

[Note: These minutes are unconfirmed until 21 May 2019]

Note – the Committee does not have the power to make final decisions, it considers reports and makes recommendations (which are included as the minutes of this meeting) to full Council. The power to make the final decision rests with Council. Council may alter a recommendation made by the committee as part of this process. These minutes will be considered by the Council at its meeting on 13 May 2019.

MINUTES OF THE CORPORATE SERVICES COMMITTEE MEETING**HELD ON MONDAY, 6 MAY 2019**

MEMBERS: **Present:** Presiding Member – Councillor Campbell
Deputy Presiding Member – Councillor Mitchell
from 6.03pm
Councillors Ghent, Nguyen, Turelli and
T Wasylenko,
Her Worship the Mayor, Angela Evans
(ex officio)

STAFF: **Present:** Chief Executive Officer – P Sutton
Acting General Manager Corporate Services –
D Dunbar
General Manager City Services – B Williams
Manager Governance & Operational Support
– K Jackson
Divisional Accountant AMS – D Stubbs
Strategic Management Accountant – P Francis
EA to GM Corporate Services – B Julian

MEMBERS: **Apologies:** Councillors Ferrao and Hibeljic

MEMBERS: **Leave of Absence:** Nil

COMMITTEE OPENING

The meeting commenced at 6.00pm.

1. CONFIRMATION OF MINUTES

That the minutes of the previous meeting held on Monday, 1 April 2019 be taken as read and confirmed.

Moved Mayor Evans, Seconded Councillor Turelli

Carried Unanimously

2. DEPUTATIONS

Nil

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3. BUSINESS

At 6.03pm Councillor Mitchell took his seat.

3.18 QUARTERLY BUDGET REVIEW – MARCH 2019 (B39) 1

Brief

To review the endorsed 2018/19 Budget.

Motion

- 1. That the report be received and noted.**
- 2. That the 2018/19 Budget be amended to recognise the additional income received to date, together with the associated expenditure as detailed in Appendix A to this report.**
- 3. That the revised Annual Financial Statements as detailed in Appendix B which have been recast to include the impact of the December Budget Review, are adopted.**

Moved Councillor Turelli, Seconded Councillor Ghent **Carried Unanimously**

3.19 END OF QUARTER REPORT MARCH 2019 (B8527, B44) 14

Brief

This report relates to the regular quarterly financial reporting of the 2018/19 financial year for March 2019.

Motion

That the report be received and noted.

Moved Councillor Wasylenko, Seconded Councillor Turelli **Carried Unanimously**

3.20 STATUS OF LOAN BORROWINGS (B8527) 31

Brief

To advise the Corporate Services Committee on the status of borrowings.

Motion

That the report be received and noted.

Moved Councillor Wasylenko, Seconded Councillor Turelli **Carried Unanimously**

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3.21 ANNUAL REVIEW OF AUTHORISED SIGNATORIES, FINANCIAL DELEGATIONS AND AUTHORISED PERSONS (B459) 41

Brief

To undertake the annual review of the Financial Delegations and the appointment of Council's Authorised Persons/Officers under various Acts and Regulations.

Motion

That the Committee recommends to Council:

