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**City of Onkaparinga**  
**Minutes of the Council meeting**  
**held on 07 July 2015**

**Venue:** Council Chamber, Civic Centre  
Ramsay Place, Noarlunga Centre

**Meeting commenced:** 7pm

**Present:** Mayor L F Rosenberg  
Cr M Bray  
Cr S Brown  
Cr D Chapman (left 8.39pm)  
Cr J Deakin  
Cr J Gunn  
Cr G Hennessy  
Cr R Holtham  
Cr W Jamieson  
Cr G Kilby  
Cr H Merritt  
Cr B Nankivell  
Cr L Nicholls  
Cr G Olbrich (7.32pm)  
Cr W Olsen  
Cr D Parslow  
Cr P Schulze  
Cr N Swann  
Cr M Themeliotis  
Cr H Wainwright

**Apologies:** Cr H Greaves  
Cr G Olbrich (for lateness)

**Leave of absence:** Nil

**Absent:**

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**Pledge:**

*We recognise this City's considerable natural and cultural heritage, including thousands of years of traditional ownership by Kaurna, and the more recent contribution from people either born here or who have migrated here. As we meet together, we build on this heritage by respecting and listening to each other, thinking clearly, being receptive to new ideas, speaking honestly, and deciding wisely for the current and future well-being of those we serve.*

**1. Opening of meeting**

Mayor Rosenberg officially declared the meeting open at 7pm.

**2. Confirmation of minutes of the Council meeting held on Tuesday 16 June 2015 and the Special Council meetings held on Tuesday 23 June 2015 and Tuesday 30 June 2015.**

*Cr Swann MOVED that the minutes of the proceedings of the Council meeting held on 16 June 2015 and the Special Council meetings held on 23 June 2015 and 30 June 2015 be received and confirmed as an accurate record of those proceedings.  
Seconded by Cr Schulze.*

*CARRIED*

**3. Adjourned business**

Nil.

**4. Leave of absence**

**4.1 Leave of absence – Cr Deakin**

*Cr Merritt MOVED that Cr Deakin be granted leave of absence from 1 August 2015 to 21 September 2015 inclusive.  
Seconded by Cr Gunn.*

*CARRIED*

**5. Mayor's Communication**

**5.1 Mayor's Report 7 July 2015**

**NBN**

The next stage of the NBN broadband network rollout was announced for South Australia with over 49,000 premises to be connected including Reynella. For the City of Onkaparinga this incorporates suburbs, or parts thereof, listed in the following table linking back to the St Marys exchange.

<b>Localities (or parts thereof)</b>	<b># premises</b>
Blackwood, Coromandel Valley, Craighburn Farm	1,900
Hallett Cove, Lonsdale (parts)	4,000

Please find NBN's media release at attachment 1.

**China Australia Free Trade Agreement**

On the 17 June 2015 a 'China Australia Free Trade Agreement' was signed. I have attached the Australia China Business Council's media release for your information at attachment 2.

**External Audit Management Letter**

Please find at attachment 3 the External Audit Management Letter dated 17 June 2015 from Dean Newbery and Partners.

**External Funding Planning and Development**

I received a letter from the Hon John Rau MP, Minister for Planning who approved funding for the Sturt River Linear Park. Please refer to attachment 4 for information.

**Zebra Crossing**

The Hon Tony Piccolo MP, Minister for Road Safety recently wrote advising of the development of guidelines for the use of 'on street' zebra crossings in collaboration with the Local Government Association. For further information please see attachment 5.

**Local Government Association (LGA) Subscription update**

Further to my update in the 16 June Mayor's report, I have received further advice from the LGA who have revised the refund amount, please refer to attachment 6 for further information.

**Elected member representations**

Thank you to the following elected members who represented me during this period:

Councillor Gary Hennessy, Way 2 Go Bike Ed Presentation, 15 June 2015

Councillor Hazel Wainwright, Fleurieu Festival of Performing Arts, 19 June 2015

**EM Briefings/Workshops**

Workshop : Integrated Movement and Transport Strategy 2016-21, 30 June 2015

**Mayor's calendar**

My activities from 8 June 2015 – 29 June are reflected in attachment 7.

Thank you



Lorraine Rosenberg

**Mayor**

*Cr Jamieson MOVED that the Mayor's Report is noted by Council.*

*Seconded by Cr Chapman.*

*CARRIED*

## **6. Presentation**

### **6.1 Tangari Reserve – dog access (Leanne Lawrence, Trees for Life)**

Leanne Lawrence gave a presentation and answered questions from elected members in relation to Tangari Reserve – dog access.

