

AGENDA

FOR GOVERNANCE AND COMPLIANCE COMMITTEE MEETING TO BE HELD ON

17 OCTOBER 2022 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, Ms M English

Manager Governance, Mr R Deco

Team Leader Council Governance, Ms J O'Keefe-Craig

APOLOGIES

LEAVE OF ABSENCE

PRESENTATION OF MINUTES

Presentation of the Minutes of the Governance and Compliance Committee Meeting held on 15 August 2022.

REPORTS

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For Decision

QUESTIONS ON NOTICE

MOTIONS ON NOTICE

OTHER BUSINESS

 $(Questions\ Without\ Notice,\ Motions\ Without\ Notice,\ CEO\ Update)$

CLOSE



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

15 AUGUST 2022

MEMBERS PRESENT

Mayor G Aldridge (ex officio) Cr B Brug (*Via Microsoft Teams*)

Cr K Grenfell Cr D Proleta

Cr S Reardon (Deputy Chairman)

Cr G Reynolds

OBSERVERS

Nil.

STAFF

General Manager Business Excellence, Mr C Mansueto General Manager City Development, Ms M English Team Leader Council Governance, Ms J O'Keefe-Craig

The meeting commenced at 8:06pm.

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

APOLOGIES

Apologies were received from Cr J Woodman and Cr A Duncan.

LEAVE OF ABSENCE

Nil

PRESENTATION OF MINUTES

Moved Cr B Brug Seconded Cr K Grenfell

The Minutes of the Governance and Compliance Committee Meeting held on 18 July 2022, be taken as read and confirmed.

CARRIED

REPORTS

Administration

3.0.1 Future Reports for the Governance and Compliance Committee

Moved Cr K Grenfell Seconded Mayor G Aldridge

That Council:

1. Notes the report.

CARRIED

For Decision

3.1.1 Council and Committee Governance Structure

Moved Cr D Proleta Seconded Mayor G Aldridge

That Council:

- 1. Notes that the newly elected incoming Council will set its decision-making Council and Committee Governance Structure at the start of the new Council term, and consistent with historical practice, the new Council receives a recommendation from the outgoing Council on such a proposed recommended structure.
- 2. Approves the establishment of a CEO Working Group comprising of Mayor, Deputy Mayor, Cr Reynolds, CEO and the Manager Governance, to review and give consideration to a proposed decision-making Governance Structure, for subsequent recommendation by the outgoing Council at its meeting in October 2022.

CARRIED

3.1.2 By-Laws 2022 Delegations and Expiation Fees

Moved Cr G Reynolds Seconded Mayor G Aldridge

That Council:

- 1. Notes that pursuant to Section 246(3)(g) of the *Local Government Act 1999*, the maximum penalty for an alleged offence against a provision of any of Council's 2022 By-laws is \$1,250.
- 2. Approves, pursuant to Section 246(5)(b) of the *Local Government Act 1999*, and Section 38(1) of the *Legislation Interpretation Act 2021*, the expiation fees for an alleged offence against a provision of Council's 2022 By-Laws (upon their commencement) to be as follows:
 - i. Permits and Penalties By-law 2022 Expiation fee \$188;
 - ii. Moveable Signs By-law 2022 Expiation fee \$188;
 - iii. Roads By-law 2022 Expiation fee \$188;
 - iv. Local Government Land By-law 2022 Expiation fee \$188;
 - v. Dogs By-law 2022 Expiation fee \$188; and
 - vi. Waste Management By-law 2022 Expiation fee \$188.
- 3. Delegates, in exercise of the power contained in Section 44 of the *Local Government Act 1999*, the powers and functions under the following By-laws and specified in the proposed Instruments of Delegation contained in Attachments 1 to 6 to the person occupying the office of Chief Executive Officer subject to the conditions and, or limitations specified herein, or in the Schedule of Conditions in each such proposed Instrument of Delegation:
 - i. Permits and Penalties By-Law 2022 (Attachment 1);
 - ii. Moveable Signs By-Law 2022 (Attachment 2);
 - iii. Roads By-Law 2022 (Attachment 3);
 - iv. Local Government Land By-Law 2022 (Attachment 4);
 - v. Dogs By-Law 2022 (Attachment 5);
 - vi. Waste Management By-Law 2022 (Attachment 6).