- 1. That Council adopt this review of its expenditure authorisations, authorised signatories and its authorised persons/officers, and such review not precluding any subsequent review, alteration or additional appointment which the Council, or the Chief Executive Officer, General Manager City Services or the Manager Public Health & Safety under delegated authority, may make from time to time, including the next annual review.**
- 2. That, without derogating in any way from actions taken by authorised signatories and/or authorised persons/officers, and effective from Monday 13 May 2019 all appointments made prior pursuant to:**
 - Section 18 of the Development Act 1993
 - Sections 25 A (1) and 26 (1) (b) of the Dog & Cat Management Act 1995
 - Section 85(1) of the Environment Protection Act 1993
 - Section 6(4) and 6(3)(b)(ii) of the Expiation of Offences Act 1996
 - Part 4A of the Fire and Emergency Services Act 2005
 - Section 94 of the Food Act 2001
 - Part 2 of the Graffiti Control Act 2001
 - Section 260 of the Local Government Act 1999
 - Section 12(3) Local Nuisance and Litter Control Act 2016
 - Section 210 Planning, Development and Infrastructure Act 2016 (transitional)
 - Private Parking Areas Act 1986
 - Section 44 of the South Australian Public Health Act 2011
 - Section 35(1a) and 35(3) of the Road Traffic Act 1961
 - Section 21(1) of the Supported Residential Facilities Act 1992
 - Sections 49(1), 50(1), 51(2) and 52(2) Tobacco Products Regulation Act 1997
 - Section 41(1) of the Water Industry Act 2012 have been reviewed.
- 3. That pursuant to Section 44 of the Local Government Act 1999, and effective from Monday 13 May 2019, Council authorise the officers of Council currently holding the positions noted in the expenditure authorisation schedule in Appendix A to the report to sign the respective documentation on behalf of Council in accordance with any limitations detailed in the schedule.**

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4. That Council appoint and authorise the persons listed in the authorised persons/officers listing as detailed in Appendix B to this report pursuant to the relevant legislation and with any limitations as stipulated, these appointments and authorisations to be effective from Monday 13 May 2019.
5. That the expenditure authorisation schedule be incorporated into Council's Delegations Register prepared pursuant to Section 44(6) of the Local Government Act 1999.

Moved Councillor Nguyen, Seconded Councillor Turelli

Carried Unanimously

3.22 DELEGATION OF AUTHORITY ANNUAL REVIEW (B457)

47

Brief

To undertake the annual review of the delegations of Council's powers and functions to its Chief Executive Officer and the Council Assessment Panel.

Motion

1. That the annual review of the Council's Delegations Register has been undertaken in accordance with Section 44(6) of the Local Government Act 1999.
2. That the annual review has taken into consideration amendments made to the following acts as tabled in Appendix A:
 - Development Act 1993, Development (Development Plans) Amendment Act 2006 and Development Regulations 2008
 - Expiation of Offences Act 1996
 - Fines Enforcement and Debt Recovery Act 2017
 - Food Act 2001
 - Heavy Vehicle National Law (South Australia) Act 2013
 - Liquor Licensing Act 1997
 - Local Government Act 1999
 - Planning, Development and Infrastructure Act 2016
 - Road Traffic Act 1961, Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014
 - South Australian Public Health Act 2011, South Australian Public Health (General) Regulations 2013, South Australian public Health (Legionella) Regulations 2013, South Australian Public Health (Notifiable and Controlled Notifiable Conditions) Regulations 2012, South Australian Public Health (Wastewater) Regulations 2013
 - Supported Residential Facilities Act 1992 and Supported Residential Facilities Regulations 2009
 - Water Industry Act 2012 and Water Industry Regulations 2012

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- 3. Delegations made under the Local Government Act 1999**
- 3.1 In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the following Acts and specified in the proposed Instruments of Delegation is hereby delegated on 13 May 2019 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.**
 - 3.1.1 Burial and Cremation Act 2013 and Burial and Cremation Regulations 2014**
 - 3.1.2 Community Titles Act 1996**
 - 3.1.3 Dog and Cat Management Act 1995**
 - 3.1.4 Electronic Conveyancing National Law (South Australia) Act 2013**
 - 3.1.4 Environment Protection Act 1993 and Environment Protection (Waste to Resources) Policy 2010**
 - 3.1.5 Expiation of Offences Act 1996**
 - 3.1.6 Fences Act 1975**
 - 3.1.7 Fines Enforcement and Debt Recovery Act 2017**
 - 3.1.8 Fire and Emergency Services Act 2005 and Fire and Emergency Services Regulations 2005**
 - 3.1.9 Freedom of Information Act 1991**
 - 3.1.11 Land and Business (Sale and Conveyancing) Act 1994**
 - 3.1.12 Liquor Licensing Act 1997**
 - 3.1.13 Local Government Act 1999**
 - 3.1.14 Local Nuisance and Litter Control Act 2016, Local Nuisance and Litter Control Regulations 2017**
 - 3.1.15 Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005 and National Resources Management (Transitional Provisions – Levies) Regulations 2005**
 - 3.1.16 Planning, Development and Infrastructure Act 2016**
 - 3.1.16 Roads (Opening and Closing) Act 1991**
 - 3.1.17 Road Traffic Act 1961, Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014**
 - 3.1.18 South Australian Public Health Act 2011, South Australian Public Health (General) Regulations 2013, South Australian Public Health (Legionella) Regulations 2013, South Australian Public Health (Wastewater) Regulations 2013**
 - 3.1.19 Unclaimed Goods Act 1987**
 - 3.1.20 Water Industry Act 2012 and Water Industry Regulations 2012**

