

CITY OF WEST TORRENS



Notice of Committee Meeting

NOTICE IS HEREBY GIVEN in accordance with Sections 87 and 88 of the Local Government Act 1999, that a meeting of the

CORPORATE PLANNING, POLICY AND PERFORMANCE PRESCRIBED COMMITTEE

Members: Councillor J Woodward (Presiding Member), Mayor Trainer,
Councillors: R Haese, C O'Rielley, R Dua, K McKay, M Hill, A Mangos.

of the

CITY OF WEST TORRENS

will be held in the Mayor's Reception Room, Civic Centre
165 Sir Donald Bradman Drive, Hilton

on

**TUESDAY, 13 SEPTEMBER 2016
at 6.30 PM**

**Bill Ross
Chief Executive Officer (Acting)**

City of West Torrens Disclaimer

Please note that the contents of this Committee Agenda have yet to be considered by Council and Committee recommendations may be altered or changed by the Council in the process of making the formal Council decision.

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1. MEETING OPENED

1.1 Evacuation Procedure

2. PRESENT

3. APOLOGIES

Council Members:

Mayor Trainer

Cr Dua

4. DISCLOSURE STATEMENTS

Committee Members are required to:

1. Consider Section 73 and 75 of the *Local Government Act 1999* and determine whether they have a conflict of interest in any matter to be considered in this Agenda; and
2. Disclose these interests in accordance with the requirements of Sections 74 and 75A of the *Local Government Act 1999*.

5. CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Corporate Planning, Policy and Performance Committee held on 12 July 2016 be confirmed as a true and correct record.

6. COMMUNICATIONS BY THE CHAIRPERSON

7. REPORTS OF THE CHIEF EXECUTIVE OFFICER

7.1 Order Making Policy Review

Brief

This report presents the feedback resulting from the public consultation on the draft *Council Policy - Order Making* to the Corporate Planning, Policy and Performance Prescribed General Committee for its consideration and recommendation to Council.

RECOMMENDATION(S)

The Committee recommends to Council that the revised *Council Policy - Order Making* be approved.

Introduction

The *Council Policy - Order Making* has been subject to a scheduled review and is presented to the Corporate Planning, Policy and Performance Prescribed General Committee for its consideration and recommendation to Council.

Section 259 of the *Local Government Act 1999* (the Act) requires that a council must by notice in a newspaper circulating in the area of the council, give notice of the place at which copies of the draft are available for inspection and invite interested persons to make written representations on the draft within a period specified by the council (being a period of at least 4 weeks).

The *Council Policy - Order Making* (Policy) has been reviewed to ensure that it is consistent with the provisions of the Act and current practice. At the 12 July 2016 meeting of Council, on the recommendation of the Corporate Planning, Policy and Performance Committee (Committee), the draft Policy was approved for public consultation.

Discussion

Public consultation, pursuant to *Council Policy - Public Consultation Policy* and s259 of the Act, comprised a notice placed on Council's website and in the Weekly Times and Guardian Messenger newspapers. Members of the public were invited to provide feedback on the draft Policy from 25 July 2016 to 22 August 2016. No feedback was received on the draft Policy during the consultation period.

The draft Policy, as presented to the 12 July 2016 meeting of the Committee, is attached **(Attachment 1)**.

Due to the significant nature of the amendments to this policy, track changes have not been used to reduce confusion consequently, both the reviewed and current Policy **(Attachment 2)** are attached.

As detailed in the report to the Committee at that meeting, the Review resulted in the following proposed modifications:

- Clearer Introduction, Purpose and Scope statements to ensure that ambiguity is removed from the intent of the Policy;
- Removal of unnecessary definitions;
- Incorporation of changes caused by the *Local Government (Accountability and Governance) Amendment Act 2015*;
- Minor typographical and formatting amendments;
- Review of the Principles to ensure an appropriate reflection of current practice; and
- Minor amendments to the Process statements to ensure a reflection of current practice.