### **6.2 Tangari Reserve – dog access (Lorna Ellery and Karen Aspery, Riding for the Disabled Jennibrook Farm)**

Lorna Ellery and Karen Aspery gave a presentation and answered questions from elected members in relation to Tangari Reserve – dog access.

## **7. Deputation**

Nil.

## **8. Presentation by Committee Chairpersons and reports to Council by Council Committees.**

### **8.1 Community Relations Committee minutes**

Cr Olbrich entered the meeting at 7.32pm.

Cr Nankivell declared a conflict of interest as tournament director for the 2016 National Veteran Golfers' Association Championships and left the Chamber at 7.32pm.

Cr Parslow declared a conflict of interest as a member of the Rotary Club of Flagstaff Hill and left the Chamber at 7.32pm.

Cr Merritt declared a conflict of interest as a member of the Reynell Business and Tourism Association and left the Chamber at 7.34pm.

Cr Nicholls declared an interest as a member of the Tier 2 Assessment Committee.

Cr Hennessy declared a conflict of interest as a member of the Reynell Business and Tourism Association and left the Chamber at 7.34pm.

Cr Chapman declared a conflict of interest as Elected Member Liaison for Friends of Willunga Basin and left the Chamber at 7.34pm.

Cr Wainwright declared a conflict of interest as a member of the Aldinga Bay Business and Tourism Association and left the Chamber at 7.35pm.

Cr Swann declared an interest as Elected Member Liaison (back up) for Friends of Sully's.

*MOVED Cr Schulze.*

#### *1. 7.1 Report on guidelines for Heritage Grants through Local Heritage Incentive Scheme 2015-2016*

- 1. That the revised guidelines for heritage grants, administered through the Local Heritage Incentive Scheme for 2015-16, are endorsed to assist in the improved assessment of heritage grant applications.*

2. *That the implementation of the revised guidelines is funded through the allocated 2015-16 Projects and Capital Works budget as per the following funding allocations thresholds for the heritage grants:*
    - *funding subsidy of 30 per cent of the cost of works with a maximum subsidy of \$5,000 for the cost of works between \$1,000 and \$20,000*
    - *funding subsidy of 25 per cent of the cost of works with a maximum subsidy of \$7,500 for the cost of works above \$20,000.*
  3. *That a report be presented to the Community Relations Committee in May 2016 on the outcomes of implementation of revised guidelines.*
  4. *That promotional material be updated to reflect the revised assessment criteria.*
2. *7.2 2015-16 Tier 2 Sponsorship Program funding recommendations*  
*That \$69,200 for Round 1 of the Tier 2 – Regional Festivals and Events sponsorship program be approved as detailed in the funding recommendations as attached to the Community Relations Committee agenda, and to include \$7,500 for the application of the Cymbidium Orchid Club.*
3. *That Council note the remaining minutes of the Community Relations Committee meeting held on 11 June 2015, as attached to the agenda report.*
- Seconded by Cr Jamieson.*

*CARRIED*

Cr Nankivell resumed his seat in the Chamber at 7.37pm.  
Cr Parslow resumed his seat in the Chamber at 7.37pm.  
Cr Merritt resumed her seat in the Chamber at 7.37pm.  
Cr Hennessy resumed his seat in the Chamber at 7.37pm.  
Cr Chapman resumed his seat in the Chamber at 7.37pm.  
Cr Wainwright resumed her seat in the Chamber at 7.37pm.  
Cr Olsen left his seat in the Chamber at 7.37pm.

## **8.2 Audit, Risk, Value and Efficiency Committee minutes**

*MOVED Cr Gunn.*

*That Council note the minutes of the Audit, Risk, Value and Efficiency Committee meeting held on 22 June 2015, as attached to the agenda report.*

*Seconded by Cr Chapman.*

*CARRIED*

## **8.3 Strategic Directions Committee minutes**

*MOVED Cr Parslow.*

*That Council note the minutes of the Strategic Directions Committee meeting held on 30 June 2015 as attached to the agenda report.*

*Seconded by Cr Deakin.*

*CARRIED*

#### **8.4 Chief Executive Officer Performance Management Committee minutes**

Cr Olsen resumed his seat in the Chamber at 7.38pm.