CARRIED

For Information

3.2.1 Off-Leash Greyhound Event - Dog Park Suitability Evaluation

Moved Cr D Proleta Seconded Cr G Reynolds

That Council:

1. Approves that all future off leash greyhound events are held at the Jenkins Reserve Small Dog Park as recommended by GAP SA and as approved by the Dog and Cat Management Board.

CARRIED

3.2.2 Summary of Elected Member Training and Development Expenditure and Outstanding Summary Reports

Moved Mayor G Aldridge Seconded Cr D Proleta

That Council:

1. Notes the report.

CARRIED

QUESTIONS ON NOTICE

There were no Questions on Notice.

MOTIONS ON NOTICE

There were no Motions on Notice.

OTHER BUSINESS

(Questions Without Notice; Motions Without Notice; CEO Update)

G&C-OB1 Greyhound off leash events

Moved Cr B Brug Seconded Cr D Proleta

That Council:

1. Approves that GAP SA and the Dog and Cat Management Board are consulted at the time that Council considers the construction of future dog parks for the purpose of constructing suitable dog parks that can be used for greyhound off leash events.

CARRIEL)
Unanimous	ly

The meeting closed at 8:40pm.	
	CHAIRMAN
	DATE

ITEM 3.0.1

GOVERNANCE AND COMPLIANCE COMMITTEE

DATE 17 October 2022

HEADING Future Reports for the Governance and Compliance Committee

AUTHOR Hayley Berrisford, PA to General Manager Business Excellence,

Business Excellence

4.2 We deliver quality outcomes that meet the needs of our **CITY PLAN LINKS**

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

That Council:

1. Notes the report.

ATTACHMENTS

There are no attachments to this report.

1. **BACKGROUND**

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 -	Heading and Resolution	Officer
Item		
27/06/2022	Community Compliance Resources	John Darzanos
3.2.1	2. Approves a report on the Community Compliance	
	resources and outcomes be presented to Council by 30	
	November 2023 to enable consideration of required	
	resource demands without the impacts of COVID-19 on	
	both staff and the community.	
Due:	November 2023	
22/08/2022	Amendment to Code of Practice in Relation to	Joy O'Keefe-Craig
	Remote Meeting Participation Protocols	
MWON1	1. that a report be presented on the amendment to SRP	
	Remote Participation in Committee and Council	
	Meetings section of the Code of Practice in relation to	
	online meeting participation at the next Council	
	meeting.	
Due:	September 2022	
Deferred to:	November 2022	
Reason:	Deferred to new Council term	
22/08/2022	Motion on Notice: Elected Member Communication	Julie Kushnir
	Process and Protocols	
MON1	That Administration bring back to the Governance and	
	Compliance Committee a report that details the current	
	communication process and protocols to ensure Elected	
	Members are aware of:	
	a. significant Council infrastructure projects and	
	initiatives.	
	b. development our for public consultation within the	
	City of Salisbury.	
	c. Council public consultation initiatives.	
	d. community events within the City of Salisbury.	
	e. City of Salisbury media notifications	
Due:	October 2022	
Deferred to:	December 2022	
Reason:	Deferred to December to allow consideration of current	
	communication protocols by the new Council.	

4. **CONCLUSION / PROPOSAL**

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

Page 8 Governance and Compliance Committee Agenda - 17 October 2022 **ITEM** 3.1.1

GOVERNANCE AND COMPLIANCE COMMITTEE

DATE 17 October 2022

HEADING Voting Advice to Council Delegate for the Local Government

Association Annual General Meeting - 28 October 2022

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 report presents the items to be considered at the Local

Government Association Annual General Meeting (LGA AGM) to be convened on Friday 28 October 2022 and provides guidance to allow Council to instruct its delegate how to vote in relation to each

agenda item.

RECOMMENDATION

That Council:

1. Authorises its LGA AGM voting delegate (Deputy Mayor Cr Chad Buchanan or Mayor Gillian Aldridge as proxy) to use discretion when voting on the items presented at the upcoming LGA AGM 28 October 2022, except for these items for which Council would specifically resolve otherwise.

ATTACHMENTS

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

1. LGA AGM 28 October 2022 Voting Guidance

1. BACKGROUND

1.1 Prior to each LGA Ordinary General Meeting (OGM) and Annual General Meeting (AGM), the items of business being considered are presented to Council for consideration, including a summary and voting guidance for each agenda item, based on advice from the Chief Executive Officer (CEO).