The Policy is a statutory requirement and as such requires direct consideration and approval by Council. Consequently, a report will be presented to the 20 September 2016 meeting of Council advising of the outcome of the public consultation and seeking formal approval of the reviewed Policy. This will finalise the process.

Conclusion

The revised *Council Policy - Order Making* has been subject to a scheduled review and is presented to the Corporate Planning, Policy and Performance Prescribed General Committee for its consideration and recommendation to Council.

CITY OF WEST TORRENS



Classification:	Council Policy
First Issued:	1 August 2000
Dates of Review:	2008, 2010, 2016
Version Number:	4
DW Doc set ID:	305935
Next Review Due:	September 2020
Applicable Legislation:	<u>Local Government Act 1999 (SA)</u> <u>Local Government (General) Regulations 2013 (SA)</u>
Related Policies or Corporate Documents:	<u>Registers of Delegations</u> <u>Expiation Notice Decision Review Policy</u> <u>Internal Review of Council Decisions Policy</u>
Associated Forms:	
Note:	<p>Council is required to have an Order Making Policy in accordance with Section 259 of the <i>Local Government Act 1999</i>.</p> <p>This policy must also undergo at least 4 weeks public consultation prior to endorsement by Council.</p> <p>Any alteration or substitution of this policy with a new policy will require public consultation, unless the Council determines that the alteration or substitution is only a minor significance and would not attract little or no community interest.</p>
Responsible Manager:	Manager Regulatory Services
Confirmed by General Manager:	General Manager Corporate & Regulatory Services Date
Approved by Executive:	_____ Date
Endorsed by Council:	_____ Date

City of West Torrens Council Policy - Order Making

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Draft

City of West Torrens Council Policy - Order Making

Council Policy - Order Making

1. Introduction

- 1.1 The City of West Torrens (Council) has order making powers under provisions of the *Local Government Act 1999* (the Act) which can be used to facilitate a safe and healthy environment, improve the amenity of a locality and generally enhance good government throughout the City.
- 1.2 This policy is prepared and adopted pursuant to Section 259 of the Act.

2. Purpose

- 2.1 This policy must be taken into account in any exercise of the Council's order making powers.
- 2.2 Orders can be issued by Council to direct certain persons, including owners or occupiers of private land, to take action required to resolve issues covered by provisions of the Act.
- 2.3 Orders can also be made pursuant to Council by-laws and other legislation.

3. Scope

- 3.1 This policy sets out the principles and processes that Council and its officers acting under delegated authority will consider in the making of orders.
- 3.2 This policy applies to all owners or occupiers of land within the City.
- 3.3 This policy applies to the making of orders under the following sections of the Act:

3.3.1 Section 254 - Power to Make Orders

Section 254 empowers the Council to order a person to do, or refrain from doing, a thing under certain circumstances. Relevant grounds for orders include:

- Unsightly condition of land,
- Hazards on land adjoining a public place,
- Animals that may cause a nuisance or hazard (includes birds and insects), and
- Inappropriate use of a caravan or vehicle as a place of habitation.

3.3.2 Section 216 - Power to Order Private Road Owners to Carry out Roadwork

Section 216 empowers the Council to order an owner of a private road to undertake specified roadwork.

3.3.3 Section 218 Power to Order Adjoining Land Owner to Carry out Work

Section 218 empowers the Council to order an owner of adjoining land to carry out specified work.

3.3.4 Circumstances which warrant orders are set out in Appendix 1.

City of West Torrens Council Policy - Order Making

- 3.4 Additionally, in its absolute discretion, the Council may apply principles in this policy to the making of orders under Section 217 of the Act. Some circumstances which warrant orders under the provision are set out in Appendix 2.

4. Definitions

- 4.1 **Amenity** means any quality, condition or factor that makes or contributes to making the locality harmonious, pleasant or enjoyable.
- 4.2 **City** means the area within the boundaries of the Council.
- 4.3 **Service** is an approved method of delivery of a document on a person.

