
Clause 6	Meeting Procedures The Committee applies Part 2 of the <i>Local Government (Procedures at Meetings) Regulations 2013</i> .



1. Establishment

- 1.1 Pursuant to section 41 of the *Local Government Act 1999* (the Act) the Council establishes a committee to be known as the **Community Wellbeing and Sport Committee** ("the Committee").
- 1.2 The Committee will exist for the term of the Council or unless resolved otherwise by the Council.
- 1.3 The Committee is established as a Standing Committee within the Council's governance framework.

2. Functions and Responsibilities


- 2.1 The Committee is established to assist the Council in the performance of its functions as set out in the attached Special Term 1.

3. Authority

- 3.1 The Committee is established under section 41 of the Act as an advisory committee to the Council in regard to those functions listed in Special Term 1.
- 3.2 The Committee does not enjoy the delegation of any powers or functions of the Council but acts in accordance with these Terms of Reference and any additional authorisations provided by the Council.
- 3.3 All decisions of the Committee will, therefore, constitute recommendations to the Council.

4. Membership


- 4.1 Membership of the Committee is determined by the Council and is set out in the attached Special Term 2.
- 4.2 Membership continues for the term of the Committee unless a member resigns from the Committee or is removed earlier by resolution of Council.

	
Community Wellbeing and Sport Committee - Terms of Reference -	
Endorsed by Council:	Review Date:

- 4.3 The Mayor is an *ex officio* member of this Committee.
- 4.4 All members must attend meetings of the Committee and, where unable to do so, must provide an apology prior to the meeting.
- 4.5 Members of the Committee, where they are not elected members of the Council must, nevertheless, comply with the *Code of Conduct for Council Members* and all members of the Committee must comply with the conflict of interest provisions of the Act. In particular, sections 62 (general duties), 63 (code of conduct) and 73, 74, 75 and 75A (conflicts of interest, must be observed.
- 4.6 The appointment of the Chair will be made by the Council for a term determined by the Council.
- 4.7 The Deputy Chair will be appointed at the first meeting of the Committee for a period of 12 months, after which time the Committee will make another 12-month appointment.
- 4.8 The Committee shall be provided with administrative support by the services of an employee of the Council appointed by the Chief Executive Officer or his/her delegate.

5. Operational Matters


- 5.1 Meetings of the Committee will be held in the Council Offices at 34 Church Street, Salisbury, in the Council/ Committee Rooms. Meetings will occur on such dates and times as set out in Special Term 3.
- 5.2 In the event that a meeting falls on a public holiday, the meeting will convene on the next business day in that same week.
- 5.3 In accordance with section 87 of the Act, a minimum of three clear days' notice of an ordinary meeting of the Committee will be provided to members to the Committee.

 <p style="margin: 0;">Community Wellbeing and Sport Committee</p> <p style="margin: 0;">- Terms of Reference -</p>	
Endorsed by Council:	Review Date:

- 5.4 Public notice of meetings will be given through publication of the annual meeting schedule on the City of Salisbury website. A copy of the Notice of Meeting and Committee Agenda will be displayed publicly on a monthly basis.
- 5.5 Members of the public are able to attend all meetings of the Committee, unless prohibited by resolution of the Committee under the confidentiality provisions of section 90 of the Act.
- 5.6 The quorum is determined by dividing the total number of members of the Committee in office by two (ignoring any fractions) and adding one. See Special Term 3.
- 5.7 When the Mayor (as an *ex officio* member) is in attendance at a meeting, the Mayor is included in the calculation of the quorum.

6. Meeting Procedures

- 6.1 All meetings will be held in accordance with the Act and the *Local Government (Procedures at Meetings) Regulations 2013* (the Regulations) and the *City of Salisbury Code of Practice for Meeting Procedures*. Insofar as the Act and Regulations and these Terms of Reference do not prescribe the procedure to be observed in relation to the conduct of a meeting of the Committee, the Committee may determine its own procedure. Refer to Special Term 4 for more detail regarding meeting procedures.
- 6.2 All members of the Committee have equal voting rights. A question arising for decision will be decided by a majority of votes cast by all members present.
- 6.3 Each member must vote on a question arising for decision.
- 6.4 The Chair has a deliberative vote only and does not, in the event of an equality of votes, have a casting or second vote.
- 6.5 In the event of an equality of votes, the Committee has not made a decision on that item, which will then be referred to the Council for decision.

