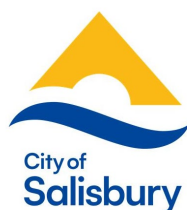


Please note that the audio of this public meeting will be recorded and published on Council's website where it will be available for one (1) month, in accordance with Council's decision.



AGENDA

FOR COUNCIL MEETING TO BE HELD ON

28 JANUARY 2025 AT 6.30PM

IN THE COUNCIL CHAMBER, 34 CHURCH STREET, SALISBURY

MEMBERS

Mayor G Aldridge
Cr B Brug
Cr L Brug
Deputy Mayor, Cr C Buchanan
Cr J Chewparsad
Cr A Graham
Cr K Grenfell
Cr D Hood
Cr P Jensen
Cr M Mazzeo
Cr S McKell
Cr S Ouk
Cr S Reardon

REQUIRED STAFF

Chief Executive Officer, Mr J Harry
Deputy Chief Executive Officer, 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
Manager Governance, Mr R Deco
Team Leader Council Governance, Ms J O'Keefe-Craig

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Council Meeting: 28 January 2025

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Presentation of the Minutes of the Council meeting held on 16 December 2024.	
Petitions	Pg 4

Committee Reports

There were no Committee meetings held in January 2025.

General Business Items

- | | | |
|-----|---|-------|
| GB1 | Salisbury Fringe 2025 Alcohol Free Area – Carisbrooke Park, Salisbury Park | Pg 5 |
| GB2 | Appointment of Behaviour Standards Panel Contact Officer | Pg 11 |
| GB3 | Local Government Association Ordinary General Meeting 23 May 2025 –
Call for Items of Business | Pg 35 |

Mayor's Diary Report Pg 43

- | | |
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| MD1 | Mayor's Diary Report |
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Questions on Notice Pg 45

- | | |
|------|---|
| QON1 | Questions on Notice: Cr Buchanan: Historical Rights of 79-81 Cross Keys
Road and Land Use Rights |
|------|---|

Questions Without Notice Pg 46

Motions on Notice Pg 46

There are no Motions on Notice.

Motions Without Notice Pg 46

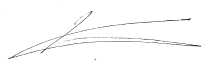
Other Business Pg 46

Orders to Exclude the Public Pg 47

General Business

- | | |
|----|---|
| C1 | Department for Housing and Urban Development – Greater Edinburgh Parks
Infrastructure Plan Costings Plan |
|----|---|

CLOSE



John Harry
CHIEF EXECUTIVE OFFICER

KAURNA ACKNOWLEDGEMENT

The City of Salisbury acknowledges that we are meeting on the traditional Country of the Kurna people of the Adelaide Plains and pays respect to Elders past and present. We recognise and respect their cultural heritage, beliefs and relationship with the land. We acknowledge that they are of continuing importance to the Kurna people living today.

PRAYER

Father in heaven

We thank you for the wondrous resources of our City, for its people, its environment and its sense of community.

We thank you for the opportunity to now deliberate over how best to help our community.

Please bless that we will respect one another and that we will all do our best to make decisions that will help our community to grow and prosper.

Bless our efforts this day in God's name.

Amen.

APOLOGIES

LEAVE OF ABSENCE

PUBLIC QUESTION TIME

DEPUTATIONS

No Deputations have been received.

PRESENTATION OF MINUTES

Presentation of the Minutes of the Council Meeting held on 16 December 2024.

PETITIONS

No Petitions have been received.

GENERAL BUSINESS

ITEM	GB1		
	COUNCIL		
DATE	28 January 2025		
PREV REFS	Community Wellbeing and Sport Committee	5.1.1	20/08/2024
HEADING	Salisbury Fringe 2025 Alcohol Free Area		
AUTHORS	John Darzanos, Manager Environmental Health & Community Compliance, City Development Raitchel Graves, Senior Events Coordinator, Community Development		
CITY PLAN LINKS	1.4 Our city is attractive and safe 4.3 Our council is recognised for delivering exceptional community experiences and quality outcomes		
SUMMARY	Further to <i>Item 5.1.1 Salisbury Fringe Carnival 2024 Evaluation and Recommendations for 2025 Event</i> , presented to the Community Wellbeing and Sport Committee, in August 2024 Council approved that a further report be presented to declare the entirety of Carisbrooke Park a ‘Dry Zone’ or as per By-Laws an “alcohol free area” for the event, with the exception of designated licensed area/s, to enhance security and crowd management. This report presents the option for Council approval.		

RECOMMENDATIONThat Council:

1. Approves that the local government land known as Carisbrooke Park, and as shown in the attached plan (*Attachment 1 Plan of Carisbrooke Park, Item GB1, Salisbury Fringe 2025 Alcohol Free Area, Council, 28 January 2025*) will be an alcohol-free area under the provisions of City of Salisbury By-Law 4 of 2022, Local Government Land By-Law 2022, and this restriction shall begin at 9.00am Friday 21 February 2025 and remain in force until Midnight Saturday 22 February 2025 as follows:
 - a. Pursuant to clause 4.32 of City of Salisbury By-Law 4 of 2022, Local Government Land By-Law 2022, a person must not without the permission of the Council, consume, carry or be in possession or in charge of any liquor on local government land comprising parks or reserves to which the Council has determined this paragraph applies, namely the local government land known as Carisbrooke Park, and as shown in the attached plan (*Attachment 1 Plan of Carisbrooke Park, Item GB1, Salisbury Fringe 2025 Alcohol Free Area, Council, 28 January 2025*) and excluding any buildings and or areas on this land covered by Liquor License issued to the lessees or any liquor licenses issued for events, and or permitted or authorised activities, and this restriction shall begin at 9.00am Friday 21 February 2025 and remain in force until Midnight Saturday 22 February 2025.

- b. Pursuant to Section 238 of the *Local Government Act 1999*, a sign or signs shall be erected in a prominent position(s) in the immediate vicinity of the local government land known as Carisbrooke Park as shown in the attached plan (*Attachment 1 Plan of Carisbrooke Park, Item GB1, Salisbury Fringe 2025 Alcohol Free Area, Council, 28 January 2025*) to notify all attendees and members of the community that the land will be an alcohol-free area under the provisions of City of Salisbury By-Law 4 of 2022, Local Government Land By-Law 2022, and these conditions shall begin at 9.00am Friday 21 February 2025 and remain in force until Midnight Saturday 22 February 2025.

ATTACHMENTS

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

1. Attachment 1 - Plan of Carisbrooke Park - Alcohol Free Zone

1. BACKGROUND

- 1.1 At its meeting on 26 August 2024 Council resolved that it:

- 1.1.1 *Approves that a report be submitted to declare the entirety of Carisbrooke Park a 'Dry Zone' for this event, with the exception of designated licensed area/s, to enhance security and crowd management. (Resolution 0798/2024)*

- 1.2 The intent behind the resolution was to enhance security and crowd management.