5. Principles

- 5.1 Whenever possible, reasonable steps will be taken to have work undertaken or to resolve relevant circumstances by negotiation with or educating the person involved before considering the issue of an order.
- 5.2 The following factors will be considered before order making powers are used:
- 5.2.1 The severity or seriousness of an incident.
 - 5.2.2 The extent of hazard/danger posed to the community.
 - 5.2.3 The nature and level of risk to community health or safety.
 - 5.2.4 The impact on the environment.
 - 5.2.5 The level of detraction from the amenity of the locality.
 - 5.2.6 The nature of an occurrence, including the frequency, duration and prior history of incidents.
 - 5.2.7 The likely success of alternative approaches, such as negotiation, education, mediation, warnings or collaboration.
 - 5.2.8 The principles of natural justice (or procedural fairness) to ensure that decision-making is fair and reasonable. Depending on the circumstances, this could require a decision-maker to:
 - Inform persons who are expected to be affected or have an interest in the matter,
 - Provide such persons with a reasonable opportunity to be heard,
 - Consider any submissions received,
 - Make reasonable inquiries and ensure that decisions are based on findings of fact, sound reasoning and relevant evidence,
 - Act fairly and without bias, which will include ensuring that no person decides a case in which they have direct interest,
 - Address matters promptly.

However, in accordance with Section 255(13) of the Act, the Council is not required to comply with any other procedure or to hear from any other person except as provided under the statutory procedure.

5.2.9 The level of evidence to warrant and support any action.

5.2.10 Opportunities to take action under alternative legislation.

5.2.11 The availability of a more appropriate response by the Council.

5.3 The issue of orders is at the absolute discretion of Council. The Council is required by Section 259(8) of the Act to deal with each particular case on its merits.

6. Process

6.1 Circumstances Exempt from this Process

In the event that the Council considers that relevant circumstances or an activity constitutes or is likely to constitute:

- a threat to life, or
- an immediate threat to public health or safety, or
- an emergency situation, and

immediate action is required,

it may, in accordance with Section 255(12) of the Act, make an order without undertaking the notification process outlined in this policy, and may require immediate compliance.

6.2 Prior to Making an Order

Except in the case of an emergency described above, Council will take reasonable steps, to resolve relevant circumstances by negotiation and agreement. Steps could involve:

- personal visit(s), telephone call(s),
- letter(s) detailing the complaint and requiring action to resolve a matter within a reasonable timeframe.

If the steps above do not result in a satisfactory outcome, the formal order making process may be initiated. This will include a notice of intention to issue an order detailing the information required by Section 255 of the Act.

Council will take reasonable steps to serve a person personally with a notice (including a proposed order). If the person to whom the notice is directed is not the owner of the relevant land, the Council will take reasonable steps to also serve the property owner with a copy of the notice.

6.2.1 Acceptable means of service are defined within Section 279 of the *Local Government Act 1999* as being given to the person:

- (a) personally; or
- (b) by leaving it at the last residential or business address of the person known to the Council (including, in the case of a corporation, the registered address of the corporation); or
- (c) by post addressed to the person at the last residential or business address of the person known to the Council; or
- (d) by leaving it in the letter box to which the document could be sent under paragraph (c); or

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- (e) by a means indicated by the person as being an available means of service (such as by facsimile transmission or by delivering it, addressed to the person, to the facilities of a document exchange); or
 - (f) if the document is to be served on a person as the owner of land, the land is unoccupied, and the identity or address of the owner is unknown to the Council - by placing the document on a conspicuous part of the land; or
 - (g) by any means provided for service of the document by another Act or law.
- 6.2.2 If a document must be served on the owner or occupier of land and there is more than one owner or occupier, it is sufficient if the document is served on any owner or occupier (and not on all owners or occupiers).
- 6.2.3 If a person has actual or ostensible authority to accept service of a document on behalf of another, the document may be served on that person as if that person were the other person.
- 6.3 Notice of a proposed order will include:
- 6.3.1 The proposed action, including the terms of the proposed order, and the time period within which compliance with the order is required;
 - 6.3.2 Reason(s) for the proposed action; and
 - 6.3.3 Penalties for non-compliance with the proposed order; and
 - 6.3.4 An opportunity for the person to respond in writing to the proposed order within a specified timeframe.
- 6.4 The time specified for compliance in the notice (or order) may vary due to the nature of the defect, the potential for hazard or injury to others and the effect on the environment. Generally, the following time periods will apply:

Section	Offence	Written Notice Compliance Period	Order Compliance Period
254	Unightly condition of land	14 days	Not less than 7 days nor more than 21 days
254	Hazards on lands adjoining public places	Not less than 48 hours nor more than 14 days	Not less than 48 hours nor more than 21 days
254	Animals that may cause a nuisance or hazard	Not less than 24 hours nor more than 7 days	Not less than 24 hours nor more than 21 days.
254	Inappropriate use of vehicle	14 days	Not less than 48 hours nor more than 21 days
216	Carry out repair / maintenance roadwork	14 days	Not less than 7 days nor more than 21 days
217	Carry out repair or maintenance to road infrastructure	14 days	Not less than 7 days nor more than 21 days
217	Move road infrastructure / equipment to allow council to carry out roadwork	14 days	Not less than 7 days nor more than 21 days
218	Carry out construction, removal or repair of a crossing place to a road	14 days	Not less than 7 days nor more than 21 days

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- 6.5 Notice of the proposed order is intended to provide an opportunity for the person to:
- 6.5.1 Remedy the defect, or
 - 6.5.2 Make representations to the appropriate person to take action, or
 - 6.5.3 Make representations to the Council explaining why the proposed action should not be taken, or any mitigating circumstances.
- 6.6 In the event that a defect is remedied within the specified time period, no further action will be taken.

6.7 Considering Representations

The Council may, after considering any representations about a proposed order:

- 6.7.1 Make an order in accordance with the terms of the original proposal; or
- 6.7.2 Make an order with modifications from the terms of the original proposal (without a requirement to provide further notice before making the modified order); or
- 6.7.3 Determine not to proceed to make an order.

6.8 Making an Order

The order must be made in writing, and will include:

- 6.8.1 The action required, including the reasons for the action;
 - 6.8.2 The terms of the order;
 - 6.8.3 The time period within which compliance with the order will be required;
 - 6.8.4 Penalties for non-compliance with the order, and the ability of Council to take the action required by the order and recover the reasonable costs and expenses of taking that action as a debt from the person; and
 - 6.8.5 A detailed statement of the review rights available to the person, in accordance with Regulation 30 (1) of the *Local Government (General) Regulations 2013*.
 - 6.8.6 A statement about the ability of the Council to vary or revoke the order if satisfied that it is appropriate to do so.
- 6.9 An order, upon issue, may:
- 6.9.1 Include two or more orders in the same instrument, or
 - 6.9.2 Direct two or more persons to do something specified in the order jointly.
- 6.10 An order must be served by the Council on the person to whom it is addressed. If the person to whom the order is directed is not the owner of the land, the Council must take reasonable steps to serve a copy of the order on the owner of the land.
- 6.10.1 The acceptable means of service detailed at Clause 6.2.1 apply in respect of the service of orders.

City of West Torrens Council Policy - Order Making

- 6.11 If the land is owned or occupied by more than one person the order is not invalidated if it is not directed to all the owners or occupiers.
- 6.12 The Council may vary any order or revoke any order it sees fit.

7. Action for Non-Compliance with an Order

- 7.1 Action may be taken as follows if there is non-compliance with the requirements of an order:

- Council may impose statutory penalties, by way of a fine or an expiation fee, in accordance with the Act.
- Council may take the action required by the order itself.
- Council may recover the reasonable costs and expenses incurred in taking the action required in the order as a debt from the person who failed to comply with the order, in accordance with Section 257 of the Act. The person will be given notice in writing of a fixed period within which to pay the debt; being no less than 28 days from the date of the notice.
- Failure to pay the debt will result in interest being accrued and a charge may be imposed on the land for the unpaid amount including interest.