*MOVED Cr Kilby.*

*That Council note the public minutes of the Chief Executive Officer Performance Management Committee meeting held on 30 June 2015 as attached to the agenda report.*

*Seconded by Cr Themeliotis.*

*CARRIED*

### **9. Reports of officers**

#### **9.1 Proposal to close a legal open public road (walkway) at Noarlunga Centre**

*MOVED Cr Parslow.*

*That Council, for the surveyed open public road (walkway) described as Allotment 202 in Deposited Plan 43354, comprised in Certificate of Title Volume 5323 Folio 502 and bordered in red on the aerial photograph of the subject road, as attached to the agenda report:*

- 1. declares 'in principle' that it is unnecessary to retain the subject land as a public road*
- 2. approves the commencement of the road closing process, including public consultation in accordance with the Roads (Opening and Closing) Act 1991*
- 3. approves that the subject road is required for council purposes*
- 4. resolves that the whole of the subject road to be closed will be excluded from the classification of community land*
- 5. resolves that if any objections or applications for easements are received during the public consultation phase of the proposed road closure, a further report be tabled for Council's consideration and determination*
- 6. authorises the Chief Executive Officer to sign any documentation necessary to finalise the road closing process and the issue of a Certificate of Title to Council.*

*Seconded by Cr Jamieson.*

*CARRIED*

#### **9.2 Prescribed officer requirements under the Local Government Act 1999**

*MOVED Cr Kilby.*

*That the Council declare the officer positions identified in attachment 1 to the agenda report be classed as 'prescribed officers' for the purposes of Chapter 7, Part 4, Division 2 'Register of Interests' of the Local Government Act 1999.*

*Seconded by Cr Nankivell.*

*CARRIED*

Mayor Rosenberg brought forward item 12.1 Notice of Rescission Motion (Cr Holtham) at this point.

## **12. Motions**

### **12.1 Notice of Rescission Motion (Cr Holtham)**

Cr Kilby declared an interest as a member of the Dog and Cat Management Board.

*MOVED Cr Holtham.*

*That the motion of Council passed on 16 June 2015 at Item 9.7 of the agenda entitled 'Proposed application of By-law 7 – Dogs' in part :*

*That Council endorse the following proposed new dog prohibited and dog on leash areas for public consultation, being the areas outlined on the maps attached to the agenda report:*

*New dog prohibited areas*

- Portion of Port Noarlunga Beach (attachment 1)*
- Portion of Local Government land immediately South of Saltfleet Street Bridge, Port Noarlunga South (attachment 2)*

*New dog on-leash areas*

- Glenhuntly Reserve, Glenhuntly Drive, Flagstaff Hill (adjoining Minkarra Park) (attachment 3)*
- Portion of Maslin Beach (attachment 5)*
- Byards Road Wetlands, Reynella East (attachment 6)*
- Portion of Local Government land adjoining the Onkaparinga Recreation Park, Port Noarlunga (attachment 2).*

*be AMENDED by addition of dot point 2 'portion of Tangari Regional Park, Woodcroft' under New dog on-leash areas as set out below:*

*That Council endorse the following proposed new dog prohibited and dog on leash areas for public consultation, being the areas outlined on the maps attached to the agenda report:*

*New dog prohibited areas*

- Portion of Port Noarlunga Beach (attachment 1)*
- Portion of Local Government land immediately South of Saltfleet Street Bridge, Port Noarlunga South (attachment 2)*

*New dog on-leash areas*

- Glenhuntly Reserve, Glenhuntly Drive, Flagstaff Hill (adjoining Minkarra Park) (attachment 3)*
- Portion of Tangari Regional Park, Woodcroft (attachment 4)*
- Portion of Maslin Beach (attachment 5)*
- Byards Road Wetlands, Reynella East (attachment 6)*

- *Portion of Local Government land adjoining the Onkaparinga Recreation Park, Port Noarlunga (attachment 2).*

*Seconded by Cr Nicholls.*

Cr Brown left her seat in the Chamber at 7.47pm.

Cr Brown resumed her seat in the Chamber at 7.49pm.

Cr Schulze was granted leave of the meeting for an extension of 1 minute to speak.

*Cr Themeliotis MOVED that the MOTION be PUT.*

*Seconded by Cr Wainwright.*

*LOST*

*The RESCISSION MOTION was CARRIED*

Cr Brown called a Division.