2. DISCUSSION

- 2.1 The Salisbury Fringe Carnival provides a family friendly event that caters to the diverse Salisbury community showcasing a range of events and amusements. The provision of food and catering adds value and provides another attraction to the event and the provision of alcohol through a licensed area provides all attendees with an option for their refreshments as is found at many events.
- 2.2 However, as the event is family friendly and covers a wide area of Carisbrooke Park, declaring the area alcohol free and restricting alcohol to a licensed area for the event allows for controlled access, improved monitoring and can enhance security and overall crowd management.
- 2.3 Further, the restriction of the consumption of alcohol to the designated areas only may also assist in promoting a safer event and prevent the over consumption of alcohol and antisocial behaviour.
- 2.4 Under Clause 4.32 of By-Law 4 Local Government Land By-Law 2022 Council can declare that a person must not without the permission of the Council, consume, carry or be in possession or in charge of any liquor on local government land comprising parks or reserves to which the Council has determined this paragraph applies.
- 2.5 Council may apply this control only to local government land comprising parks or reserves and this includes the area known as Carisbrooke Park.
- 2.6 The control can then be administered and enforced by Council Authorised staff including security staff duly Authorised under the *Local Government Act 1999* and supported by SA Police.

- 2.7 Applying this control to Carisbrooke Park for the duration of the Salisbury Fringe is not designed to conflict with the approved Liquor License areas and is restricted by Section 238(2) of the *Local Government Act 1999* to land comprising parks or reserves, and by resolution will not be applicable to any areas covered by the Liquor License issued to the organisation or group and or any liquor licenses issued for events.
- 2.8 As a result, it is proposed that a person must not without the permission of Council, consume, carry or be in possession or in charge of any liquor on local government land comprising parks or reserves to which the Council has determined this paragraph applies, namely the local government land known as Carisbrooke Park, excluding any buildings and or areas on this land covered by Liquor License issued to the lessees or any liquor licenses issued for events, and or permitted for authorised activities.
- 2.9 Pursuant to Section 238 of the *Local Government Act 1999* any resolution under By-Laws must include a requirement for signs to be erected in a prominent position in the immediate vicinity the local government land to notify all attendees and members of the community that alcohol is prohibited on the land.
- 2.10 Administration will develop and install appropriate signage to ensure compliance with these provisions.
- 2.11 The alcohol-free declaration also prevents people bringing in their own alcohol, so it is recommended that the restriction is included in communications leading up to the event.

3. CONCLUSION

- 3.1 The proposed alcohol restrictions aim to improve security and crowd behaviours and support a family friendly environment at the Salisbury Fringe and the proposed By-Law resolutions are provided to Council for consideration and approval.

Attachment 1 Carisbrooke Park



Carisbrooke Park, Main North Road Salisbury Park SA 5109

Lot 232 D 41156 Sec S2020 CT-5385/627

ITEM	GB2
	COUNCIL
DATE	28 January 2025
HEADING	Appointment of Behaviour Standards Panel Contact Officer
AUTHOR	Joy O’Keefe-Craig, Team Leader Council Governance, CEO and Governance
CITY PLAN LINKS	4.1 Our council’s services are delivered in an effective and efficient manner 4.3 Our council is recognised for delivering exceptional community experiences and quality outcomes 1.2 Our community is physically and mentally healthy and connected
SUMMARY	This report seeks Council’s approval to appoint the Manager Governance as the Behaviour Standards Panel Contact Officer under the Behaviour Management Policy.

RECOMMENDATION

That Council:

1. Appoints Mr Rudi Deco, Manager Governance as the Behaviour Standards Panel Contact Officer, in accordance with the Behaviour Management Policy.
2. Adopts the updated Behavioural Management Policy (Attachment 1, Council meeting 28 January 2025).

ATTACHMENTS

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

1. Updated Behaviour Management Policy

1. BACKGROUND

- 1.1 The Behavioural Standards for Council Members formally came into operation on 17 November 2022. A key element of this framework is the requirement for Councils to adopt a Behavioural Management Policy.
- 1.2 At its meeting on 26 February 2024 Council adopted the updated Behavioural Management Policy:

“Adopts the updated Behavioural Management Policy (Attachment 1, Item No. 1.1.3, Policy and Planning Committee, 19 February 2024) with no additional Support Policy to be adopted, consistent with the recommendation from the Behaviour Management Policy Working Group.”

0595/2024

- 1.3 To ensure effective implementation of this framework, a Behavioural Standards Panel has been established, tasked with reviewing, and addressing breaches of behaviour standards. The Behavioural Standards Panel is an independent statutory body established under the *Local Government Act 1999* to resolve behavioural issues involving council members.
- 1.4 To facilitate smooth communication and efficient handling of concerns, it is recommended that Council appoint a dedicated contact officer who will be responsible for managing enquiries, coordinating meetings, and providing support to individuals involved in the Behaviour Management process.
- 1.5 Clause 5.12 of the Behavioural Management Policy specifies that Council must appoint a person as the contact officer for matters referred to the Behavioural Standards Panel. The contact officer is responsible for the provision of information and receipt of the notice from the Behavioural Standards Panel.

2. EXTERNAL CONSULTATION / COMMUNICATION

- 2.1 Nil.

3. DISCUSSION

- 3.1 The appointment of the contact officer will ensure that there is a clear point of contact for the public and internal stakeholders, adding to the timely and effective resolution of issues related to the Behavioural Standards Panel.
- 3.2 Clause 2.3 of the Behavioural Management Policy specifies the appointed Behaviour Standards Panel Contact Officer will:
 - 3.2.1 Comply with any lawful request of the Panel for information relating to a matter under consideration.
 - 3.2.2 Receive and respond to notices relating to matters under consideration by the Panel.
- 3.3 A suggested amendment to Clause 2.4 is proposed to the current Policy:
 - 3.3.1 *Where the Behavioural Standards Panel Contact Officer is not the Chief Executive Officer, the Contract Officer ~~should~~ must keep the Chief Executive Officer informed of the status of the matter under consideration by the Panel.*
- 3.4 The proposed change is included as track change to the current Policy document, within Attachment 1.
- 3.5 It is recommended that Council appoint Mr Rudi Deco, Manager Governance, as the Behavioural Standards Panel Contact Officer. Rudi has demonstrated the necessary experience in handling sensitive matters, familiarity with the Council complaint process and a clear understanding of the Behavioural Management Policy making him well suited for this role.

4. CONCLUSION

- 4.1 Council is asked to consider the appointment of a Behaviour Standards Panel Contact Officer. The appointment of the Contact Officer will assist in ensuring the efficiency of the Behaviour Standards Panel process and the effective implementation of the Council's Behaviour Policy.



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

Behavioural Management Policy

Adopted by:	Council
Responsible Division:	CEO & Governance
First Issued/Adopted:	23 August 2022
Last Reviewed:	26 February 2024
Next Review Date:	February 2027

1 Purpose

- 1.1. This Behavioural Management Policy (this Policy) has been prepared and adopted pursuant to section 262B of the *Local Government Act 1999*.
- 1.2. This Policy forms part of the Behavioural Management Framework for council members and sets out the approach to the management of complaints about the behaviour of council members. It sets out the process to be followed where there has been a complaint alleging a breach of the Behavioural Standards for Council Members, this Policy or any Behavioural Support Policy adopted by the Council (*the behavioural requirements*).