8. Rights of Review

- 8.1 A person served with an order has a right to appeal. Any such appeal must be lodged to the District Court within 14 days of the order being served.
- 8.2 The operation of an order continues pending the determination of an application for review unless the District Court, or the Council, makes an interim order suspending its operation.
- 8.3 The District Court has the power, if satisfied that it is appropriate and just in the circumstances to do so, to vary or set aside an order.

9. Responsibilities

- 9.1 This policy will be administered by staff with delegated authority under provisions of the Act.

10. Access

- 10.1 This policy is available for public inspection at the Civic Centre, 165 Sir Donald Bradman Drive, Hilton during normal office hours, and on the Council's web-site.
- 10.2 A copy of this policy may be purchased for a fee to be determined annually by Council.

Appendix 1

Circumstances to which Order Making Policy will apply

The matters to which this Policy applies are set out below. The matters are stated in general terms with particular examples for illustration. These examples are not intended to be an exhaustive list of the circumstances in which the Policy will apply. They are included to assist the community to understand the purpose and intent of this Policy and the way in which it will be applied.

To do or to refrain from doing what?	In what circumstances?	To whom?	Example(s) of relevant circumstances:
Section 254: Unsightly condition of land			
To take action considered by the council to be necessary to ameliorate an unsightly condition.	Land, or structure or object on land, is unsightly and detracts significantly from the amenity of the locality in which the land is situated.	The owner or occupier of the land.	The storage or keeping, in a visually obtrusive location, of building materials, disused car bodies, machinery or other articles. A partially completed or partially demolished building / structure that has been in that state for more than 6 months and is visually obtrusive.
Section 254: Hazard on lands adjoining a public place			
To fence, empty, drain, fill or cover land (including land on which there is a building or other structure).	A hazard exists that is, or is likely to become, a danger to the public.	The owner or occupier of the land.	Where a dangerous fence (eg. barbed wire) adjoins any road, community land or public place. Where a fence is required to prevent the escape of animals.
To remove overgrown vegetation, cut back overhanging branches, or to remove tree.	The vegetation, branches or tree create, or are likely to create, danger or difficulty to persons using a public place.	The owner or occupier of the land.	Where there are overhanging branches without a 2.7m. clearance over a footpath, overgrown vegetation or materials or structures on land adjoining a public place, which obstructs either the footpath or roadway. Where a fence, hedge or hoarding is over one metre in height and within 6 metres of the corner of an intersection.
To remove or modify a flag or banner, a flagpole or sign, or similar objects or structure that intrudes into a public place.	The relevant object or structure creates, or is likely to create, danger or difficulty to persons using a public place.	The owner or occupier of the land.	Where a flag, banner, flagpole or sign intrudes into a public place.
Where the public place is a road- to take action necessary to protect the road or to remove a hazard to road users.	A situation exists that is causing, or is likely to cause, damage to the road or a hazard to road users.	The owner or occupier of the land.	Where stormwater from a property flows across the footpath or road or where a stormwater disposal system is not approved by council.

