



AGENDA

FOR GOVERNANCE AND COMPLIANCE COMMITTEE MEETING TO BE HELD ON

**18 SEPTEMBER 2023 AT CONCLUSION OF THE FINANCE AND CORPORATE
SERVICES COMMITTEE**

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

MEMBERS

Cr P Jensen (Chairman)
Mayor G Aldridge (ex officio)
Cr L Brug
Cr J Chewparsad
Cr K Grenfell
Cr D Hood (Deputy Chairman)
Cr S McKell

REQUIRED STAFF

Chief Executive Officer, Mr J Harry
General Manager Business Excellence, Mr C Mansueto
General Manager City Infrastructure, Mr J Devine
General Manager Community Development, Mrs A Pokoney Cramey
General Manager City Development, Ms M English
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 21 August 2023.

REPORTS

Administration

3.0.1	Future Reports for the Governance and Compliance Committee	7
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For Decision

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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**

21 AUGUST 2023

MEMBERS PRESENT

Cr P Jensen (Chairman)
Mayor G Aldridge (ex officio)
Cr L Brug
Cr J Chewparsad
Cr K Grenfell
Cr D Hood (Deputy Chairman)
Cr S McKell

STAFF

General Manager Business Excellence, Mr C Mansueto
A/General Manager City Development, Ms S Klein
A/Manager Community Experience & Relationships, Mrs H Atkins
Team Leader Council Governance, Ms J O'Keefe-Craig
Governance Trainee, Ms M Prasad

The meeting commenced at 6:53pm.

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

APOLOGIES

Nil.

LEAVE OF ABSENCE

Nil.

PRESENTATION OF MINUTES

Moved Cr K Grenfell
Seconded Mayor G Aldridge

The Minutes of the Governance and Compliance Committee Meeting held on 17 July 2023, 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 Cr D Hood

That Council:

1. Notes the report.

CARRIED
UNANIMOUSLY

For Information

3.2.1 Communication Protocols for Elected Member Notifications

Moved Cr P Jensen
Seconded Mayor G Aldridge

That Council:

1. Note the report.

CARRIED
UNANIMOUSLY

3.2.2 Summary of Elected Member Training and Development Expenditure

Moved Cr K Grenfell
Seconded Mayor G Aldridge

That Council:

1. Notes the report.

CARRIED
UNANIMOUSLY

MOTIONS ON NOTICE

G&C-MON1 Motion on Notice: Cr K Grenfell: Training and Development Budget

Moved Cr K Grenfell
Seconded Cr S McKell

That Council:

1. Approves for a non-discretionary budget bid to be presented to the next quarter budget review to provide a total annual individual Elected Member development budget of \$5,000 per elected member per year.

CARRIED

QUESTIONS ON NOTICE

There were no Questions on Notice.

OTHER BUSINESS

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

There were no Other Business items.

The meeting closed at 7:12pm.

CHAIRMAN.....

DATE.....

ITEM	3.0.1
	GOVERNANCE AND COMPLIANCE COMMITTEE
DATE	18 September 2023
HEADING	Future Reports for the Governance and Compliance Committee
AUTHOR	Hayley Berrisford, PA to General Manager Business Excellence, Business Excellence
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.

RECOMMENDATIONThat Council:

1. Notes the report.

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
27/06/2022 3.2.1	Community Compliance Resources 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	John Darzanos
22/05/2023 G&C-MWON1	Pitman Park 1. Requests the Administration to present a report to the Governance and Compliance Committee by August 2023 to seek Pitman Park declared as an alcohol free area under Council By-Laws, to reduce antisocial behaviours associated with the consumption of alcohol. Due: October 2023	John Darzanos
22/05/2023 3.2.1	LGA Ordinary General Meeting 3. Requests Governance staff provide a briefing options paper in regards to potential amendments to the Local Government Association Constitution to ensure member Councils are better heard and represented and options to include the reform consultation process and the way that the Local Government Association consults on behalf of Councils. Due: October 2023	Rudi Deco
24/07/2023 3.4.1	Appointment of Independent Members on the Council Assessment Panel 3. Requests that Administration bring back a further report within 3 months with a proposed marketing strategy and other options to attract more female applications. Due: October 2023	Chris Zafiropoulos

4. CONCLUSION / PROPOSAL

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

ITEM	3.1.1
	GOVERNANCE AND COMPLIANCE COMMITTEE
DATE	18 September 2023
HEADING	Policy Review - Disposal of Assets other than Land
AUTHOR	Hayley Berrisford, PA to General Manager Business Excellence, Business Excellence
CITY PLAN LINKS	4.2 We deliver quality outcomes that meet the needs of our community
SUMMARY	This report presents the revised Disposal of Assets other than Land Policy to Council for consideration and adoption.