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Record Number: Doc Set ID - 5945479

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2 Scope

- 2.1 The person responsible for managing complaints is responsible under this Policy to:
 - 2.1.1 Perform the tasks bestowed upon the person responsible for dealing with a complaint pursuant to this Policy;
 - 2.1.2 In consultation with the Chief Executive Officer, facilitate access to resources to support impacted parties and resolve the concerns raised in a timely manner prior to the matter becoming serious, or escalating to a formal complaint;
 - 2.1.3 In consultation with the Chief Executive Officer, engage external resources to assist with investigation and resolution of matters.
- 2.2 The Chief Executive Officer (or delegate) is responsible under this Policy to:
 - 2.2.1 Manage the administrative receipt, acknowledgment, record keeping and allocation of complaint lodged in accordance with this Policy.
 - 2.2.2 Facilitate access to external resources to the resolution of complaints lodged in accordance with this Policy.
- 2.3 The Behavioural Standards Panel Contact Officer (appointed by the Council) is responsible under this Policy to:
 - 2.3.1 Comply with any lawful request of the Panel for information relating to a matter under consideration;
 - 2.3.2 Receive and respond to notices relating to matters under consideration by the Panel.
- 2.4 Where the Behavioural Standards Panel Contact Officer is not the Chief Executive Officer, the Contact Officer ~~should~~must keep the Chief Executive Officer informed of the status of matters under consideration by the Panel.

3 Legislative Requirements and Corporate Policy Context

Independent Commission Against Corruption Act 2012

Local Government Act 1999

Ombudsman Act 1972

Public Interest Disclosure Act 2018

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4 Interpretation/Definitions

The Act – means the Local Government Act 1999.

Behavioural Requirements – in this Policy it refers collectively and individually to the Behavioural Standards for Council Members, this Policy and any Behavioural Support Policy adopted by the Council from time to time.

Behavioural Management Panel – means the Behavioural Management Panel established pursuant to section 262F of the Local Government Act 1999.

Behavioural Standards for Council Members – refers to the Behavioural Standards for Council Members established by the Minister for Local Government, and published as a notice in the SA Government Gazette, specifying standards of behaviour to be observed by members of councils; and providing for any other matter relating to behaviour of members of councils.

Frivolous – includes without limitation, a matter of little weight or importance, or lacking in seriousness.

Misbehaviour – Is defined in section 262E of the Act as:

- (a) A failure by a member of a council to comply with a requirement of the council under section 262C (1); or
- (b) A failure by a member of a council to comply with a provision of, or a requirement under, the council's behavioural management policy; or
- (c) A failure by a member of a council to comply with an agreement reached following mediation, conciliation, arbitration or other dispute or conflict resolution conducted in relation to a complaint under Division 1.

person responsible for managing the complaint – subject to any resolution of the Council to the contrary –

- (a) the Mayor;
- (b) if the complaint related to or involves the Mayor, the Deputy Mayor;
- (c) if the complaint related to or involves the Mayor and Deputy Mayor, the Chair of the Governance and Compliance Committee or another Council member appointed by Council.

PID Act – means the Public Interest Disclosure Act 2016.

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Repeated misbehaviour – is defined in section 262E of the Act as a second or subsequent failure by a member of a council to comply with Chapter 5 Part 4 Division 2 of the Act.

Serious misbehaviour – is defined in section 262E of the Act as a failure by a member of a council to comply with section 75G of the Act (Health and Safety duties)

Trivial – includes without limitation, a matter of little worth or importance; that is trifling; or insignificant.

Vexatious – includes a matter raised without reasonable grounds or for the predominate purpose of causing annoyance, delay or detriment, or other wrongful purpose.

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5 Policy Statements

- 5.1 Nothing in the Policy is intended to prevent council members from seeking to resolve disputes and complaints in a proactive, position and courteous manner before they are escalated.
- 5.2 The following principles will apply:
 - 5.2.1 Where a Council member considers there has been behaviour that is inconsistent with the behavioural requirement, a Council member may, but is not required to, in appropriate circumstances, seek to respectfully and constructively raise the issue with the member concerned, rather than lodging a complaint under this Policy;
 - 5.2.2 If a matter proceeds to a complaint, all council members will continue to comply with the procedures set out in this Policy;
 - 5.2.3 A consistent and fair approach to the assessment, investigation and resolution of complaints will be adopted to facilitate timely and efficient resolution of complaints and minimisation of costs;
 - 5.2.4 Where required, Council may engage the assistance of skilled advisors and support persons in the assessment, investigation and resolution of complaints and avoid adopting an unreasonably legalistic approach.
 - 5.2.5 Ongoing training and relevant resources will be provided to all Council members to ensure they have the skills and knowledge necessary to perform their role in accordance with the behavioural requirements and the Act.
 - 5.2.6 Training and relevant support will be provided to persons with specific obligations under this Policy to facilitate the management, reporting and resolution of complaints alleging a breach of the behavioural requirements.
- 5.3 Council will manage complaints under this Policy with as little formality and technicality and with as much expedition as the requirements of the matter and the Act allow and with proper consideration of the matter. Council is not bound by rules of evidence but will inform itself in the manner considered most appropriate given the nature of the complaint.

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5.4 The Complaint Management Process

Introduction

- 5.4.1 This Policy sets out the procedures for dealing with a complaint alleging a breach of the behavioural requirements. This Policy does not apply to complaints about Council employees or the Council as a whole.
- 5.4.2 Members of the public can lodge a complaint with the Council in accordance with this Policy but cannot lodge a complaint directly with the Behavioural Standards Panel.

Dispute versus Complaint

- 5.4.3 It is important to distinguish between a dispute and a complaint. A dispute generally a difference of opinion or disagreement between two parties. It may involve a heated discussion or some other unsatisfactory exchange between parties but may not amount to conduct inconsistent with the behavioural requirements. Ideally disputes will be handled directly by the parties involved and will not escalate to a complaint requiring action (even informal action) under this Policy. The Mayor (or another person) may play a role in facilitating a resolution to a dispute.
- 5.4.4 This Policy is intended to deal with matters where conducted is alleged to have been inconsistent with the behavioural requirements, rather than where members of council have differences of opinion, even when robustly put.

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Confidentiality

- 5.4.5 Other than as provided for in this Policy, complaints made in accordance with this Policy will be managed on a confidential basis as far as reasonably practicable until such a time as they are reported to Council in a public meeting in accordance with this Policy or are otherwise lawfully made public.
- 5.4.6 A complainant may request their identity be withheld from the Council member the subject of their complaint and this request will be considered by the person responsible for managing the complaint who may determine that the complainant's identity will not be disclosed to the Council member the subject of the complaint. If the person responsible for managing the complaint determines it is necessary to disclose the complainant's identity to the Council member the subject of the complaint to ensure that the complaint can be properly investigated the complainant will be advised before their identity is disclosed to the Council member.
- 5.4.7 If the person responsible for managing the complaint is unclear as to whether or not the complainant requests their identity not be disclosed to the Council member the subject of the complaint, clarification may be sought from the complainant.
- 5.4.8 The person responsible for managing the complaint will consult with, as relevant, the Mayor, the Deputy Mayor and the Chair and Deputy Chair of the Governance and Compliance Committee (unless the complaint involves one or more of those persons in which case such person(s) will not be consulted) before making a determination pursuant to paragraph 5.9 of this Policy;
- 5.4.9 Anonymous complaints will not be dealt with unless the person responsible for managing the complaint determines after consulting with, as relevant, the Mayor, Deputy Mayor and the Chair and Deputy Chair of the Governance and Compliance Committee that, in all the circumstances of the case it is proper to deal with the complaint.

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Information relating to complaints may be disclosed to:

- The parties to the complaint in accordance with this Policy;
- Those persons or bodies involved in the complaint management process as set out in this Policy or providing support or assistance to such persons or bodies;
- Any other person or body the Council is authorised or required to disclose the information to.