*For:*

<i>Cr Bray</i>	<i>Cr Themeliotis</i>	<i>Cr Parslow</i>	<i>Cr Nankivell</i>	<i>Cr Brown</i>
<i>Cr Nicholls</i>	<i>Cr Swann</i>	<i>Cr Hennessy</i>	<i>Cr Deakin</i>	<i>Cr Gunn</i>
<i>Cr Holtham</i>	<i>Cr Jamieson</i>	<i>Cr Olsen</i>	<i>Cr Wainwright</i>	<i>Cr Chapman</i>

*Against:*

<i>Cr Olbrich</i>	<i>Cr Schulze</i>	<i>Cr Merritt</i>	<i>Cr Kilby</i>	
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*CARRIED*

### **9.3 Annual Delegations review 2014-5**

*MOVED Cr Deakin.*

*That having conducted its annual review of the Council's Delegations Register in accordance with section 44(6) of the Local Government Act 1999, the Council:*

*1. Hereby revokes its previous delegations to the Chief Executive Officer of those powers and functions under the following Acts, namely:*

- *Burial and Cremation Act 2013 and Burial and Cremation Regulations 2014*
- *Community Titles Act 1996*
- *Crown Land Management Act 2009*
- *Development Act 1993 and Development Regulations 2008*
- *Dog & Cat Management Act 1995*
- *Environment Protection Act 1993 and Environment Protection (Waste to Resources) Policy 2010*
- *Environment Resources and Development Court Act 1993*
- *Expiation of Offences Act 1996*
- *Fences Act 1975*
- *Fire and Emergency Services Act 2005 and Fire and Emergency Services Regulations 2005*

- *Food Act 2001*
  - *Freedom of Information Act 1991 and Freedom Of Information (Fees And Charges) Regulations 2003*
  - *Gaming Machines Act 1992*
  - *Graffiti Control Act 2001*
  - *Harbors and Navigation Act 1993*
  - *Heavy Vehicles National law (South Australia) Act 2013*
  - *Housing Improvement Act 1940*
  - *Land & Business (Sale and Conveyancing) Act 1994*
  - *Liquor Licensing Act 1997*
  - *Local Government Act 1934*
  - *Local Government Act 1999*
  - *Native Vegetation Act 1991*
  - *Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005 and Natural Resources Management (Transitional Provisions - Levies) Regulations 2005*
  - *Private Parking Areas Act 1986*
  - *Real Property Act 1886*
  - *Residential Parks Act 2007*
  - *Roads (Opening & Closing) Act 1991*
  - *Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 1999 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 1999*
  - *Safe Drinking Water Act 2011*
  - *South Australian Public Health Act 2011 along with the South Australian Public Health (Legionella) Regulations 2013 and the South Australian Public Health (Wastewater) Regulations 2013*
  - *State Records Act 1997*
  - *Strata Titles Act 1998*
  - *Supported Residential Facilities Act 1992*
  - *Unclaimed Goods Act 1987*
  - *Water Industry Act 2012 and Water Industry Regulations 2012*
  - *Work Health and Safety Act 2012*
2. *Hereby revokes its previous delegations to its Development Assessment Panel under the Development Act 1993 and Development Regulations 2008.*

*Delegation*

3. *Delegations made under Local Government Act 1999*

*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 each*

*Instrument of Delegation contained within attachments 1-4 (each of which is individually identified as indicated below) are hereby delegated this day 7 July 2015 to the person occupying the office of Chief Executive Officer ('the Delegate') and to any person acting in that office, subject to the conditions and or limitations specified herein or in the Schedule of Conditions in each Instrument of Delegation, namely:*