 Community Wellbeing and Sport Committee - Terms of Reference -	
Endorsed by Council:	Review Date:

7. Minutes and Documents

- 7.1 Minutes and documents will be managed in accordance with the *City of Salisbury Code of Practice for Access to Meetings and Documents*.
- 7.2 Minutes will be kept of the proceedings at each Committee meeting. Members of the Council will be provided with a copy of all minutes of the proceedings of the Committee within five days after a Committee meeting.
- 7.3 Members of the public are entitled to access to all documents received at a meeting of the Committee unless it is resolved to be confidential under the Act.

8. Reporting

- 8.1 The Committee reports directly to the Council.
- 8.2 Decisions made by the Committee will be referred to the next Council meeting, presented as Committee recommendations to Council.

9. Winding Up of the Committee

To the extent that the Committee does not wind up in accordance with clause 1.2 of these Terms of Reference, the Committee will be wound up upon resolution of the Council.



Community Wellbeing and Sport Committee

- Terms of Reference -

Endorsed by Council:

Review Date:

SPECIAL TERM 1

Clause 2 Functions and Responsibilities


The Community Wellbeing and Sport Committee is charged with undertaking the following functions:

- 2.1 Oversees the development of strategic policies and procedures affecting the future development of the City and advises Council on:
- Sporting & Community Club dev't
 - Community Health & Wellbeing Services:
 - Homelessness
 - community safety
 - intercultural diversity
 - Social Dev't Programs
 - Youth Sponsorship Program
 - Minor Capital Works Grant Program
 - Sport & Community Grants Community Grants Programs
- 2.2 Exercise delegated authority on behalf of Council to:
- allocate the funds available within the annual Minor Capital Works Program budget;
 - allocate funds available within the annual Community Grants budget;
 - award Phoebe Wanganeen Indigenous Scholarships;
 - assess and determine all applications for the Youth Sponsorship program applying the Team Funding Allocation Scale;
 - assess and determine all applications submitted for Community Grants and the Community Events Sponsorship Program and allocate those funds to successful applicants; and
 - enable Youth Sponsorship Applications to be assessed by the Chairman and/or Chairman of the Committee and one other Committee Member.
- 2.22.3 Taking into consideration both the risk and the opportunities of matters considered, so as to enable Council to act as an informed and responsible decision maker representing the interests of the community.

SPECIAL TERM 2

Clause 4 Membership

The membership of the Committee comprises one Ward Councillor from each Ward of the Council.

	
Community Wellbeing and Sport Committee - Terms of Reference -	
Endorsed by Council:	Review Date:

SPECIAL TERM 3	
Clause 5	Operational Matters The Committee meets on the 3 rd Tuesday of each month. Quorum for the Committee is 4, when the Mayor is not in attendance.
SPECIAL TERM 4	
Clause 6	Meeting Procedures The Committee applies Part 2 of the <i>Local Government (Procedures at Meetings) Regulations 2013</i> .

ITEM	3.1.6
	GOVERNANCE AND COMPLIANCE COMMITTEE
DATE	19 April 2021
HEADING	Nominations Sought for the South Australian Public Health Council
AUTHOR	Joy Rowett, Governance Coordinator, CEO and Governance
CITY PLAN LINKS	4.2 We deliver quality outcomes that meet the needs of our community
SUMMARY	Nominations are sought for a Local Government Member on the South Australian Public Health Council for a term not exceeding three years commencing 6 August 2021. Nominations must be forwarded to the Local Government Association by 5pm Monday 7 June 2021.

RECOMMENDATION

1. _____ be nominated as a Local Government Member on the South Australian Public Health Council.

ATTACHMENTS

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

1. Call for Nominations - South Australian Public Health Council - Part A
2. South Australian Public Health Council - Nomination Form - Part B

1. BACKGROUND

- 1.1 The LGA is seeking nominations for a local government member on the South Australian Public Health Council for a three year term.
- 1.2 The South Australian Public Health Council (SAPHC) is established by the *South Australian Public Health Act 2011* (the Act).