5.4.10 A person who obtains information about a complaint under this Policy (including the complainant and the person complained about) must not directly, or indirectly disclose to any person that information except:

- For the purpose of dealing with the complaint;
- Where required by law;
- For the purpose of obtaining legal advice or legal representation, or medical or psychological assistance from a medical practitioner, psychologist or counsellor
- Where the disclosure is made to a person or body involved in the complaint management process as set out in this Policy or providing support or assistance to such person or bodies;
- Where the information has lawfully been made public or this Policy otherwise authorises or requires the disclosure of the information.

5.4.11 For the avoidance of doubt, this Policy is not intended to be inconsistent with the PID Act and to extent of any inconsistency between the PID Act and this Policy, the PID Act will apply.

Stages of Action

This Policy has three distinct stages to the approach that will be taken to manage complaints alleging a breach of the behavioural requirements:

Part 1 – Information Action: Where the matter can be resolved directly between the parties.

Part 2 – Formal Action: Where the matter cannot be resolved using informal action and a formal process of consideration is required.

Part 3 – Referrals to the Behavioural Standards Panel: The circumstances under which is a referral may be made to the Behavioural Standards Panel.

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5.5 Part 1 – Informal action

- 5.5.1 Council encourages informal resolution of concerns regarding behaviour alleged to be contrary to the behaviour requirements. A person may therefore consider raising the matter directly with the Council member concerned rather than lodging a complaint.
- 5.5.2 Alternatively, a person may raise their concern with the Mayor on an informal basis rather than lodging a complaint. If the concerns relate to or involve the Mayor the person may raise their matter with the Deputy Mayor.
- 5.5.3 If the Mayor or Deputy Mayor considers that access to resources to facilitate early resolution of the matter should be provided, the Mayor or Deputy Mayor will request the Chief Executive Officer to facilitate access to relevant resources. The Chief Executive Officer will not refuse any reasonable request for resources made in accordance with this Policy.
- 5.5.4 Where the Mayor or Deputy Mayor addresses the matter through informal action, a record should be made setting out:
- Details of the complainant
 - Details of the person complained about
 - A summary of the matter
 - A summary of actions taken in response
 - Details of agreed actions (if any)

5.6 Part 2 – Formal Action

Complaints

- 5.6.1 This Part sets out the process for managing formal complaints alleging a breach of the behavioural requirements and addresses the manner in which a complaint will be:
- Received
 - Assessed
 - Investigated
 - Resolved
 - Recorded

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- 5.6.2 A complaint mad under this Policy must:
- Be made in writing and addressed to the Chief Executive Officer. The complaint should be marked with “Confidential Council Member Complaint” and sent:
 - By email: city@salisbury.sa.gov.au or
 - By post: PO Box 8, Salisbury SA 5108
 - By hand: Salisbury Community Hub, 34 Church Street, Salisbury
 - Provide the name of the Council member who has allegedly breached the behavioural requirements, the name and contact details of the complainant including a postal address and an email address, the name and contact details of the person submitting the complaint (if different to the complainant) including a postal address and an email address and the name and contact details of any witnesses or other persons able to provide information about the complainant including a postal address and an email address if known to the complainant or person submitting the complaint (if different to the complainant)
 - Be specific (including identifying the specific behavioural requirements the complainant alleges have been breached)
 - Provide as much supporting evidence as possible, including the grounds and circumstances of the complaint (e.g. where, when, impact of the behaviour, actions taken to try to resolve the issue, relevant records or documents.
 - Identify the outcome being sought
 - Be made within 3 months from the day on which the complainant first had notice of the matters alleged in the complaint unless the person responsible for managing the complaint determines that, in all the circumstances of the case it is proper to deal with a complaint lodged after 3 months. A complainant will be presumed to have had notice of the matters alleged in the complaint at the time they might reasonably be expected to have had such notice.

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5.7 Receipt of a Complaint

- 5.7.1 This step is an administrative process undertaken by the Chief Executive Officer or nominee:
- Receipt
 - Initial acknowledgment
 - Record keeping; and
 - Allocation of the matter to the person responsible for managing the complaint.
- 5.7.2 The Chief Executive Officer or nominee does not undertake an assessment of the merits of a complaint.
- 5.7.3 The Chief Executive Officer or nominee will, as far as reasonably practical, acknowledge receipt of a complaint within 2 business days or as soon as reasonably practicable and will provide a copy of this Policy to the complainant.
- 5.7.4 The complaint will be provided to the person responsible for managing the complaint for their consideration.
- 5.7.5 A complainant may withdraw their complaint at any stage.

5.8 Initial complaint assessment

- 5.8.1 An initial assessment of a complaint is not an investigation of the complaint.
- 5.8.2 The person responsible for managing the complaint will undertake an initial assessment of the complaint to determine:
- Whether the complaint relates to the *behavioural requirements*; and
 - Whether the alleged conduct as set out in the complaint appears to have occurred in the context of the Council member carrying out their official functions and duties; and
 - The action to be taken with respect to the complaint.

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- 5.8.3 The person responsible for managing the complaint will consult with the Mayor, Deputy Mayor and the Chair and Deputy Chair of the Governance and Compliance Committee as relevant (unless the complaint involves one or more of these persons, in which case such person(s) will not be consulted). The person responsible for managing the complaint may have regard to such matters as they consider appropriate in relation to the initial assessment of the complaint which may include:
- The views, if any, of the Mayor, Deputy Mayor and Chair and Deputy Chair of the Governance and Compliance Committee (if such persons were consulted);
 - Whether the person that is making the complaint (or on whose behalf the complaint has been made) has a sufficient personal interest in the matter raised in the complaint;
 - Whether the complaint is trivial, frivolous or vexatious or not made in good faith;
 - Whether the complaint has been lodged with another authority;
 - Whether the subject matter of the complaint has been or is already being investigated by the Council or another body;

5.9 Action from initial assessment

- 5.9.1 The person responsible for managing the complaint will determine what action will result from the initial assessment which may include;
- Refusing to deal with the complaint or determining to take no further action; or
 - Referral to an alternative dispute or conflict resolution process; or
 - Referral to another person, body or agency; or
 - Formal consideration/investigation.

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- 5.9.2 The complainant will be advised of the decision of the person responsible for managing the complaint following the initial assessment in writing as far as is permitted by law.
- 5.9.3 Refusing to deal with the complaint/Determining to take **no further action**
- (a) The person responsible for managing the complaint may refuse to deal with a complaint or determination to take no further action on a complaint if they consider that:
- The subject matter of the complaint is trivial; or
 - The complaint is frivolous or vexatious or is not made in good faith; or
 - The complainant or the person on whose behalf the complaint was made does not have a sufficient personal interest in the matter raised in the complaint; or
 - Having regard to all the circumstances of the case, it is unnecessary or unjustifiable for the Council to deal with or continue to deal with the complaint; or
 - The subject matter of the complaint has been or is already being investigated, whether by the Council or another person or body; or
 - The Council has dealt with the complaint adequately; or
 - There are other good reasons why the Council should refuse to deal with the complaint or determine to take no further action on the complaint.
- (b) Where the person responsible for managing the complaint determines not to deal with a complaint or to take no further action on a complaint on the ground that the subject matter of the complaint has been or is already being investigated, whether by the Council or another person or body, the complainant will be notified of the outcome of the investigation as far as the Council is able to.
- (c) The complainant must be provided written reasons for the decision to refuse to deal with the complaint or take no further action as far as the Council is able to.