- *Burial and Cremation Act 2013 and Burial and Cremation Regulations 2014 (Appendix 4 in attachment 1)*
- *Community Titles Act 1996 (Appendix 5 in attachment 1)*
- *Crown Land Management Act 2009 (Appendix 6 in attachment 1)*
- *Dog & Cat Management Act 1995 (Appendix 8 in attachment 1)*
- *Environment Protection Act 1993 and Environment Protection (Waste to Resources) Policy 2010 (Appendix 9 in attachment 1)*
- *Environment Resources and Development Court Act 1993 (Appendix 10 in attachment 1)*
- *Expiation of Offences Act 1996 (Appendix 11 in attachment 1)*
- *Fences Act 1975 (Appendix 1 in attachment 2)*
- *Fire and Emergency Services Act 2005 and Fire and Emergency Services Regulations 2005 (Appendix 2 and 3 in attachment 2)*
- *Freedom of Information Act 1991 and Freedom Of Information (Fees And Charges) Regulations 2003 (Appendix 4 in attachment 2)*
- *Gaming Machines Act 1992 (Appendix 6 in attachment 2)*
- *Graffiti Control Act 2001 (Appendix 7 in attachment 2)*
- *Harbors and Navigation Act 1993 (Appendix 8 in attachment 2)*
- *Heavy Vehicle National Law (South Australia) Act 2013 (Appendix 9 in attachment 2)*
- *Housing Improvement Act 1940 (Appendix 10 in attachment 2)*
- *Land & Business (Sale & Conveyancing) Act 1994 (Appendix 1 in attachment 3)*
- *Liquor Licensing Act 1997 (Appendix 2 in attachment 3)*
- *Local Government Act 1934 (Appendix 3 in attachment 3)*
- *Local Government Act 1999 (Appendix 4 in attachment 3)*
- *Native Vegetation Act 1991 (Appendix 5 in attachment 3)*
- *Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005 and Natural Resources Management (Transitional Provisions - Levies) Regulations 2005 (Appendix 6 in attachment 3)*
- *Private Parking Areas Act 1986 (Appendix 7 in attachment 3)*
- *Real Property Act 1886 (Appendix 1 in attachment 4)*
- *Residential Parks Act 2007 (Appendix 2 in attachment 4)*
- *Roads (Opening and Closing) Act 1991 (Appendix 3 in attachment 4)*

- *Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014 (Appendix 4 in attachment 4)*
- *Safe Drinking Water Act 2011 (Appendix 5 in attachment 4)*
- *South Australian Public Health Act 2011, South Australian Public Health (Legionella) Regulations 2013 and the South Australian Public Health (Wastewater) Regulations 2013 (Appendix 6 in attachment 4)*
- *State Records Act 1991 (Appendix 7 in attachment 4)*
- *Strata Titles Act 1988 (Appendix 8 in attachment 4)*
- *Unclaimed Goods Act 1987 (Appendix 10 in attachment 4)*
- *Water Industry Act 2012 and Water Industry Regulations 2012 (Appendix 11 in attachment 4)*
- *Work Health and Safety Act 2012 (Appendix 12 in attachment 4)*

*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 Instrument of Delegation.*

*Delegation to Fire Prevention Officer(s) under Fire and Emergency Services Act 2005*

*In exercise of the power contained in section 44 of the Local Government Act 1999 the powers and functions under the Fire and Emergency Services Act 2005 and specified in the Instrument of Delegation contained within attachment 2 - Delegations Register Part 2 Acts F – H and marked as Appendix 3 is hereby delegated this day 7 July 2015 to persons occupying the office of Fire Prevention Officer, subject to the conditions and limitations indicated herein or in Schedule B 'Conditions' contained in the Instrument of Delegation.*

#### *4. Delegations under the Development Act 1993*

*In exercise of the powers 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 Instrument of Delegation (annexed to the Report dated 7 July 2015 and entitled Delegations Register Part 1 Acts A- E and marked as Appendix 7 in attachment 1) are hereby delegated this day 7 July 2015 to the person occupying the office of Chief Executive Officer ('the Delegate') and to any person acting in that office, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the Instrument of Delegation under the Development Act 1993.*

*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 Instrument of Delegation under the Development Act 1993.*

*In exercise of the powers 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 Instrument of Delegation (annexed to the Report dated 7 July 2015 and entitled Delegations Register Part 1 Acts A - E) and which are specified below are hereby delegated to the Council's Development Assessment Panel, subject to any conditions specified herein or in the Schedule of Conditions contained in the Instrument of Delegation under the Development Act 1993.*

<i>Development Act 1993 and Regulations 2008</i>		
<i>Sections</i>		
<i>33, 33(1)(c), 33(1)(d), 33(3), 35(2), 37A(5), 37A(6), 38(10)(a) and (b), 38(11), 39(2), 39(4)(a),</i>	<i>39(5), 39(6), 39(7), 39(7)(d), 39(8), 40(3), 42(1) and (3), 42(4), 42(6), 42(8)(b) 50, 50(1), 50(2)(d), 50(3),</i>	<i>50(3a), 50(7), 50(11), 50A(5), 50A(5)(c), 50A(5)(d), 52A(2)(a), 52A(2)(c), 52A(5) Regulations 16(1) and 30(4)</i>