RECOMMENDATION

That Council:

1. Adopts the revised Disposal of Assets other than Land Policy as set out in Attachment 1 to this report (Item No. 3.1.1 Governance and Compliance Committee 18 September 2023).

ATTACHMENTS

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

1. Disposal of Assets other than Land Policy

1. BACKGROUND

- 1.1 Council's Disposal of Assets other than Land policy provides direction to staff for the disposal of assets other than land.
- 1.2 Council's Policy Governance Framework provides for Council policies to be reviewed and adopted within 12 months of a Council election.

2. CONSULTATION / COMMUNICATION

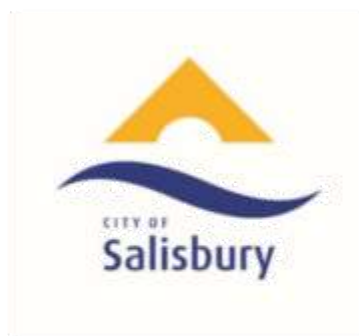
- 2.1 Internal
 - 2.1.1 Finance and Procurement Division
- 2.2 External
 - 2.2.1 Nil

3. REPORT

- 3.1 The policy was last reviewed and considered by Council in July 2021.
- 3.2 The proposed changes made to the policy include the following:
 - 3.2.1 The Responsible Division and Manager has been updated.
 - 3.2.2 Title change for a Related Policy and Procedure.
 - 3.2.3 Minor formatting changes have been made consistent with the new policy template

4. CONCLUSION / PROPOSAL

- 4.1 The Disposal of Assets other than Land Policy as contained in Attachment 1 is recommended to Council for adoption.



City of Salisbury Values: Respectful, Accountable, Collaborative, Helpful

Disposal of Assets Other than Land

Adopted by:	Council
Responsible Division:	Strategic Finance and Procurement
First Issued/Adopted:	2003
Last Reviewed:	20 July 2021 September 2023
Next Review Date:	July 2024

1. Purpose

1.1. On occasions there is a need to dispose of Council assets. In complying with legislation, of the *Local Government Act 1999* Section 49 requires that a Council must prepare and adopt policies on contracts and tenders, including policies on the following:

- the contracting out of services;
- competitive tendering and the use of other measures to ensure that services are delivered cost-effectively;
- the use of local goods and services; and
- the sale or disposal of land or other assets.

2. Scope

This policy provides direction to staff for the disposal of Council assets other than land, which the Surplus Land Policy addresses.

3. Legislative Requirements and Corporate Policy Context

Local Government Act 1999 – Section 49 1(a)

4. Interpretations / Definitions

Nil

5. Policy Statements

5.1. Disposal of vehicles and major plant shall be by:

- trade-in on new items;
- auction, independent of new purchase; or
- sale by tender

The appropriate approach above must demonstrate value for money and the least risk outcome.

5.2. Disposal of assets other than vehicles and major plant, shall be by:

- trade-in on new items;
- redistribution to other Council facilities;
- auction, independent of new purchase; or
- sale by tender.

All avenues to mitigate landfill are to be explored including disposal of assets to Not for Profit sporting and community groups located within the City of Salisbury after the above avenues are exhausted.

The Executive Group, may give approval for selected items to be disposed of by other means. Proceeds from disposal under this clause shall normally be credited to the general revenue of Council unless directed otherwise by Executive Group.

6. Related Policies and Procedures

6.1. Procurement Policy

6.2. Procurement Framework

6.3. ~~Probity Procedures~~ Evaluation and Probity Guidelines

7. Approval and Change History

Version	Approval Date	Approval By	Change
7	26/07/2021	Council	Insertion of 6.2

8. Availability

8.1. The Policy is available to be downloaded, free of charge, from Council's website

www.salisbury.sa.gov.au

8.2. The Policy will be available for inspection without charge at the Civic Centre during ordinary business hours and a copy may be purchased at a fee as set annually by Council.