2. **CONSULTATION / COMMUNICATION**

- 2.1 Internal
 - Voting Guidance contained within this report are as a result of 2.1.1 discussions between the CEO and Manager Governance.
- 2.2 External
 - 2.2.1 Not applicable.

REPORT 3.

- Due to the size of the agenda (298 pages), a hard copy of the full agenda is not 3.1 distributed to all Elected Members. Deputy Mayor 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 7 October 2022.
- Attachment 1 to this report contains a list of each of the recommendations to be 3.3 considered at the LGA AGM taking place on Friday 28 October 2022. This list also includes the associated guidance regarding the voting position for the City of Salisbury.

4. CONCLUSION / PROPOSAL

Council is asked to review the items listed in Attachment 1 and authorise the voting delegate on the voting position.

Item No	Item Description	Agenda Page No	Voting Guidance
6.	LGA BUSINESS		
6.1	LGA Annual Report 2021/22 That the Annual General Meeting receives and adopts the Local Government Association of South Australia's Annual Report for the year 2021-22.	25	Support
6.2	LGA Financial Statements 2021/22 That the Annual General Meeting receives and adopts the LGA of SA and controlled entities Financial Statements for the year 2021/22.	26	Support
6.3	Annual Reports of LGA Committees That the Annual General Meeting notes the Annual Reports for the year 2021-22 of the following Committees established under the LGA Constitution: a) Greater Adelaide Regional Organisation of Councils (GAROC) b) South Australian Regional Organisation of Councils (SAROC) c) CEO Advisory Group d) Audit and Risk Committee	78	Support
6.4	LGASA Mutual Annual Report 2021/22 That the Annual General Meeting receives and notes the LGASA Mutual Annual Report for the year 2021-2022.	127	Support
6.5	LGA Procurement Annual Report 2021/22 That the Annual General Meeting receives and notes the LGA Procurement Annual Report for the year 2021-2022.	129	Support
6.6	Local Government Research and Development Scheme That the Annual General Meeting notes the report.	130	Support
6.7	Special Local Roads Program That the Annual General Meeting notes the report.	154	Support
6.8	LGA Advocacy Update That the Annual General Meeting notes the report.	156	Support

Item No	Item Description	Agenda Page No	Voting Guidance
6.9	LGA Member Service Update That the Annual General Meeting notes the report.	197	Support
6.10	Local Government Financial Indicators 2022 That the Annual General Meeting notes the report regarding Local Government Financial Indicators.	200	Support
6.11	SAROC and GAROC Terms of Reference That the Annual General Meeting ratifies the LGA SAROC Terms of Reference (effective 8 January 2020) and LGA GAROC Terms of Reference (effective 23 July 2020).	210	Support (no change to Terms of Reference)
7.	RECOMMENDATION REPORTS FROM THE SAROC COMMITTEE		
7.1	Landscapes Board Levy (City of Victor Harbor) That the Annual General Meeting requests the Local Government Association to request the State Government review the manner which they collect the Landscape levy from local communities. With the desired outcome being one in which Revenue SA collect the levy directly in alignment with the Emergency Services levy.	237	Support (levy in place since 2019; process review warranted. LGA anticipated in its work plan)
7.2	EPA Solid Waste Levy (City of Mount Gambier) That the Annual General Meeting requests the LGA to call for the Deputy Premier the Hon Susan Close, as Minister for Climate, Environment and Water, to provide the LGA with a detailed explanation of how the Solid Waste Levy funds collected by waste depot licence holders are allocated both in terms of general revenue and the Green Industry Fund and calls for an equitable distribution of funds between regional and metropolitan councils.	241	Support (providing greater transparency and hypothecation to councils of the levy; LGA did not anticipate in its work plan but can be managed within existing LGA resources)

Item No	Item Description	Agenda Page No	Voting Guidance
7.3	Energy Positive and Carbon Neutral Development (City of Victor Harbor) That the Annual General Meeting request the LGA to write to the Expert Panel on Planning and to the Minister for Planning seeking an amendment to the Planning, Development and Infrastructure Act 2016 which would enable the State Planning Commission and/or Councils to amend the Planning and Design Code to enable more energy efficient and sustainable development.	246	Support (the current Planning and Design Code does not have clear policy outcomes that promote more energy efficient and carbon neutral buildings apart from minimal standards of insulation and shading and tree planting. LGA anticipated in its work plan and can manage within existing LGA resources)