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- 3.2 That the new provision made under the Expiation of Offences Act 1996 as tabled in Appendix A be delegated to the CEO as part of this review.**
- 3.3 That new provisions made under the Fines Enforcement and Debt Recovery Act 2017 as tabled in Appendix A be delegated to the CEO as part of this review.**
- 3.4 That the new provision made under the Heavy Vehicle National Law (South Australia) Act 2013 as tabled in Appendix A be delegated to the CEO as part of this review.**
- 3.5 That new provisions made under the Liquor Licensing Act 1997 as tabled in Appendix A be delegated to the CEO as part of this review.**
- 3.6 That new provisions made under the Local Government Act 1999 as tabled in Appendix A be delegated to the CEO as part of this review.**
- 3.7 That new provisions made under the Planning, Development and Infrastructure Act 2016 as tabled in Appendix A be delegated to the CEO as part of this review.**
- 3.8 That new provisions made under the Road Traffic Act 1961 (SA) as tabled in Appendix A be delegated to the CEO as part of this review.**
- 3.9 That new provisions made under the South Australian Public Health Act 2011 as tabled in Appendix A be delegated to the CEO as part of this review.**
- 3.10 Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the Local Government Act 1999 as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in each such proposed Instrument of Delegation.**
- 4. Delegations made under the Development Act 1993**
 - 4.1 In exercise of the power contained in Section 20 and 34(23) of the Development Act 1993, the powers and functions under the Development Act 1993 and the Development Regulations 2008 contained in the proposed Instrument of Delegation are hereby delegated on 13 May 2019 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.**
 - 4.2 That new provisions made under the Development Act 1993 and the Development Regulations 2008 as tabled in Appendix A be delegated to the CEO as part of this review.**
 - 4.3 Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.**

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- 5. Delegations made under Development Act 1993 to the Council Assessment Panel**
 - 5.1 In exercise of the power contained in Section 20 and 34(23) of the Development Act 1993, the powers and functions under the Development Act 1993 and the Development Regulations 2008 contained in the proposed Instrument of Delegation are hereby delegated on 13 May 2019 to the Council Assessment Panel, subject to any conditions specified herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.**

- 6. Delegations made under the Food Act 2001**
 - 6.1 In exercise of the powers contained in Section 91 of the Food Act 2001, the powers and functions under the Food Act 2001 contained in the proposed Instrument of Delegation are hereby delegated on 13 May 2019 to the person occupying the office of Chief Executive Officer (‘the head of the enforcement agency; for the purposes of the Food Act 2001), subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Food Act 2001.**
 - 6.2 Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Food Act 2001.**

- 7. Delegations under the Heavy Vehicle National Law (South Australia) Act 2013**
 - 7.1 In exercise of the power contained in Section 44 of the Local Government Act 1999 and Section 22B of the Heavy Vehicle National Law (South Australia) Act 2013, the powers and functions under the Heavy Vehicle National Law (South Australia) Act 2013 contained in the proposed Instrument of Delegation are hereby delegated on 13 May 2019 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Heavy Vehicle National Law (South Australia) Act 2013.**
 - 7.2 That new provisions made under the Heavy Vehicle National Law (South Australia) Act 2013 as tabled in Appendix A be delegated to the CEO as part of this review.**
 - 7.3 Such powers and functions may be further delegated by the Chief Executive officer as the Chief Executive officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Heavy Vehicle National law (South Australia) Act 2013.**

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8. Delegations under the Supported Residential Facilities Act 1992

8.1 In exercise of the power contained in Section 9 of the Supported Residential Facilities Act 1992, the powers and functions under the Supported Residential Facilities Act 1992 contained in the proposed Instrument of Delegation are hereby delegated on 13 May 2019 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Supported Residential Facilities Act 1992.