City of Salisbury Community Hub

34 Church Street

SALISBURY SA 5108

Telephone: 08 8406 8222

Email: city@salisbury.sa.gov.au

9. Review

This Policy will be reviewed within 12 months of a Council election or as required.

Further Information

For further information on this Policy please contact:

Responsible Officer: ~~TBC~~ [Manager Finance & Procurement](#)

Address: 34 Church Street, Salisbury SA 5108

Telephone: 8406 8222

Email: city@salisbury.sa.gov.au

ITEM	3.1.2
	GOVERNANCE AND COMPLIANCE COMMITTEE
DATE	18 September 2023
HEADING	Policy Review - Procurement Policy
AUTHOR	Hayley Berrisford, PA to General Manager Business Excellence, Business Excellence
CITY PLAN LINKS	4.2 We deliver quality outcomes that meet the needs of our community
SUMMARY	This report presents the revised Procurement Policy to Council for consideration and adoption.

RECOMMENDATIONThat Council:

1. Adopts the revised Procurement Policy as set out in Attachment 1 to this report (Item No. 3.1.2 Governance and Compliance Committee 18 September 2023).

ATTACHMENTS

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

1. Procurement Policy

1. BACKGROUND

- 1.1 Council's Procurement Policy provides direction to all City of Salisbury employees, contractors and supplementary labour personnel who are engaged to carry out procurement activities.
- 1.2 Council's Policy Governance Framework provides for Council policies to be reviewed and adopted within 12 months of a Council election.

2. CONSULTATION / COMMUNICATION

- 2.1 Internal
 - 2.1.1 Finance and Procurement Division
- 2.2 External
 - 2.2.1 Nil

3. REPORT

- 3.1 The policy was last reviewed and considered by Council in October 2021.
- 3.2 The proposed changes made to the policy include the following:
 - 3.2.1 The Responsible Division and Manager has been updated.
 - 3.2.2 Addition of a Related Policy and Procedure.
 - 3.2.3 Addition of wording in alignment with the Financial Inclusion Action Plan report as presented to the Community Wellbeing and Sport Committee in August 2023 (Item No. 5.2.2 Community Wellbeing and Sport Committee 22 August 2023).
 - 3.2.4 Minor formatting changes have been made consistent with the new policy template

4. CONCLUSION / PROPOSAL

- 4.1 The Procurement Policy as contained in Attachment 1 is recommended to Council for adoption.



City of Salisbury Values: Respectful, Accountable, Collaborative, Helpful

Procurement Policy

Adopted by:	Council
Responsible Division:	Strategic Finance and Procurement
First Issued/Adopted:	28 August 2017
Last Reviewed:	26 July 2021 September 2023
Next Review Date:	July 2025 3

1. Purpose

1.1. The City of Salisbury is continually striving for better outcomes through the application of procurement best practice. The vision for the City of Salisbury is to use strategic procurement to identify and realise real value on a sustainable basis.

This value is measured through whole-of-life costs, supplier performance, contract management and social procurement objectives that benefit our community such as diverse and inclusive use of community spaces, supporting a circular economy, providing opportunities for economic benefits, including support for small underdeveloped businesses, to the city and greater northern region, including employment opportunities, and actively seeking to involve Aboriginal businesses in our procurement processes.

~~4.1.1.2.~~ The elements of best practice applicable to Local Government procurement incorporates:

- Community benefit;
- Total value of ownership;
- Governance;
- Key procurement principles (refer to Procurement Framework);
- Supplier Performance and Supplier Relationship Management;
- Roles and Responsibilities (refer to Procurement Framework); and
- Policies, Framework, Procedures and Processes.

2. Scope

2.1. This policy applies to all City of Salisbury employees, contractors and supplementary labour personnel that are engaged in carrying out procurement activities. These activities include, but are not limited to:

- Seeking and receiving tenders and quotations (offers);
- Evaluation and Negotiation of offers;
- Awarding of contracts; and
- Purchasing, vendor payments and use of Corporate Purchase Cards.

2.2. For Goods, Works or Services with a total \$ value greater than \$150,000, Council will undertake an appropriate procurement strategy including open / public, select or direct market approaches.