Item No	Item Description	Agenda Page No	Voting Guidance
8.	RECOMMENDATION REPORTS FROM THE GAROC COMMITTEE		
8.1	Mental Health and Wellbeing (Town of Gawler) That the Annual General Meeting requests that: 1. the LGA support and actively advocate that the State Government addresses the lack of mental health outcomes and suicide prevention through providing information, connecting people with improved support agencies, and undertaking studies and further research to inform advocacy on related service needs in South Australia; and 2. notes that if the item of business is approved by the LGA members at the Annual General meeting the LGA Secretariat will undertake the following actions: a. write to the Minister for Health and Wellbeing, and the Shadow Minister for Health and Wellbeing, outlining this advocacy position and requesting increased funding opportunities for local government, noting that improved collaboration is required with Local Health Networks including in regional public health planning; b. write to the CEOs of each Local Health Network, expressing a need for stronger collaboration with local government in the regional public health planning process, particularly around wellbeing as a primary prevention strategy to address mental health and suicide prevention activities/services; c. write to the CEOs of the Country Primary Health Network and the Adelaide Primary Health Network, expressing a need for stronger collaboration with local government in the regional public health planning process, particularly regarding wellbeing as a primary prevention strategy to address mental health and suicide prevention activities/services; and d. liaise with the Australian Local Government Association (ALGA) to ensure that there is consistent messaging from the sector on this issue.	250	Support (Local government's role is not in direct service delivery, but instead as an advocate, leader, and enabler. LGA can manage within budget preparing correspondence for the State Government, LHNs and PHNs)

Item No	Item Description	Agenda Page No	Voting Guidance
8.2	Responding to the Climate Emergency (Town of Gawler) That the Annual General Meeting: 1. requests the LGA to: a) update its Climate Policy Statements to acknowledge the State Government's declaration of a Climate Emergency; b) commit to supporting the State Government in responding to the Climate Emergency; and c) commit to engaging with the State Government on developing a collaborative reform agenda towards: i. ii. Enabling councils and their communities to better access renewable energy, carbon offsets and technologies to reduce emissions (mitigation); and Improving disaster resilience and climate adaptation planning and response to extreme events (adaptation); and 2. notes that if the Item of Business is approved by LGA members at the Annual General Meeting, a. Part a) of the item to recognise the State Government's declaration of a Climate Emergency will be enacted through an amendment to the Climate Change statements in the LGA Policy Manual; and b. Parts b) and c) of the item will see the LGA continuing to support and engage with the State Government on climate change issues, with the current level of resourcing available and directed from the LGA Secretariat.	260	Support (it is acknowledging actions from the State Government and recognises an existing important partnership with State Government, as well as progressing work which is already underway. LGA anticipated in its work plan and can manage within existing LGA resources

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

Friday 28 October 2022, 2pm, Adelaide Oval

9.1 LGA Policy Manual on Climate Change Endorsement (LGA Secretariat)

That the Annual General Meeting: 1. notes the report on a review of the LGA Policy Manual on Climate Change; 2. endorses the revised LGA Policy Manual statements on Climate Change to take effect from 28 October 2022 as follows: '4.4 Managing the Risks of Climate Change: Local government acknowledges that human-induced climate change is occurring and that urgent, ambitious, and immediate action is required at all levels of government to address the climate crisis by reducing emissions, and adapting to the impacts that are now unavoidable. The LGA supports the State Government's ambition to achieve a 50% reduction in emissions by 2030 and net zero emissions by 2050. The LGA supports its member councils to take the meaningful and immediate actions required, and calls for strong leadership and coordination at all levels of government for ongoing, effective and adequately funded Commonwealth and State Government climate change policies and programs.': '4.4.1 Partnerships: Local government accepts that negative impacts from climate change are inevitable, and recognises that building resilience to these impacts is a responsibility shared by everyone. Councils shall continue to be key partners in delivering a strategic response to climate risks.': '4.4.2 Funding and Strategic Investment; Building resilience to climate impacts will require significant funding and investment, both now and into the future. Councils shall continue to provide equitable levels of funding and investment, recognising it is incumbent on federal and state governments to subsidise the majority of expenditure required': '4.4.3 Embedding Climate Change Considerations: Climate risk and vulnerability assessments are vital in identifying climate impacts and determining appropriate actions. Councils shall ensure assessments are conducted with full consideration of available relevant information as part of all council strategic and operational planning processes across all functions and services.'; '4.4.4 Decision Making: Local government understands that decisions made by councils must take account of all currently available climate data. Local government supports improved availability and regionally relevant data to be Local Government Association of South Australia LGA Annual General Meeting Agenda & Papers - 28 October 2022 - Page 270 of 298 provided through state government, so that councils can expand their knowledge base (such as

