



MINUTES

of

SERVICES COMMITTEE MEETING

*Pursuant to the provisions of Section 84(1) of the
Local Government Act 1999*

HELD IN

**COUNCIL CHAMBERS
PLAYFORD CIVIC CENTRE
10 PLAYFORD BOULEVARD, ELIZABETH**

ON

**TUESDAY, 16 APRIL 2019
AT 7:00PM**

The meeting commenced at 7:01pm.

1 ATTENDANCE RECORD

1.1 Present

PRESIDING MEMBER – CR ANDREW CRAIG

Mayor Glenn Docherty

Cr Akram Arifi

Cr Marilyn Baker

Cr Veronica Gossink

Cr Shirley Halls *from 7:02pm*

Cr David Kerrison

Cr Clint Marsh

Cr Misty Norris

Cr Jane Onuzans

Cr Peter Rentoulis

Cr Dennis Ryan

Cr Gay Smallwood-Smith
from 7:02pm

Cr Katrina Stroet

Cr Cathy-Jo Tame

Also in attendance for the meeting:

Acting Chief Executive Officer

Mr Sam Green

Acting General Manager, Strategy and Corporate

Mr Greg Pattinson

Acting General Manager, City Services

Mr Andrew Nesbitt

Senior Manager, Finance

Ms Grace Pelle

Senior Manager, Corporate Services

Mrs Rosemary Munslow

Manager, Governance

Ms Susie Reichstein

Acting Senior Manager, Strategy & Policy

Mr Dale Welsh

Acting Senior Manager, Health, Environment & Regulatory
Services

Ms Kaarina Sarac

Acting Senior Manager, Community Services

Ms Caroline Moylan

Senior Manager, Development Services

Mr Derek Langman

Minute Taker

Mrs Skye Nitschke

1.2 Apologies

Cr Stephen Coppins

1.3 Not Present

Nil

2 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION	3517
Moved: Cr Onuzans	Seconded: Cr Stroet
The Minutes of the Services Committee Meeting held 19 March 2019 be confirmed as a true and accurate record of proceedings.	
<u>CARRIED</u>	

3 DECLARATIONS OF INTEREST

Mayor Docherty declared an interest in item 5.5 Community Development and Events Grant 2018/19 Round 2.

Cr Halls and Cr Smallwood-Smith joined the meeting at 7:02pm.

Name: Mayor Glenn Docherty

Conflict: Perceived

Item: 5.5 Community Development and Event Grant 2018/19 Round 2

Description: *I have attended a number of United Way SA events with my children as part of a program they run called "United We Read". While my children are not members of this program, for transparency, I will declare a perceived conflict of interest and leave the room when this item is discussed.*

Conflict Nature: a. Indirect

Addressing the Conflict:

Did the Council Member remain in the meeting? No

Did the Council Member remain in the meeting in order to maintain quorum? No

If yes, how did the Council Member deal with the conflict?

N/A

Outline any further steps the Council Member took to ensure transparency and accountability:

Will leave the meeting and not vote.

Voting

Did the Council Member vote on the matter? No

How did the Council Member vote on the matter? N/A

4 DEPUTATION / REPRESENTATIONS

Nil

5 STAFF REPORTS

Matters to be considered by the Committee and referred to Council

Matters which cannot be delegated to a Committee or Staff.

5.1 ANNUAL REVIEW OF COUNCIL DELEGATIONS

Responsible Executive Manager: Greg Pattinson

COMMITTEE RECOMMENDATION

3518

Moved: Cr Baker

Seconded: Cr Onuzans

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. Revocations

1.1 Hereby revokes its previous delegations to the Chief Executive Officer of those powers and functions under the following:

1.1.1 *Community Titles Act 1996*

1.1.2 *Development Act 1993 and Development Regulations 2008*

1.1.3 *Dog & Cat Management Act 1995*

1.1.4 *Environment Protection Act 1993 and Environment Protection (Waste to Resources) Policy 2010*

1.1.5 *Expiation of Offences Act 1996*

1.1.6 *Fences Act 1975*

1.1.7 *Fire and Emergency Services Act 2005 and Fire and Emergency Services Regulations 2005*

1.1.8 *Food Act 2001*

1.1.9 *Freedom of Information Act 1991*

1.1.10 *Land & Business (Sale and Conveyancing) Act 1994*

1.1.11 *Liquor Licensing Act 1997*

1.1.12 *Local Government Act 1999*

1.1.13 *Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005 and Natural Resources Management (Transitional Provisions – Levies) Regulations 2005*