**5. Delegations under the Food Act 2001**

*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 Instrument of Delegation (annexed to the Report dated 7 July 2015 and entitled Delegations Register Part 2 Acts F – H and marked as Appendix 5 in attachment 2) are hereby delegated this day 7 July 2015 to the person occupying the office of Chief Executive Officer ('the head of the enforcement agency' for the purposes of the Food Act 2001), ('the Delegate') and to any person acting in that office, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the Instrument of Delegation under the Food Act 2001.*

*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 Instrument of Delegation under the Food Act 2001.*

**6. Delegations under Supported Residential Facilities Act 1992**

*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 (annexed to the Report dated 7 July 2015 and entitled Delegations Register Part 4 Acts R – Z and marked as Appendix 6 in attachment 4) are hereby delegated this day 7 July 2015 to the person occupying the office of Chief Executive Officer, and to any person acting in that office, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the Instrument of Delegation under the Supported Residential Facilities Act 1992.*

*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 Instrument of Delegation under the Supported Residential Facilities Act 1992.*

7. *Authorisations and sub-delegation under the Road Traffic Act 1961*

*In accordance with the Instrument of General Approval and Delegation to Council dated 22 August 2013 from the Minister for Transport and Infrastructure (the 'Instrument') (see attachment 5) the Council authorises the following persons pursuant to Clause A.7 of the Instrument to endorse Traffic Impact Statements for the purposes of Clause A of the Instrument provided that such persons shall take into account the matters specified in Clause A.7 of the Instrument in respect of Traffic Impact Statements:*

*Darren Blasdale, Bill Cirocco, Chris Haskas, Simon Pettman, Kirk Richardson.*

*In accordance with Clause A.7 of the Instrument, the Council is of the opinion that the following persons are experienced traffic engineering practitioners for the purposes of preparing a Traffic Impact Statement as required by Clause A.7 of the Instrument:*

*Bill Cirocco, Chris Haskas, Simon Pettman, Kirk Richardson.*

*In exercise of the power contained in, and in accordance with, Clause G.1 of the Instrument, the power contained in section 33(1) of the Road Traffic Act 1961 and delegated to the Council pursuant to Clause G of the Instrument and contained in the Instrument of Sub-delegation (annexed to the Report dated 7 July 2015 and entitled Delegations Register Part 1 Acts A - E and marked as Appendix 1) is hereby sub-delegated this day 7 July 2015 to the person occupying the office of Chief Executive Officer of the Council subject to:*

- (i) the conditions contained in the Instrument; and*
- (ii) any conditions contained in this Resolution or in the Instrument of Sub-delegation; and*
- (iii) the creation of a separate instrument in writing reflecting such Sub-delegation under the Instrument and this Resolution.*

*In accordance with Clause E.2 of the Instrument, the Council is of the opinion that the following persons have an appropriate level of knowledge and expertise in the preparation of Traffic Management Plans:*

*Bill Cirocco, Chris Haskas, Simon Pettman, Kirk Richardson.*

8. *Delegations under Safe Drinking Water Act 2011 (of enforcement agency)*

*In exercise of the power contained in section 43 of the Safe Drinking Water Act 2011 the powers and functions of the Council as a relevant authority under the Safe Drinking Water Act 2011 contained in the Instrument of Delegation (annexed to the Report dated 7 July 2015 and entitled Delegations Register Part 4 Acts R - Z and marked as Appendix 3 in attachment 4) are hereby delegated this day 7 July 2015 to the person occupying the office of Chief Executive Officer, and to any person acting in that office, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the Instrument of Delegation under the Safe Drinking Water Act 2011.*

*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 Instrument of Delegation under the Safe Drinking Water Act 2011.*

9. *Policy – Operational Delegations (Appendix 3 in attachment 1)*

9.1 *By-Laws*

*The Chief Executive Officer is delegated the power to grant permission under Council by-laws to any person who seeks consent/ permission to undertake an activity that is otherwise prohibited by a provisions of a Council by-law.*

*This power may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit.*

9.2 *General Prosecutions/ Representations*

*In exercise of the powers contained in Section 44(1) of the Local Government Act 1999 the Council delegates this day 7 July 2015 to the person occupying the office of Chief Executive Officer (and any person appointed to act in that position) the power under relevant Acts to:*