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- (d) Notwithstanding that the person responsible for managing the complaint decides to refuse to deal with a complaint or decides to take no further action on a complaint, the Mayor (or Deputy Mayor if the complaint relates to the Mayor) may discuss the issues raised by the complaint with the Council member the subject of the complaint and for that purpose the Mayor or Deputy Mayor may disclose information about the complaint to the Council member except for the identity of the complainant if the person responsible for managing the complaint has determined not to disclose the complainants identity.
- (e) A record if the decision should be made.

5.9.4 **Decision to refer to alternative dispute to conflict resolution mechanism:**

- (a) The person responsible for managing the complaint may determine that the complaint could be dealt with by way of an alternative dispute or conflict resolution mechanism such as facilitated discussion, mediation, arbitration or other dispute or conflict resolution mechanism subject to the complainant and the Council member the subject of the complaint agreeing to participate in such mechanism.
- (b) An alternative dispute or conflict resolution mechanism will be put to the complainant as the method of dealing with their complaint. If the complainant agrees to participate, the Council member the subject of the complaint will be notified that a complaint has been received, that the person responsible for managing the complaint has undertaken an initial assessment of the complaint and has determined that it could be dealt with by way of an alternative dispute or conflict resolution mechanism and seeking their views to that approach.
- (c) If the parties agree to participate in an alternative dispute or conflict resolution mechanism the Chief Executive Officer will facilitate access to appropriate internal or external support (not being for the purposes of obtaining legal advice) for the alternative dispute or conflict resolution mechanism.

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- (d) The complainant and the Council member the subject of the complaint should be provided written confirmation of the alternative dispute or conflict resolution mechanism to be used for the purposes of dealing with the complaint.
- (e) If the alternative dispute or conflict resolution mechanism does not resolve the complaint the matter will be reconsidered by the person responsible for managing the complaint who will determine what action to take in accordance with this Policy.

5.9.5 Decision to refer to another body or agency

- (a) The person responsible for managing the complaint may determine to refer the complaint to another body or agency and in that case will follow any direction from that body or agency regarding the complaint including what information is to be provided to the complainant and the Council member the subject of the complaint.

5.9.6 Decision to proceed to formal consideration:

- (a) The person responsible for managing the complaint may determine that the complaint should proceed to formal consideration in which case unless the person responsible for managing the complaint determines otherwise due to the particular circumstances of the complaint, the Council member the subject of the complaint:
 - Will be advised that a complaint has been received;
 - Will be advised hat an initial assessment of the complaint has been undertaken;
 - Will be advised that it has been determined that the complaint should be dealt with by way of formal consideration;
 - Should be provided with a copy of this Policy and a summary document setting out:
 - The specific provisions(s) of the behavioural requirements alleged to have been breached; and
 - The circumstances where this breach is alleged to have occurred.

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- (b) Alternatively, if practicable, a copy of the complaint can be provided with the identity of the complainant redacted if the person responsible for managing the complaint has determined that the complainant's identity will not be disclosed to the Council member the subject of the complaint.
- (c) In circumstances where the complainant has not requested their identity be kept confidential from the Council member the subject of the complaint, a copy of the complaint may be provided in full instead of the summary document.
- (d) The complainant should be advised of the decision that the complaint be dealt with by way of formal consideration.

5.9.7 **Formal consideration**

- 5.9.7.1 Where the person responsible for managing the complaint determines that a complaint will proceed to formal consideration, an external person or body will be engaged to formally consider the complaint in accordance with this Policy.
- 5.9.7.2 The Chief Executive Officer will facilitate engagement of an appropriate person or body.
- 5.9.7.3 The complainant and the Council member the subject of the complaint will be advised of the engagement of the person or body to formally consider the complaint. The formal consideration of the complaint will include the principles of procedural fairness as well as the ability for the complainant and the Council member the subject of the complaint to have a support person accompany them during discussions relating to the complaint.
- 5.9.7.4 It is the expectation of Council that both the complainant and the Council member the subject of the complaint will cooperate with any such process for the formal consideration of the complaint.

Failure by the elected member complained about to comply with this requirement may be taken into account when considering the actions to be taken under section 262B(2)(e) of the Local Government

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Act and may constitute grounds for referral to the Behavioural Standards Panel for misbehaviour.

- 5.9.7.5 The formal consideration of a complaint may involve:
- Discussing the complaint with the complainant and the Council member the subject of the complaint;
 - Speaking with other persons who have been nominated by the parties as persons who can assist the formal consideration;
 - Speaking directly with witnesses to the alleged conduct the subject of the complaint
 - Requesting the provision of information or documents from the complainant the Council member the subject of the complaint or the Council relevant to the formal consideration which may include access to audio or video recordings of meetings where available.

5.9.7.6 During the formal consideration of a matter appropriate records should be kept.

5.9.8 The third party undertaking the formal consideration of a complaint should ensure a draft or provisional report is prepared summarising the matter and setting out their findings, conclusions or recommendations. The report should set out:

- Allegations made in the complaint
- Summary of evidence to which the investigation had regard
- Findings
- Conclusions
- Recommendations

5.9.9 A copy of the draft or provisional report should be provided to the complainant and the Council member the subject of the complaint who should be given a reasonable opportunity, to make submissions in relation to the draft or provisional report. Any submissions made by the parties within the time allowed will be taken into consideration in preparing a final report. A copy of the draft or provisional report should also be provided to the person responsible for managing the complaint.

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5.9.10 Outcome – No breach found

- (a) Where the finding is that no breach of the behavioural requirements has occurred, a final report should be prepared by the third party undertaking the formal consideration of the complaint and provided to the complainant, the Council member the subject of the complaint and the person responsible for managing the complaint.
- (b) The complaint, as far as practicable, will remain confidential in accordance with the requirements of this Policy, except at the request of the person complained about. If such a request is made, a copy of the final report will be tabled at the next practicable Council meeting. If no such request is received, no further action will be taken.

5.9.11 Outcome – agreed actions (breach found)

- (a) Where the finding is that a breach of the behavioural requirements has occurred the person responsible for managing the complaint may if they consider it appropriate request the complainant and Council member the subject of the complaint seek to reach an agreement for resolution and conclusion. If an agreement is reached, that agreement will be documented including matters such as:
- Actions to be undertaken
 - Responsibility for completing actions
 - Timeframes for completion of actions
 - What will occur if there is a repeat of the behaviours complained about
 - Monitoring arrangements for completion of actions
 - What will occur if the actions aren't completed
 - Confirmation that the matter is considered resolved
- (b) The agreement reached will be made in writing, including a commitment by the parties to the complaint to abide by the agreement (which may be by electronic means). A copy of the agreement will be retained by each party and a copy held on Council records.
- (c) The complaint will, as far as practicable, remain confidential in accordance with the requirements of this Policy except at the request of the person complained about. If such a request is made, a copy of the final report will be tabled at the next practicable Council meeting. The matter must be reported in the Council's Annual Report which must contain the information required by the regulations.