8.2 Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Supported Residential Facilities Act 1992.

9. Sub-delegations

That Council notes the sub-delegation proposed to be exercised by the Chief Executive using the powers under Section 44(4) and 101 of the Local Government Act 1999.

9. Delegations Register

That the legislative amendments as detailed in Appendix A are updated into Council's Delegations Register and a public record be prepared of these delegations and the sub-delegations, including any alternations which may be made from time to time by Council or the Chief Executive Officer respectively, in a Delegations Register pursuant to Section 44(6) of the Local Government Act 1999.

Moved Councillor Wasylenko, Seconded Councillor Nguyen **Carried Unanimously**

3.23 RECOGNITION OF SERVICE POLICY COUNCIL MEMBERS, FREEMAN, FREEDOM AND KEYS TO THE CITY (B8527) 56

Brief

For the Committee to consider a review of the Recognition of Service Policy Council Members, Freeman, Freedom and Keys to the City.

Motion

That updated Recognition of Service Policy Council Members, Freeman, and Keys to the City is endorsed by the Committee with the removal of Freedom of the City from the policy.

Moved Councillor Wasylenko, Seconded Councillor Campbell

Lost

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Motion

That a report be provided to the next Corporate Services Committee on the Keys to the City, Freedom and Freeman of the City and their historical and contemporary relevance.

Moved Mayor Evans, Seconded Councillor Mitchell

Formal Motion

That the Motion be put.

Point of Order

Councillor Wasylenko called a point of order stating he was interrupted during his debate. The Chair ruled against the point of order.

Moved Councillor Ghent, Seconded Councillor Turelli

The formal motion was **Carried**

Motion to Item 3.23 was **Carried Unanimously**

3.24 POLICIES FOR REVIEW - MINOR CHANGES ONLY (B632) 62

Brief

To consider policies which remain largely unchanged or have minor changes only at the time of their 2 yearly reviews.

Motion

That the revised policies, as shown;

- **Elected Members Use of Council Hardware and Software Policy in Appendix A**
- **Flag Pole Usage Policy in Appendix B - as amended;**
 - **Section 3.1 - remove the 'Battle of Long Tan' and 'Vietnamese New Year' items as the dates are now in the past.**
 - **Update 'Rainbow' to read: 'To promote International Day in support of the principles of diversity, social inclusion and equality.'**
- **Informal Gathering Policy in Appendix C**

be adopted.

Moved Councillor Mitchell, Seconded Mayor Evans

Carried Unanimously

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3.25 CORPORATE SERVICES END OF QUARTER REPORT – MARCH 2019 (B8527) 63

Brief

To report on the activities of the Corporate Services Division for the January to March 2019 quarter.

Motion

That the report be received and noted.

Moved Councillor Turelli, Seconded Councillor Ghent **Carried Unanimously**

4. MOTIONS ON NOTICE

5. QUESTIONS ON NOTICE

Nil

6. MOTIONS WITHOUT NOTICE

Nil

7. QUESTIONS WITHOUT NOTICE

8. BUSINESS – PART II – CONFIDENTIAL ITEMS

Nil

9. MEETING CLOSURE

At 7.14pm Councillor Ghent left the meeting.

The meeting concluded at 7.14pm.

The foregoing Minutes are to be taken as read and confirmed at the meeting of the Committee on Monday, 21 May 2019.

A CAMPBELL, PRESIDING MEMBER

DATED / /