2.3. This Policy does not cover the disposal of land or other assets (refer separate policies).

3. Legislative Requirements and Corporate Policy Context

3.1. In complying with legislation, Section 49 of the *Local Government Act 1999* requires:

1. *A Council must prepare and adopt policies on contracts and tenders, including policies on the following:*
 - *The contracting out of services; and*
 - *Competitive tendering and the use of other measures to ensure that services are delivered cost effectively; and*
 - *The use of local goods and services; and*
 - *The sale or disposal of land or other assets.*
2. *The policies must:*
 - a) *Identify circumstances where the council will call for tenders for the supply of goods, the provision of services or the carrying out of works, or the sale or disposal of land or other assets; and*
 - b) *Provide a fair and transparent process for calling tenders and entering into contracts in those circumstances; and*

- c) *Provide for the recording of reasons for entering into contracts other than those resulting from a tender process; and*
- d) *Be consistent with any requirement prescribed by the regulations.*

3.2. Other Legislative References

Trade Practices Act 1974 (Commonwealth)

National Competition Policy

Modern Slavery Act 2018

Freedom of Information Act 1991

Independent Commission Against Corruption Act 2012

Work Health and Safety Act 2012 (South Australia)

Work Health and Safety Regulations 2012 (South Australia)

4. Interpretations / Definitions

- **Contract:**
A contract is an agreement between the City of Salisbury and a supplier / contractor to perform a specific set of obligations, confirming each parties' respective rights, and is enforceable in law. The form of contract to be used varies with the total \$ value and risk (refer Procurement Matrix).
- **Departments:**
Collectively: CEO & Governance, Business Excellence, City Infrastructure, City Development and Community Development.
- **Key Procurement Principles:**
Procurements key objectives for the City of Salisbury.
- **Procurement Activity:**
The acquisition, hire, lease, purchase of all property, goods and or services.
- **Procurement / Purchasing Matrix:**
The tool used to determine (via the total \$ value), the Procurement Approach, Approver, Form of Engagements, Payment Method and Responsibility.
- **Procurement Framework / Procedures:**
The documents that support the Procurement Policy and outlines the specific steps of Procurement Activity.
- **Risk Assessment:**
The process used to determine the level of risk of a Procurement Activity and identifies the level of controls required to manage the risks. This is determined by following the Corporate Risk Management Procedure.
- **Roles and Responsibilities:**
The key roles, accountabilities and responsibilities of the City of Salisbury's Procurement governance structure.
- **Total \$ Value / Total Value of Ownership:**

The calculation of the direct and indirect costs related to the lifetime costs of the purchase of the particular goods or services. This includes costs associated with the sourcing activity, legal costs, site establishment, preparation costs, the cost of any capital, purchase price, costs related to the operation and maintenance, insurance and ongoing management.

5. Policy Statements

The Procurement Policy supports the City of Salisbury's core values and forms the basis of all supplier / contractor decision making, including the following:

- Safety: actively promoting the safety of all employees, suppliers and contractors;
- Community & Customer Service: working collaboratively and providing exceptional service to our stakeholders;
- Environmental Sustainability: adapting procurement delivery models to enable long lasting environmental outcomes including the use of recycled materials (referred to as the circular economy);
- Professional Performance: identifying realisable opportunities and outcomes to deliver superior results;
- Value for Money: pursuing the objectives of Value for Money and Total Value Ownership, and being able to demonstrate that these have been obtained;
- Support local suppliers of services and goods in assessing value for money;
- Promote Fair and Effective Competition: applying the principle of fair and effective competition with all procurement activities undertaken;
- Probity, Ethics and Accountability: acting with integrity in identifying sound procurement strategies which mitigate risk and are transparent; and
- Access, Equity and Inclusion: incorporating agility and diversity into our procurement approach.

The Procurement Policy, Framework, Procedures, processes and function exist to promote best practise designed to maximise value for money.

The City of Salisbury is committed to developing, implementing and maintaining an industry leading supply management approach that supports the delivery of identified organisation objectives through value enhancing procurement and management of associated risk.