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5.9.12 Outcome – no agreed action (breach found)

(a) Where the findings is that a breach of the behavioural requirements has occurred and there is no agreement between the parties to the complaint either because this has not been an appropriate approach to resolve or conclude the matter or the parties have failed to reach agreement, a final report should be presented to Council for its consideration and determination.

5.10 Actions of Council**5.10.1 That Council may:**

- Take no further action
- Pass a censure motion in respect of the member;
- Require the member to issue a public apology (in a manner determined by the Council)
- Require the member to undertake a specified course of training or instruction;
- Remove or suspend the member from one or more offices held in the members capacity as a member of the Council or by virtue of being a member of the Council – but not the office of Member of the council;

5.10.2 If Council determines to take action, a report on the matter must be considered at a meeting open to the public.

5.10.3 Where Council determines to take no further action, the complainant will be provided with written reasons for the determination.

5.11 Behavioural Standards Panel

5.11.1 The Behavioural Standards Panel is an independent statutory authority consisting of three members and has powers to impose sanctions on council members who breach the behavioural requirements.

5.11.2 In accordance with section 62Q of the Act a complaint alleging misbehaviour, repeated misbehaviour or serious misbehaviour may be made to the Behavioural Standards Panel by certain persons as set out below. The Behavioural Standards Panels jurisdiction arises in the circumstances set out below:

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<i>Legislative definition</i>	<i>Plain language explanation</i>
<p>misbehaviour means—</p> <p>(a) a failure by a member of a council to comply with a requirement of the council under section 262C(1); or</p> <p>(b) a failure by a member of a council to comply with a provision of, or a requirement under, the council's behavioural management policy; or</p> <p>(c) a failure by a member of a council to comply with an agreement reached following mediation, conciliation, arbitration or other dispute or conflict resolution conducted in relation to a complaint under Division 1;</p>	<p>Misbehaviour means:</p> <p>(a) a council member fails to take the action required by council; or</p> <p>(b) a council member fails to comply with this policy; or</p> <p>(c) a council member fails to comply with an agreement reached pursuant to this policy</p>
<p>repeated misbehaviour means a second or subsequent failure by a member of a council to comply with Chapter 5 Part 4 Division 2;</p>	<p>A second or subsequent breach of the behavioural requirements</p>
<p>serious misbehaviour means a failure by a member of a council to comply with section 75G.</p>	<p>A breach of health and safety duties (including sexual harassment) as set out in section 75G of the <i>Local Government Act 1999</i></p>

- 5.11.3 A complaint alleging misbehaviour, repeated misbehaviour or serious misbehaviour by a member of council may be referred to by the Panel by:
- A resolution of the council
 - The Mayor; or at least 3 members of the council
 - Responsible person under s.75G of the *Local Government Act 1999* - direction not to attend meeting.

5.12 Behavioural Standards Panel Contact Officer

- 5.12.1 Council must appoint a person as the contact officer for matters referred to the Behavioural Standards Panel. The contact officer is responsible for the provision of information to and receipt of notice from the Behavioural Standards Panel.

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6. Related Policies and Procedures

- 6.1 Behavioural Standards for Council Members as published in the South Australian Government Gazette 17 November 2022 (page 6658).
- 6.2 Public Interest Disclosure Act 2018

7. Approval and Change History

Version	Approval Date	Approval By	Change
1	December 2022	Council	New Policy
2	February 2024	Council	New template

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: 84068222
 Email: city@salisbury.sa.gov.au

9. Review

This Policy will be reviewed:

- If a new Policy - within 12 months of a Council election and thereafter as necessary; or

Further Information

For further information on this Policy please contact:

Responsible Officer: Manager Governance
 Address: 34 Church Street, Salisbury SA 5108
 Telephone: 8406 8222
 Email: city@salisbury.sa.gov.au

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ITEM	GB3
	COUNCIL
DATE	28 January 2025
HEADING	Local Government Association Ordinary General Meeting 23 May 2025 - Call for Items of Business
AUTHOR	Michelle Woods, Governance Officer, CEO and Governance
CITY PLAN LINKS	4.3 Our council is recognised for delivering exceptional community experiences and quality outcomes
SUMMARY	To consider items of business for the Local Government Association Ordinary General Meeting to be held 23 May 2025.

RECOMMENDATIONThat Council:

1. Notes the call for Items of Business for the Local Government Association of South Australia Ordinary General Meeting to be held on Friday 23 May 2025.

ATTACHMENTS

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

1. Considering Proposed Items of Business for LGA General Meetings

1. BACKGROUND

- 1.1 The Local Government Association of SA (LGA) schedules two General Meetings each year for member councils to consider items of strategic importance to local government and the LGA.
- 1.2 Proposing and voting on items of business for a General Meeting is one way that member councils can participate in policy and strategy issues.
- 1.3 The General Meetings for 2025 will be held in May 2025 (Ordinary General Meeting: OGM) and October/November 2025 (Annual General Meeting: AGM).
- 1.4 The LGA has called for proposed items of business to be submitted for consideration at the OGM on Friday 23 May 2025.

2. EXTERNAL CONSULTATION / COMMUNICATION

- 2.1 No external consultation was required in the preparation of this report.

3. DISCUSSION

- 3.1 A key purpose of the OGM is to consider items of strategic importance to local government and the LGA, as recommended by the South Australian Region Organisation of Councils (SAROC), the Greater Adelaide Region Organisation of Council (GAROC) or the LGA Board of Directors.

- 3.2 Proposed items of business to be considered for inclusion on the agenda are due by 5:00pm Friday 7 February 2025.
- 3.3 Any items submitted after this date will be considered for the next LGA General Meeting later in the year.
- 3.4 To be included on the agenda for a General Meeting, all proposed items of business should follow the Proposed Items of Business Guidelines, Attachment 1 to this report.
- 3.5 The OGM agenda will be provided to councils at least 30 days prior to the meeting.
- 3.6 A report will be presented to Council prior to each General Meeting that provides a summary of the matters being considered and puts forward a recommended position for each issue, based on advice from the Chief Executive Officer. Council is then provided with the opportunity to provide direction to our voting delegate.
- 3.7 Council resolved at its meeting on 28 November 2022 that Deputy Mayor, Cr Buchanan and Cr Jensen as deputy, would represent the City of Salisbury as voting delegate.

That Council Appoints Cr Buchanan as voting representative to the Local Government Association of SA, with Cr Jensen appointed as the deputy.

*CARRIED
0034/2022*

4. CONCLUSION / PROPOSAL

- 4.1 Council is asked to consider items of business that they would like to submit for the LGA OGM to be held on 23 May 2025.

Considering Proposed Items of Business for LGA General Meetings

Guidelines

February 2019

Version 1

Item GB3 - Attachment 1 - Considering Proposed Items of Business for LGA General Meetings

Introduction

The Local Government Association of South Australia (LGA) schedules two General Meetings each year for member councils to consider items of strategic importance to local government and the LGA. Proposing and voting on items of business for a General Meeting is one of the important ways that member councils participate in the development of policy and strategy on issues and influence the advocacy agenda for local government in matters affecting councils and their communities.

These guidelines have been prepared to assist the LGA Board of Directors (Board), South Australian Region Organisation of Councils (SAROC) and Greater Adelaide Region Organisation of Council (GAROC) to consider the items of business to be placed upon an agenda for an LGA Ordinary or Annual General Meeting. They also provide guidance to member councils to develop and prioritise proposals to submit for consideration.