- a) commence a prosecution for a breach of the relevant Statute, where the Statute empowers the Council to commence prosecution for a breach and*
- b) represent the Council or arrange representation for the Council in all proceedings before a Court, other than a Court of Summary Jurisdiction or a Local Court or a superior court, to which the Council is a party, subject to the condition that the Chief Executive Officer is not delegated the power to commence proceedings before the Court, other than a Court of Summary Jurisdiction or a Local Court, on behalf of the Council.*

*Such powers may be further delegated by the Chief Executive Officer to an officer or officers of the Council (including any person appointed to act in any such position) as the Chief Executive Officer sees fit.*

10. *That in relation to the delegations approved by Council, that the following delegations be further reviewed:*

- 110.1 – minor development near the coast, p115 of the agenda*
- 118.5 – events, p116 of the agenda*
- 10.1.5 – encroachment, p119 of the agenda*
- 27.3 – sufficient parking, p120 of the agenda*
- 27.4 – car parking fund, p120 of the agenda*
- 27.5 – calculating contribution to car parking fund, p120 of the agenda*
- 93 – the sale of land, and granting of easements, p188 of the agenda*
- 109.1.1 – altering a road, p192 of the agenda*
- 109.1.2 – erecting structures on a road, p192 of the agenda*
- 109.1.5 – road vegetation, p192 of the agenda*
- 123.1 – trees adjacent to a road, p195 of the agenda*
- 146.1 – cutting back vegetation, p205 of the agenda*
- 1.1 – enforcement of private parking, p213 of the agenda*
- 11 – variation of easements, p218 of the agenda.*

*That a workshop be held by the end of October 2015 to discuss details regarding the administrative management of the delegation, examples and frequency of use of the delegated powers and the effect that revocation of the delegated powers from the administration would have.*

*Seconded by Cr Nankivell.*

Cr Olsen left his seat in the Chamber at 8.17pm.

Cr Brown left her seat in the Chamber at 8.19pm.

Cr Olsen resumed his seat in the Chamber at 8.19pm.

Cr Brown resumed her seat in the Chamber at 8.25pm.

Cr Chapman left the meeting at 8.39pm.

*CARRIED*

## **10. Nominations to external bodies**

Nil.

## **11. Questions on notice**

### **11.1 Question on notice - Cr Deakin**

1. What Council strategies and management practices are in place to deliver cost reductions and improvements in operational efficiencies for the 2015-16 financial year?
2. What might Council reasonably anticipate the year end outcomes, of the aforementioned strategies and practices, to be?
3. What fiscal policies are in place or would be appropriate, to ensure such outcomes are quarantined, consolidated and reallocated in the context of council's deliberations for the next financial year?

**The following response has been provided by the Director Corporate and City Services:**

#### ***1. What Council strategies and management practices are in place to deliver cost reductions and improvements in operational efficiencies for the 2015/16 financial year?***

Our financial planning process and related strategies aim to ensure that our long term financial sustainability can be maintained. Key objectives of these strategies include the realisation of operational savings and efficiencies, seeking alternative and innovative approaches to delivering the required infrastructure and services as well as developing a more commercial approach to our normal day to day operations and service delivery.

Underpinning these strategies are a number of frameworks and management systems, designed to identify appropriate levels of service, increased efficiency, cost savings, and income generation.

Our Service Review Framework (endorsed by Council) is used by the organisation to identify and deliver service reviews. An overview of this framework was presented to Elected Members at a workshop in February 2015.

The Service Review framework identifies the services we deliver and provides an objective approach to measuring:

- alignment to the strategic plans and policy environment of the Council and the needs of the community
- execution of the service (efficiency and effectiveness measurements)
- potential to realise alternate income streams or commercialisation.

Service reviews do not focus entirely on improving the financial position of council (although this is often an outcome), but rather the emphasis being on ensuring we are delivering the right services in the best possible way and helping us understand what changes (if any) should be made to service delivery.

The Audit, Risk, Value and Efficiency Committee (ARVEC) have resolved that it will receive a report on the Service Review Framework by the end of September 2015. It is intended that this report will include a list of the prioritised service reviews from across the organisation as well as the current status and achieved outcomes of these activities.