This is achieved by:

- Developing and utilising procurement systems and processes that place the health, safety and welfare of our people, suppliers / contractors and anyone involved with our organisation and community first;

- Developing, implementing and maintaining a Procurement Framework with appropriate systems, processes, procedures, resources and training across the organisation that define the:
 - Assignment of accountability for procurement activities;
 - Clear criteria to be applied for specific levels of procurement; and
 - Implementation of an approval process which ensures due process in the selection, assessment and approval of procurement commitments within approved delegations of authority.
- Communicating the Procurement Framework to all employees and other relevant stakeholders as appropriate;
- Developing and applying innovative procurement strategies that are consistent with delivering the organisation plans and objectives whilst ensuring the Procurement Key Principles;
- Ensuring the procurement management systems and plans are consistent with all CoS policies, systems and procedures as applicable;
- Ensuring that all procurement is managed in accordance with the requirements of the CoS Risk Management Framework;
- Complying with relevant legislation, codes of practice, Australian & New Zealand standards, industry standards, guidelines and other statutory obligations;
- Ensuring that all procurement is conducted in accordance with the CoS Values and the Code of Conduct;
- Supporting the circular economy through working collaboratively with NAWMA and other relevant organisations to identify opportunities for the use of recycled materials;
- Supporting small and underrepresented businesses
- Assessment of Unsolicited Proposals received by CoS (refer Unsolicited Proposals Procedure);
- Providing procurement training and mentoring for key personnel;
- Managing the ongoing performance of procurement outcomes to ensure the expected value is realised by the organisation; and
- Implementing an audit and review function that reports on the performance and effectiveness of the procurement management system.

5.1. Economic Benefits to the Northern Region

City of Salisbury supports the economic development of the city and the broader Northern Adelaide Region through its procurement processes.

We consider accessibility of local providers when planning and designing infrastructure or services that will require external procurement and incorporate this economic benefit assessment - aligning elements of the Industry Participation Policy developed by the Office of the Industry Advocate - within

procurement processes, to support maximum usage of northern region labour and business.

This is achieved through:

- Our project scoping and specifications;
- Inclusion of specific evaluation criteria and weightings in our Requests for Tender where higher scoring is given to those suppliers that are:
 - Sourcing materials from suppliers within the City of Salisbury and Northern Region (and Australian made steel);
 - Engaging services from businesses within the City of Salisbury and Northern Region (i.e. subcontractors, consultants, small businesses, professional services and labour hire) and;
 - Providing employment opportunities to people within the City of Salisbury and Northern Region

Tracking and quarterly reporting on spend with businesses that are located within the City of Salisbury and the greater Northern Region.

Working with the Council's Polaris Centre on creating and maintaining supplier connections and communication on upcoming procurement opportunities.

5.2. Opportunities for Aboriginal and Torres Strait Islander people and businesses

Through Strategic Procurement actions in our Reconciliation Action Plan combined with other initiatives, we seek opportunities to incorporate Aboriginal and Torres Strait Islander supplier diversity in our procurement activities through:

- Positively evaluating suppliers that are providing employment opportunities to Aboriginal and Torres Strait Islander peoples;
- Providing opportunities for Aboriginal businesses to participate in City of Salisbury procurement and sourcing activities; and
- Connecting with suppliers in innovative ways to provide pathways to employment for Aboriginal and Torres Islander peoples.

6. Related Policies and Procedures

6.1. City of Salisbury City Plan 2035

6.2. City of Salisbury Disposal of Assets Other than Land Policy

6.3. Employee Code of Conduct

6.4. Elected Members Code of Conduct

6.5. Procurement Framework

6.6. Procurement Procedures

6.7. Unsolicited Proposals Procedure

6.7.6.8. Disposal of Land Policy

7. Approval and Change History

Version	Approval Date	Approval By	Change
1	28/08/2017	Council	N/A
2	27/05/2019	Council	Additional of clauses concerning the requirement of Section 49 of the <i>Local Government Act 1999</i> and the undertaking of an appropriate procurement strategy for goods, works or services with a total \$ value of greater than \$150,000
3	26/07/2021	Council	References to the City Plan 2035, internal procedures and Federal legislation edited to clarify focus areas of a Strategic Procurement function
4	25/10/2021	Council	Additions to July 2021 version to focus on Economic Benefits to the Northern Region and circular economy

8. Availability

8.1. The Policy is available to be downloaded, free of charge, from Council's website

www.salisbury.sa.gov.au

8.2. The Policy will be available for inspection without charge at the Civic Centre during ordinary business hours and a copy may be purchased at a fee as set annually by Council.

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9. Review

This Policy will be reviewed within 12 months of a Council election or as required.

Further Information

For further information on this Policy please contact:

Responsible Officer: ~~TBC~~ Manager, Finance and Procurement

Address: 34 Church Street, Salisbury SA 5108

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DRAFT