1.1.14 *Roads (Opening & Closing) Act 1991*

1.1.15 *Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014*

1.1.16 *South Australian Public Health Act 2011 along with the South Australian Public Health (Legionella) Regulations 2013, the South Australian Public Health (Wastewater) Regulations 2013 and the South Australian Public Health (General) Regulations 2013*

1.1.17 *Supported Residential Facilities Act 1992*

1.1.18 *Unclaimed Goods Act 1987*

1.1.19 *Work Health and Safety Act 2012*

1.1.20 *Safe Drinking Water Act 2011*

1.1.21 *Water Industry Act 2012 and Water Industry Regulations 2012*

1.1.22 *Real Property Act 1886*

1.1.23 *Strata Titles Act 1988*

1.1.24 *Heavy Vehicle National Law (South Australia) Act 2013*

1.1.25 *Burial and Cremation Act 2013 and Burial and Cremation Regulations 2014*

- 1.1.26 ***Electronic Conveyancing National Law (South Australia) Act 2013***
- 1.1.27 ***Local Nuisance and Litter Control Act 2016 and Local Nuisance and Litter Control Regulations 2017***
- 1.1.28 ***Planning, Development and Infrastructure Act 2016***
- 1.1.29 ***Fines Enforcement and Debt Recovery Act 2017***
- 1.2 Hereby revokes its previous delegations to its Council Assessment Panel under the *Development Act 1993 and Development Regulations 2008*.
- 2. Delegations made under the *Local Government Act 1999*
- 2.1 In exercise of the power contained in Section 44 of the *Local Government Act 1999* the powers and functions under the following Acts contained in the proposed Instruments of Delegation (Attachment 1) are hereby delegated on 23 April 2019 to the person occupying the office of Chief Executive Officer of the Council subject to the Schedule of Conditions and Limitations in each such proposed Instrument of Delegation.
 - 2.1.1 ***Community Titles Act 1996***
 - 2.1.2 ***Dog & Cat Management Act 1995***
 - 2.1.3 ***Environment Protection Act 1993 and Environment Protection (Waste to Resources) Policy 2010***
 - 2.1.4 ***Expiation of Offences Act 1996***
 - 2.1.5 ***Fences Act 1975***
 - 2.1.6 ***Fire and Emergency Services Act 2005 and Fire and Emergency Services Regulations 2005***
 - 2.1.7 ***Freedom of Information Act 1991***
 - 2.1.8 ***Land & Business (Sale & Conveyancing) Act 1994***
 - 2.1.9 ***Liquor Licensing Act 1997***
 - 2.1.10 ***Local Government Act 1999***
 - 2.1.11 ***Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005 and Natural Resources Management (Transitional Provisions – Levies) Regulations 2005***
 - 2.1.12 ***Roads (Opening and Closing) Act 1991***
 - 2.1.13 ***Work Health and Safety Act 2012***
 - 2.1.14 ***Road Traffic Act (1961) (SA), Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014***
 - 2.1.15 ***Unclaimed Goods Act 1987***
 - 2.1.16 ***South Australian Public Health Act 2011 along with the South Australian Public Health (Legionella) Regulations 2013, the South Australian Public Health (Wastewater) Regulations 2013 and the South Australian Public Health (General) Regulations 2013 and South Australian Public Health (Fees) Regulations 2018***
 - 2.1.17 ***Safe Drinking Water Act 2011***
 - 2.1.18 ***Water Industry Act 2012 and Water Industry Regulations 2012***
 - 2.1.19 ***Real Property Act 1886***
 - 2.1.20 ***Strata Titles Act 1988***
 - 2.1.21 ***Burial and Cremation Act 2013 and Burial and Cremation Regulations 2014***
 - 2.1.22 ***Electronic Conveyancing National Law (South Australia) Act 2013***
 - 2.1.23 ***Local Nuisance and Litter Control Act 2016 and Local Nuisance and Litter Control Regulations 2017***
 - 2.1.24 ***Planning, Development and Infrastructure Act 2016***
 - 2.1.25 ***Fines Enforcement and Debt Recovery Act 2017***
 - 2.1.26 ***Electricity Act 1996***
 - 2.1.27 ***Gas Act 1997***
- 2.2 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 in the

Schedule of Conditions and Limitations contained in each such proposed Instrument of Delegation.

3 Delegations made under *Development Act 1993*

3.1 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 proposed Instrument of Delegation (contained within Attachment 1) are hereby delegated on 23 April 2019 to the person occupying the office of Chief Executive Officer of the Council, subject to the Schedule of Conditions and Limitations contained in the proposed Instrument of Delegation under the *Development Act 1993*.