In addition to the Service Review Framework, the organisation has focused on building the capacity of staff to think innovatively and to challenge the status quo and this has helped embed a culture of continuous improvement across the organisation. Reviews targeting improvements to the operational efficiency and effectiveness of core processes, back-office functions and operations (including people, processes and technologies) are now part of 'business as usual' in many areas. This has not only helped the organisation enhance its functions and overall ability to deliver programs and services more efficiently and effectively, but also directly supports our organisational values. The outcomes of undertaking such improvement activities include higher quality service provision, reduced risk and the more effective use of resources (people, plant, equipment), with many reviews increasing the efficiency of often limited resources and increasing the capacity of staff to respond to the changing needs of the community.

To ensure accountability all people leaders now have a Key Result Area embedded into their performance planning process (My Plan) relating to the achievement of service review activities in their local work areas. The monitoring of this key accountability forms part of regular departmental reporting.

Decision making in relation to service reviews will be managed consistent with the following table which was presented to the Elected Member workshop in February 2015, and copied below:

<b>Review recommendations targeting:</b>	<b>Example</b>	<b>Administration</b>	<b>ARVEC</b>	<b>Council</b>
The level of service	This could include recommendations relating to reductions in the level of service, removal of the service, increases in the level of service or no change.	Recommend	Review	Approve
Service delivery models	This could include recommendations relating to outsourcing, bringing services in-house, or looking at shared services.	Recommend & Approve	Review	Note
Value and Efficiency	This could include re-engineering recommendations targeting internal operations, service/quality standards and the efficiency and effectiveness with which Council manages its processes and resources.	Recommend & Approve	Note	Note
Commercialisation	This could include recommendations relating to ways in which we can make money and drive value for money through seeking alternative and innovative approaches to delivering required infrastructure and services through to developing a more commercial approach to our day to day operations and service delivery.	Recommend	Review	Approve

***2. What might Council reasonably anticipate the year end outcomes, of the fore mentioned strategies and practices, to be?***

The report that is proposed to be tabled at ARVEC by the end of September 2015 together with subsequent reports will identify the actual outputs of the service review activity.

**3. What fiscal policies are in place or would be appropriate, to ensure such outcomes are, quarantined, consolidated and relocated in the context of Councils deliberations for the next financial year?**

Where a service review identifies savings, the financial impacts are reflected in the current year budget through our Budget Review processes and incorporated into future financial planning and budgets as appropriate. Permanent savings identified through these assessments and reviews are adjusted from the baseline budget and will inform Council's initial budget deliberations each year.

An opportunity exists to detail the outputs of the service reviews within the Annual Business Plan and budget documentation further communicating this information to our community.

**13. Petitions**

Nil.

**14. Urgent business**

Nil.

**15. Confidential items**

**15.1 Chief Executive Officer Performance Management Committee confidential minutes**

Mark Dowd declared a conflict of interest in this item as the Chief Executive Officer and left the Chamber.

*MOVED Cr Olbrich.*

*1. That:*

- a. under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public (with the exception of the Director Corporate and City Services) be excluded from attendance at the meeting in order to consider this item in confidence.*
- b. the Council is satisfied that it is necessary that the public (with the exception of the Director Corporate and City Services) be excluded to enable the Council to receive and consider the information and report at the meeting on the following grounds:*

*Section 90(3)(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), in this instance being matters related to the terms and conditions of the employment contract for the Chief Executive Officer.*

*The Council is satisfied that it is reasonably foreseeable that the public disclosure or discussion of information concerning the contract of employment of a person at the meeting would be inconsistent with accepted principles of professional human resource management.*

- c. *on this basis, the principle that this meeting of the Council should be conducted in a place open to the public, has been outweighed by the need to keep the information and/or discussion confidential.*

*Seconded by Cr Merritt.*

*CARRIED*

*MOVED Cr Kilby.*

- 4. *That the matter of the Chief Executive Officer Performance Management Committee confidential minutes, having been considered by the Council in confidence under Sections 90(2) and 90(3)(a) of the Local Government Act 1999 that an Order be made under the provisions of Sections 91(7) and (9) of the Local Government Act 1999 that the Chief Executive Officer Performance Management Committee confidential minutes and the minutes and the report of the Council relating to discussion of the subject matter be kept confidential until 30 April 2020.*

*Seconded by Cr Olbrich.*

*CARRIED*

Mayor Rosenberg reopened the meeting to the public at 8.55pm.

## **16. Closure**

There being no further business Mayor Rosenberg officially declared the meeting closed at 8.55pm.

*Certified Correct .....Chair*

*/ /2015*