269 Support

The proposed amendments to the Policy Manual can be undertaken within existing LGA resources. LGA advocacy on the issues associated with the Policy Manual will be undertaken as the opportunity arises.

Item No	Item Description	Agenda Page No	Voting Guidance
	sustainable development, tree management, coastal management, bushfire management, flood mitigation and other climate hazards) to ensure they are 'best informed to make well rounded decisions.' (LGMLS); '4.4.5 Consultation and Engagement; Tackling the impacts of climate change will require community involvement and effort, in partnership with government-led policy and services. Councils should not solely rely on expert input, science and data when making decisions relating to climate change, but should also consider the outcomes of stakeholder and public consultation for better informed decision making and to raise awareness within the community.'; '4.4.6 Energy Reduction and Storage; Local government provides leadership in the community through proactive actions to reduce energy use and associated greenhouse gas emissions. Continual improvement in technologies mean that councils should undertake regular audits of facilities and practices that are energy intensive, seek to reduce energy usage as far as practicable through installation of energy reduction and storage technologies, and contribute to associated policy development and reform where appropriate.'; '4.4.7 Greenhouse Gas Reduction Mechanisms; Local government supports that voluntary carbon markets, including renewable energy, carbon offsets, and other low carbon products and services, be supported through clarified carbon accounting and legislation to ensure zero carbon outcomes are cost effective.'; '4.4.8 Integrity; Local government supports the Glasgow Climate Pact (2021), the Paris Agreement (2016), and the Kyoto Protocol (2005) for the reduction of global greenhouse gas emissions and shall contribute towards the commitments made by the Federal Government to achieve national carbon emission reduction targets, and Net Zero Carbon by 2050.'; and '4.4.9 Zero or Low-emission Vehicles; Local government recognises the need for widespread transition to zero emission transport and the role of emerging technologies to facilitate this and reduce negative imp		

Item No	Item Description	Agenda Page No	Voting Guidance
9.2	Housing Supply, Affordability and Homelessness (LGA Secretariat)	289	Support
	That the Annual General Meeting requests that the LGA calls on the State Government to: 1. acknowledge the statewide housing crisis in South Australia; 2. establish a Regional Housing Crisis Taskforce, which features suitable representation from State Government agencies and the local government sector, to develop a roadmap for increasing regional housing supply; 3. host a South Australian housing summit to inform the development a whole-of government response to the statewide housing supply, affordability and homelessness issues, including: a. supply of worker housing in regional South Australia; b. support community driven efforts to identify people experiencing homelessness by name; c. investigate how homelessness support services can be most effectively and sustainably coordinated; and d. increase funding to expand the stock of social and community housing; 4. support local government's calls, made at ALGA's 2022 National General Assembly, that the Australian Government: a. host a national affordable housing summit to identify the regional, state, and national issues to be addressed to deliver housing solutions to communities through local, state, and federal government in a whole-of government response to be tailored for respective community needs; b. fund further national housing research, specific to understanding housing affordability, housing supply and demand, and housing accessibility across rural and regional Australia; c. develop and implement a collaborative program, involving all levels of government, to address housing concerns in rural and regional Australia; and d. commit to implementing a funding stream, specific to rural and regional local governments, allowing them to undertake LGA-specific housing research; and to prepare and implement LGA-specific housing plans (aligning to the relevant State Housing and Homelessness Strategies prepared under the NHHA); and Local Government Association of South Australia LGA Annual General Meeting Agenda & Papers - 28 October 2022 - Page 290 of 298 5. del		This activity is anticipated in the LGA's work program