2. CONSULTATION / COMMUNICATION**2.1 Internal**

- 2.1.1 LGA News item dated 12 April 2021 was emailed to the Executive Group, Elected Members, and Divisional Managers on 13 April 2021.
- 2.1.2 At the time of writing this report, there had been no registrations of interest in nominating received

2.2 External

- 2.2.1 Nil

3. REPORT

- 3.1 The South Australian Public Health Council's primary functions are to assist and advise the Chief Public Health Officer in relation to:
 - 3.1.1 protection and promotion of public health
 - 3.1.2 the development and maintenance of a system of strategic planning for public health at the local, regional and State-wide levels,
 - 3.1.3 the development of health plans,
 - 3.1.4 strategies to ensure that a sufficiently trained and skilled workforce is in place
 - 3.1.5 programs to promote public health research in the State
 - 3.1.6 the preparation of the biennial report
 - 3.1.7 setting standards and qualifications for authorised officers.
- 3.2 The LGA is seeking nominations from suitably qualified council members, or employees of a council, or other local government entity, to fill a position with a term not exceeding three years commencing 16 August 2021.
- 3.3 There are two LGA nominated positions on the South Australian Public Health Council currently held by Mayor Ann Ferguson (Mount Barker), and one vacancy left by Mr Gary Mavrinac (Barossa) when his term expires on 15 August 2021. Mr Mavrinac is eligible for re-appointment.
- 3.4 The SAPHC meets four times per year with sitting fees of \$206 per session.
- 3.5 SA Health has advised the SAPHC meets four times a year via MS Teams, usually on a Tuesday commencing at 2:00pm and finishing at 4:00pm, with the following dates scheduled for the remainder of 2021:
 - 3.5.1 Tuesday 15 June 2021
 - 3.5.2 Tuesday 14 September 2021
 - 3.5.3 Tuesday 23 November 2021
- 3.6 Dates for the 2022 schedule of meetings will be determined at the final meeting of the year.
- 3.7 The Act requires the LGA to provide a panel of five nominees from which the Minister will select the appointee. In accordance with section 36A of the *Acts Interpretation Act 1915* the panel of nominees must include at least two males and two females.
- 3.8 In accordance with the LGA Appointments and Nominations to Outside Bodies Policy (Policy), the Nominations Committee of the LGA Board of Directors may undertake preliminary consideration of nominees and make recommendations to the LGA Board of Directors.
- 3.9 LGA nominations on Outside Bodies will, unless determined otherwise by the LGA Board of Directors, be currently serving council members or employees of a council or other local government entity. Only nominations submitted following a resolution of council will be considered.

- 3.10 The Policy also enables the LGA Secretariat to maintain a Nominees Database, which will record the details of nominees who agree to be considered for other vacancies for a period of 12 months based on the nominee's preferences. The Nomination Form (Part B below) asks nominees whether they want to be listed on the database.
- 3.11 The Call for Nominations Information Sheet (Part A) provides further information regarding the role, as well as any selection criteria to be addressed by the nominee.
- 3.12 The nominee and council are required to complete the Nomination Form (Part B) and forward to the LGA by 5pm Monday 7 June 2021.
- 3.13 An up-to-date curriculum vitae and a response to the selection criteria (no more than 2 pages) must be supplied by the nominee – these will be submitted with the Nomination Form to the LGA by 5pm Monday 7 June 2021.

4. CONCLUSION / PROPOSAL

- 4.1 Council is asked to determine if a nomination is to be made for the South Australian Public Health Council.
- 4.2 It should be noted that Council is not obliged to submit a nomination.

CO-ORDINATION

Officer: MG
Date: 14/4/2021

PART A

LGA Appointments and Nominations to Outside Bodies — Call for Nominations

South Australian Public Health Council	
Governing Statute (if applicable)	Section 27(1)(b)(i) South Australian Public Health Act 2011
Purpose/Objective	<p>To assist and advise the Chief Public Health Officer in relation to:</p> <ul style="list-style-type: none"> (i) protection and promotion of public health (ii) the development and maintenance of a system of strategic planning for public health at the local, regional and State-wide levels, (iii) the development of health plans, (iv) strategies to ensure that a sufficiently trained and skilled workforce is in place (v) programs to promote public health research in the State (vi) the preparation of the biennial report (vii) setting standards and qualifications for authorised officers.
Administrative Details	<p>Four meetings held per year at SA Public Health head office</p> <p>Sitting fee of \$206 / session</p>
Selection Criteria (to be addressed by applicant)	<ul style="list-style-type: none"> • Local government knowledge and experience • Demonstrated experience in 2 or more aspects of the purposes (listed above)
Liability and indemnity cover <i>The LGA requires that persons appointed to Outside Bodies be appropriately insured throughout the period of their appointment and seeks to collect details of the insurances provided by the Outside Body on an annual basis.</i>	
For more information contact: LGA Nominations Coordinator at nominationscoordinator@lga.sa.gov.au or 8224 2000	

LGA Appointments and Nominations to Outside Bodies — Nomination Form

Instructions

This form:

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

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

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

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

SECTION 1: COUNCIL to complete

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

SECTION 2: NOMINEE to complete

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