3.2 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 in the Schedule of Conditions and Limitations contained in the proposed Instrument of Delegation under the *Development Act 1993*.

3.3 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 proposed Instrument of Delegation (Attachment 2) are hereby delegated on 23 April 2019 to the Council's Assessment Panel, subject to the Schedule of Conditions and Limitations contained in the proposed Instrument of Delegation under the *Development Act 1993*.

4 Delegations made under *Food Act 2001*

4.1 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 (Contained within Attachment 1) are hereby delegated on 23 April 2019 to the person occupying the office of Chief Executive Officer of the Council ('the head of the enforcement agency' for the purposes of the *Food Act 2001*), subject to the Schedule of Conditions and Limitations contained in the proposed Instrument of Delegation under the *Food Act 2001*.

4.2 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 in the Schedule of Conditions and Limitations contained in the proposed Instrument of Delegation under the *Food Act 2001*.

5 Delegations under *Supported Residential Facilities Act 1992*

5.1 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 (Contained within Attachment 1) are hereby delegated on 23 April 2019 to the person occupying the office of Chief Executive Officer of the Council, subject to the Schedule of Conditions and Limitations contained in the proposed Instrument of Delegation under the *Supported Residential Facilities Act 1992*.

5.2 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 in the Schedule of Conditions and Limitations contained in the proposed Instrument of Delegation under the *Supported Residential Facilities Act 1992*.

6 Authorisations and Sub-delegation under the *Road Traffic Act 1961*

6.1 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') (Attachment 6) the Council revokes previous authorisation and hereby authorises the following person(s) 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 person(s) shall take into account the matters specified in Clause A.7 of the Instrument in respect of Traffic Impact Statements:

- *Derek Langman*
- *Jeremy Lim*
- *Hye-Young Ghang*
- *Neil Langley*
- *Kean Fai Lau*

6.2 In accordance with Clause A.7 of the Instrument (Attachment 6), the Council is of the opinion that the following person(s) is/are experienced traffic engineering practitioner(s) for the purposes of preparing a Traffic Impact Statement as required by Clause A.7 of the Instrument:

- *Derek Langman*
- *Jeremy Lim*
- *Hye-Young Ghang*
- *Neil Langley*
- *Kean Fai Lau*

6.3 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 proposed Instrument of Sub-Delegation (Attachment 3) is hereby sub-delegated on 23 April 2019 to the person occupying the office of Chief Executive Officer of the Council subject to:

- (iv) the conditions contained in the Instrument; and
- (v) any conditions contained in this Resolution or in the Instrument of Sub-Delegation; and
- (vi) the creation of a separate instrument in writing reflecting such sub-delegation under the Instrument and this Resolution.

6.4 In accordance with Clause E.2 of the Instrument (Attachment 6), the Council is of the opinion that the following person(s) has (have) an appropriate level of knowledge and expertise in the preparation of Traffic Management Plans:

- *Derek Langman*
- *Jeremy Lim*
- *Hye-Young Ghang*
- *Neil Langley*
- *Kean Fai Lau*

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

7.1 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 proposed Instrument of Delegation (Contained within Attachment 1) are hereby delegated on 23 April 2019 to the person occupying the office of Chief Executive Officer of the Council, subject to the Schedule of Conditions and Limitations contained in the proposed Instrument of Delegation under the *Safe Drinking Water Act 2011*.

7.2 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 in the Schedule of Conditions and Limitations contained in the proposed Instrument of Delegation under the *Safe Drinking Water Act 2011*.

8 Delegations made under the *Fire and Emergency Services Act 2005* and *Fire and Emergency Services Regulations 2005*

8.1 In exercise of the power contained in Section 93 of the *Fire and Emergency Services Act 2005* the powers and functions under the *Fire and Emergency*

Services Act 2005 and Fire and Emergency Services Regulations 2005 contained in the proposed Instrument of Delegation (Attachment 4) are hereby delegated on 23 April 2019 to the person occupying the position of Fire Prevention Officer of the Council, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the *Fire and Emergency Services Act 2005 and Fire and Emergency Services Regulations 2005*.

8.2 Such powers and functions may be further delegated by the Fire Prevention Officer as the Fire Prevention 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 *Fire and Emergency Services Act 2005*.

9 Delegations under the *Heavy Vehicle National Law (South Australia) Act 2013*

9.1 In exercise of the powers contained in Section 44 of the *Local Government Act 1999* and Section 22B of the *Heavy Vehicle National Law (South Australia) Act 2013* (as relevant), the powers and functions under the *Heavy Vehicle National Law (South Australia) Act 2013* contained in the proposed Instrument of Delegation (Contained within Attachment 1) are hereby delegated on 23 April 2019 to the person occupying the office of Chief Executive Officer of the Council, subject to the Schedule of Conditions and Limitations contained in the proposed Instrument of Delegation under the *Heavy Vehicle National Law (South Australia) Act 2013*.