The *Considering Proposed Items of Business for LGA General Meetings* Guidelines may be reviewed and amended by the LGA Board of Directors from time to time.

LGA Constitution

Section 16 of the LGA Constitution provides guidance about the matters to be discussed at a General Meeting, and the process by which items of business may be proposed for inclusion on the agenda. The requirements of Section 16 are outlined below.

16. Business of General Meetings

- 16.1 *The business of a General Meeting will be to consider items of strategic importance to local government and the LGA as recommended by SAROC, GAROC or the Board of Directors and matters which must be determined under this Constitution at a General Meeting.*
- 16.2 *Any Member may propose an item of business for an Annual General Meeting or an Ordinary General Meeting to SAROC, GAROC or the Board of Directors.*
- 16.3 *No business shall be brought before a General Meeting of the LGA unless:*
 - 16.3.1 *it has been placed on the agenda of an Annual General Meeting or an Ordinary General Meeting by SAROC, GAROC or the Board of Directors taking into account the purpose of a General Meeting set out in clause 16.1; or*
 - 16.3.2 *the business is as stated in the notice of a Special General Meeting, given in accordance with clause 10.*

In summary, the Constitution provides all member councils with the opportunity to submit a proposed item of business to the Board, SAROC or GAROC for approval to be placed on the agenda of a General Meeting. No item of business will be placed upon the agenda for a General Meeting unless it has been approved by one of the relevant bodies, which must consider whether a matter is of '*strategic importance*' to local government and the LGA'.

Relevant bodies

As outlined in the Constitution, a member council may propose an item of business to SAROC, GAROC or the Board of Directors. This opportunity is also enshrined within the LGA Membership Proposition, which outlines the rights of members to participate in the development of LGA policy and strategy.

While the Constitution refers to members being able to refer items directly to the Board, the Membership Proposition specifically provides for members referring matters relating to policy and strategy development to either SAROC or GAROC (as relevant).

To provide greater clarity to members about the best pathway for submitting an item of business, the following guidance is provided.

LGA Board of Directors

Items should be referred to the Board if related to:

- the LGA Constitution or Ancillary Documents
- a subsidiary of the LGA
- a commercial service provided (or proposed to be provided) by the LGA
- an activity requiring the allocation of significant resources by the LGA
- any LGA operational matter

SAROC or GAROC

Items should be referred to the relevant ROC if related to:

- the development of LGA policy and strategy
- LGA advocacy activities
- an amendment or addition to the LGA Policy Manual
- an operational matter related to SAROC or GAROC

The Board, SAROC and GAROC may choose to refer items submitted by member councils to each other for advice or consideration. Such referrals will be at the discretion of the Board, SAROC and GAROC.

Guiding principles

The following guiding principles have been developed to provide clarity and consistency to the Board, SAROC, GAROC and member councils about the relevant matters that will be considered in determining whether an item of business will be placed on the agenda of a General Meeting.

1. Strategic importance

The matters discussed at General Meetings should be of strategic importance to local government and the LGA. The policies and activities that are resolved at the LGA General Meetings are important in guiding the priorities and work plans of the LGA, and it is important that the association's resources are focussed on the issues that will be of the greatest benefit to councils and communities.

In determining whether a matter is of strategic importance to local government and the LGA, the Board, SAROC and GAROC will consider:

- whether the item has relevance to and will benefit a particular group (eg regional or metro councils) or the sector as a whole;
- alignment with the strategic plans and business plans of the LGA, SAROC and GAROC;
- the level of urgency required to deal with the issue;
- relevance to the role of local government and the potential positive and negative impacts of the issue on councils and communities;

- whether there are other bodies or industry groups that are better placed to address the issue or undertake the proposed activity; and
- the resources required to execute the policies or activities.

2. Supporting evidence

Good public policy positions need to be supported by solid evidence that the issues are well understood and that the proposed course of action provides the most efficient and effective solution. A strong evidence base is critical to successful advocacy, particularly when trying to change government policy, influence public opinion or attract additional funding.

The Board, SAROC and GAROC will consider whether there is sufficient evidence provided in support of the policy position or course of action being sought. In some instances, an item may be referred back to the submitting council with a request for further information.

In many cases the evidence needed to support a position might not be readily available. In these circumstances it is best for a motion to seek further investigation of an issue and/or further consultation with councils, rather than seeking endorsement of a specific policy position or action. The Board, SAROC and GAROC may propose an alternative course of action, in consultation with the submitting council.

3. Alignment with LGA policy

The LGA Policy Manual is a compendium of principles and policies that have been developed and endorsed by a majority vote of member councils at previous General Meetings. There are a wide range of policies addressing a number of priority issues for the sector.

The policies act as a guide for advocacy and best practice in the sector. In most cases, the LGA Policy Manual can provide councils with a broad direction on how an issue can be resolved and whether further development of a policy position is required.

The Board, SAROC and GAROC will consider the LGA Policy Manual in determining whether a new or amended policy position is required to be endorsed by members to enable the LGA to take the requested action. If the LGA already has a supportive policy position in relation to the proposed item, further consideration by members at a General Meeting may not be required.

4. Resourcing

In some cases, the items of business put forward by members require significant resources to be allocated in order to achieve the desired outcome. Resources may not be available through the LGA to tackle every issue.

Before determining to place an item on the agenda of a General Meeting; the Board, SAROC and GAROC will consider:

- whether resources are available within the LGA to achieve the desired outcome;
- other resources that may be available;
- potential impacts on the LGA budget and business plan; and
- the level of input that will be required by councils or other stakeholders to progress the item.

The Board, SAROC and GAROC may determine not to proceed with (or defer) an item of business if the resourcing required would detract from the achievement of outcomes of greater priority for members.

Determinations by the Board, SAROC and GAROC

After considering a proposed item of business against these guiding principles and having regard to any other relevant factors, the Board, SAROC and GAROC may determine to:

- approve an item of business for inclusion on the agenda of a General Meeting;
- approve an amended item of business for inclusion on the agenda of a General Meeting (in consultation with the submitting councils);
- take no further action;
- request additional information from the submitting council;
- refer an item back to the submitting council or regional LGA for action if it relates to a local or regional issue;
- resolve that the matter be dealt with by the LGA, SAROC or GAROC without progressing to a General Meeting (such as matters requiring urgent attention or actions that can be progressed immediately due to alignment with existing policies and work plans); or
- defer the item to a future General Meeting

The submitting council will be advised in writing of the determination of their proposed item of business.

MAYOR'S DIARY

ITEM MD1
COUNCIL
DATE 28 January 2025
HEADING Mayor's Diary

RECOMMENDATION

That Council:

- Notes this information.