9.2 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 in the Schedule of Conditions and Limitations contained in the proposed Instrument of Delegation under the *Heavy Vehicle National Law (South Australia) Act 2013*.

CARRIED

5.2 RECORDING OF COUNCIL MEETINGS
Responsible Executive Manager: Greg Pattinson

COMMITTEE RECOMMENDATION	3519
Moved: Cr Marsh	Seconded: Cr Rentoulis
<p>1. Council notes the investigation into the costing and availability of systems to enable audio, visual recording and live streaming of Council, Strategic Planning Committee and Services Committee meetings.</p> <p>2. Council endorse audio-only recording of Council, Strategic Planning Committee and Services Committee meetings for minute taking purposes only and further monitor and investigate future industry trends.</p> <p>3. That the Code of Practice for Council and Committee Meetings be amended to reflect the audio recording of meetings.</p>	
<u>LOST</u>	

5.3 DOG REGISTRATION FEES 2019/2020**Responsible Executive Manager:** Andrew Nesbitt**COMMITTEE RECOMMENDATION****3520****Moved: Cr Smallwood-Smith Seconded: Cr Halls****1. Council retains:**

- the maximum registration fee of \$65.
- a 50% discount for dogs that fall under the category of “standard dog”.
- Other Fees and rebates as per current schedule.

2. Council introduces:

- a business dog fee as outlined in the report; and
- a fee-free registration period for the month of June.

CARRIED**5.4 VIRGINIA MAIN STREET - PROJECT COMMENCEMENT (BRIEFING)****Responsible Executive Manager:** Greg Pattinson**COMMITTEE RECOMMENDATION****3521****Moved: Cr Rentoulis Seconded: Cr Gossink****Council demonstrates its commitment to the delivery of the Virginia Main Street Upgrade by:**

- Commencing community engagement to inform a refined concept plan.
- Supporting the formal application to the Power Lines Environment Committee (PLEC) for the undergrounding of the power lines in the Virginia Main Street.

If the application to PLEC is successful, acceptance of the funding will be subject to a future Council report.**Additional funding required to deliver future components of the streetscape upgrade will be subject to additional Council reports and Annual Business Planning processes.****CARRIED***Mayor Docherty left the meeting room at 7:32pm in response to his declaration of interest.*

Matters which can be delegated to a Committee or Staff but the Council has decided not to delegate them.

5.5 COMMUNITY DEVELOPMENT AND EVENT GRANT - 2018/19 ROUND 2
Responsible Executive Manager: Andrew Nesbitt

COMMITTEE RECOMMENDATION		3522
Moved:	Cr Smallwood-Smith	Seconded: Cr Halls
Community Development and Event Grant applications receive funding as follows:		
Applicant	Amount Requested	Amount Recommended
Eligible:		
Arts North Elizabeth Art Society Inc.	\$2,000	\$2,000
Chinese Music and Arts Inc.	\$5,000	\$5,000
I Am Worth More	\$5,000	\$5,000
KIDS Foundation (Burns Survivors' Network)	\$2,500	\$2,500
Reclink Australia	\$5,000	\$3,250
South Australian Aboriginal Junior Football Carnival	\$5,000	\$5,000
United Way SA	\$5,000	\$2,500
Ineligible:		
Miracle Babies Foundation	\$4,900	Nil
Playford Aquatic Club Inc.	\$2,000	Nil
The Association of the Burundian Community of South Australia	\$3,500	Nil
	\$39,900	\$25,250
<u>CARRIED</u>		

Mayor Docherty returned to the meeting room at 7:38pm.

6 INFORMAL DISCUSSION

6.1 PLANNING DEVELOPMENT AND INFRASTRUCTURE ACT UPDATE

Presenter: Mr Derek Langman

Outcome: Services Committee Members were provided with an update on the *Planning, Development and Infrastructure Act 2016* roll-out.

Cr Tame left the meeting room at 8:03pm.

Cr Tame returned to the meeting room at 8:05pm.

7 INFORMAL ACTIONS

Nil

8 COMMITTEE WORKPLAN

8.1 SERVICES COMMITTEE WORK PLAN

Presenter: Mr Andrew Nesbitt

Outcome: Services Committee Members reviewed the Committee work plan.

9 CONFIDENTIAL MATTERS

Nil

10 CLOSURE

The meeting closed at 8:20pm.