Date	Time	Function
16/12/2024	09:30 AM	Meeting with Junction Australia and City of Salisbury
16/12/2024	11:00 AM	IT Assistance for Mayor - iPhone issues
16/12/2024	11:30 AM	Media Issues - Regular Catch-up
16/12/2024	01:00 PM	Briefing for Mayor - Resident Complaint
16/12/2024	02:00 PM	Monthly Meeting with the Mayor & GM Community Development
16/12/2024	03:30 PM	OFFICE TIME - Schedule upcoming week/ Signing/Speeches and Resident Enquiries
16/12/2024	04:00 PM	Pre-Council Briefing
16/12/2024	04:30 PM	Meeting with Resident
16/12/2024	05:00 PM	Australia Day Award Voting
16/12/2024	06:30 PM	Council Meeting
16/12/2024	12 Noon	Mayor/CEO/EA - Regular Meeting
18/12/2024	12 Noon	ALL Operations Centre Staff - End of Year BBQ and update briefing from Manager Field Services
19/12/2024	12:30 PM	Phone calls to Winners of Australia Day Awards
19/12/2024	12 Noon	Office Time - Signing of Documents and Tech Support
20/12/2024	03:00 PM	Mayor briefing over the phone - TreeClimb
23/12/2024	10:00 AM	Media for Tree Climb
30/12/2024	01:00 PM	Meeting with Member for Playford - Mr John Fulbrook
30/12/2024	04:00 PM	OFFICE TIME - Schedule upcoming week/ Signing/Speeches and Resident Enquiries
31/12/2024	12 Noon	Media Issues - Regular Catch-up
1/01/2025	10:30 AM	Regular Catch-up to Discuss Current/Upcoming Planning/Building Issues
5/01/2025	04:30 PM	Dunbar Open Prestige Pairs
7/01/2025	11:30 AM	Regular catch-up re: Community Safety
7/01/2025	12:30 PM	OFFICE TIME - Schedule upcoming week/ Signing/Speeches and Resident Enquiries
7/01/2025	01:00 PM	Mayor/CEO/EA - Regular Meeting
7/01/2025	02:00 PM	Meeting to discuss Planning/Development Matters
7/01/2025	02:00 PM	Meeting with Developer
7/01/2025	02:30 PM	Meeting with Resident
7/01/2025	12 Noon	Media Issues - Regular Catch-up

Item MD1

13/01/2025	01:00 PM	Filming - Mayor SAC slide video
13/01/2025	02:00 PM	Mayor/CEO/EA - Regular Meeting
13/01/2025	03:00 PM	Media Issues - Regular Catch-up
13/01/2025	04:00 PM	OFFICE TIME - Schedule upcoming week/ Signing/Speeches and Resident Enquiries
17/01/2025	11:45 AM	SPEECH -AMRC International Day of People with Disabilities
19/01/2025	12 Noon	Grand opening new site - Burton Temple
20/01/2025	10:00 AM	LGA GAROC Meeting
20/01/2025	01:00 PM	Re-Filming of Waterslide Opening Times Video
20/01/2025	01:45 PM	Media Issues - Regular Catch-up
20/01/2025	02:00 PM	Briefing for Mayor - Bagster Road Toy Library Launch
20/01/2025	02:30 PM	Mayor/CEO/EA - Regular Meeting
20/01/2025	03:30 PM	Install Mayor's New Phone
20/01/2025	04:30 PM	OFFICE TIME - Schedule upcoming week/ Signing/Speeches and Resident Enquiries
21/01/2025	10:00 AM	Mayor's Radio show January [In-person]
21/01/2025	11:30 AM	Resident Meeting
22/01/2025	10:00 AM	SHORT WELCOME SPEECH - Bagster Road Toy Library Launch
22/01/2025	12 Noon	Meeting with John Fulbrook

Item MD1

Events attended by Elected Members on behalf of the Mayor

Date	Member	Function
Nil		

QUESTIONS ON NOTICE**QON1 Questions on Notice: Cr Buchanan: Historical rights of 79-81 Cross Keys Road and Land Use Rights**

The following Questions Without Notice submitted by Cr C Buchanan at its meeting held 16 December 2024 were taken on notice:

1. What are the historical land use rights that apply to the land and the status of existing land rights?
2. What are the opportunities for land use and development of this land?
3. Can Administration provide a response to Mr K Volaris on behalf of Council and a copy be provided to all Elected Members?

Administration provided the following response:

1. Council records show that the development approval that have been granted on this land include:

362/1587/62 – light engineering workshop (lot 126)

361/1470/64 – additions - joinery workshop (lots 129 & 126)

361/702/66 – extensions to existing workshop (lots 126 & 129)

It appears that current site is not entirely developed as approved. In particular, it seems that the development application in 1966 did not proceed as approved.

The office does not appear to have been constructed.

There is a record for a tool shed in 1963, however we do not have plans for this record.

Council's records show there were unauthorised uses in about 2007. These uses appear to have ceased.

The Planning Development and Infrastructure Act 2016 provides guidance on when a change of use (existing use rights) apply to land. These provisions are contained in section 4 of the Act.

At this time there is insufficient information to support the suggested existing use rights, particularly as they propose uses that are not shown on Council records to have been previously approved (e.g. warehouse). The historic approvals are specific, not general in nature. Furthermore, aerial imagery of the land and correspondence indicates that there has been a discontinuance of the historic uses for a period of time.

Council has an obligation to ensure that re-establishment of any existing use rights is appropriately evidenced.

2. Lodge a Development Application

A development application may be made for a proposed use of the land. A development application will be assessed against the Planning and Design Code.

The land is within the General Neighbourhood Zone. This zone seeks in Desired Outcome 1 ... *Low-rise, low and medium-density housing that supports a range of needs and lifestyles located within easy reach of services and facilities.*

Employment and community service uses contribute to making the neighbourhood a convenient place to live without compromising residential amenity...

In respect to non-residential type uses, the zone supports some non-residential type uses, but these do not expressly include industrial type uses. Importantly, non-residential uses need to complement the residential character and amenity of the area. The likely relevant authority for a commercial / industrial type use(s) development application will be the Council Assessment Panel.

Code Amendment Process

The Planning, Development and Infrastructure Act 2016 provides a landowner the opportunity to rezone their land via a code amendment process. It is understood that you have made enquiries about this process and are aware that approval for a code amendment process is made by the Minister for Planning. At this time, we are not able to advise if Council would support a code amendment process.

3. A letter was provided to Mr Volaris on 20 December 2024 and a copy provided to all Elected Members.

QUESTIONS WITHOUT NOTICE

MOTIONS ON NOTICE

No Motions on Notice have been received.

MOTIONS WITHOUT NOTICE

OTHER BUSINESS

ORDERS TO EXCLUDE THE PUBLIC

C1 Department for Housing and Urban Development- Greater Edinburgh Parks Infrastructure Plan and Costings Plan

Recommendation

Pursuant to section 83(5) of the *Local Government Act 1999* the Chief Executive Officer has indicated that, if Council so determines, this matter may be considered in confidence under Part 3 of the *Local Government Act 1999* on grounds that:

1. Pursuant to Section 90(2) and (3)(j)(i) and (j)(ii) of the *Local Government Act 1999*, the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because:
 - it relates to information the disclosure of which would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the Council, or a person engaged by the Council); and
 - information the disclosure of which would, on balance, be contrary to the public interest.
2. In weighing up the factors related to disclosure,
 - disclosure of this matter to the public would demonstrate accountability and transparency of the Council's operations
 - non-disclosure of the matter and discussion of this item in confidence would protect information that was provided to Council in confidence.

On that basis the public's interest is best served by not disclosing the **Department for Housing and Urban Development- Greater Edinburgh Parks Infrastructure Plan and Costings Plan** item and discussion at this point in time.
3. Pursuant to Section 90(2) of the *Local Government Act 1999* it is recommended the Council orders that all members of the public, except staff of the City of Salisbury on duty in attendance, be excluded from attendance at the meeting for this Agenda Item.

CLOSE



John Harry
CHIEF EXECUTIVE OFFICER