To do or to refrain from doing what?	In what circumstances?	To whom?	Example(s) of relevant circumstances:
Section 254: Animals that may cause a nuisance or hazard			
To do or to refrain from doing the thing specified in the order in order to abate a nuisance or a hazard to health or safety associated with a live or dead animal or animals, or otherwise to deal with an animal or animals.	<p>A person is keeping or dealing with (or failing to deal with) an animal or animals (whether the animal or animals are alive or dead) so as to cause, or to be likely to cause, a nuisance or a hazard to health or safety.</p> <p>A person is the owner or occupier of land where an animal or animals are located which may cause, or be likely to cause, a nuisance or a hazard to health or safety, or otherwise to become a pest.</p>	The owner or occupier of the land or any person apparently engaged in promoting or conducting an activity.	<p>The slaughtering of animals in an urban situation.</p> <p>Keeping an excessive number of insects, birds or other animals, including but not limited to:</p> <ul style="list-style-type: none"> more than three (3) pigeons unless the pigeons more than three (3) head of ducks, geese or turkeys over the age of 4 weeks of either sex more than three (3) head of poultry unless they are contained within an appropriate structure. <p>Keeping of bees within close proximity to other property.</p> <p>Keeping animals which generate excessive noise, dust or odour or attract pests or vermin.</p> <p>Keeping an aggressive animal or keeping an animal in a situation where it cannot be adequately contained or may cause danger to the public.</p> <p>Failing to dispose of a European Wasp nest or to allow Council's contractors entry to do so.</p> <p>Failing to bury or otherwise lawfully dispose of any dead animal or bird.</p>
Section 254: Inappropriate use of vehicle			
To refrain from using a caravan or vehicle as a place of habitation.	<p>A person is using a caravan or vehicle as a place of habitation in circumstances that</p> <ul style="list-style-type: none"> (a) present a risk to the health or safety of an occupant; or (b) cause a threat of damage to the environment; or (c) detract significantly from the amenity of the locality. 	The owner or occupier of the land or a person apparently occupying the caravan or vehicle.	A person living in a caravan on a block not supplied with toilet facilities.

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Section 216: Owner of Private Road			
To carry out the specified roadwork to repair or improve the private road.	Where the road is found to be in such a condition that it: <ul style="list-style-type: none"> • Presents a risk of health and safety of persons using the road; or • Cause a threat of damage to the environment; or • Detract significantly from the local amenity; • Where the council is required to carry out roadwork. 	The owner of the private road..	Significant pot holes in the private road creating a traffic and/or pedestrian hazard.
Section 218: Owner of land adjoining a road			
To construct, remove or repair a crossing place from the road to the land.	A hazard exists from the establishment of a crossing place from adjoining road to private land.	The owner of land adjoining a road	Inappropriate position of crossing place creating a traffic hazard. Lack of repair creating a hazard to pedestrians.

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Appendix 2

Circumstances to which Order Making Policy may apply, in the discretion of the Council

To do or to refrain from doing what?	In what circumstances?	To whom?	Example(s) of relevant circumstances:
Section 217: Owner of Infrastructure installed on a road			
To carry out specific work by way of maintenance or repair work on equipment (including pipes, wires, cables, fittings and other objects) installed in, on, across, under or over a road, or to move the structure or equipment to allow the council to carry out roadwork.	Where the infrastructure is found to be in such a condition that it: <ul style="list-style-type: none"> • Presents a risk of health and safety of persons using the road; or • Cause a threat of damage to the environment; or • Detract significantly from the local amenity; • Where the Council is required to carry out roadwork. 	The owner, lessee or licensee of the infrastructure or equipment	

ATTACHMENT 2

City of West Torrens Council Policy - Order Making Policy



Council Policy: Order Making Policy

Classification:	Council Policy		
First Issued:	1 August 2000		
Dates of Review:	4 March 2008, 11 June 2010		
Version Number:	3		
DW Doc set ID:	305935		
Next Review Due:	7 September 2015		
Applicable Legislation:	Local Government Act 1999 Local Government (General) Regulations 1999		
Related Policies or Corporate Documents:	Registers of delegations and subdelegations		
Associated Forms:			
Note:	<p>Council is required to have an Order Making Policy in accordance with Section 259 of the Local Government Act 1999.</p> <p>This policy must also undergo at least 4 weeks public consultation prior to endorsement by Council.</p> <p>Any alteration or substitution of this policy with a new policy will require public consultation, unless the Council determines that the alteration or substitution is only a minor significance and would not attract little or no community interest.</p> <p>This policy was previously known as A.3-1 Order Making Policy</p>		
Responsible Manager:	Manager Regulatory Services		
Confirmed by General Manager:	General Manager Corporate & Regulatory Services	Date	11 June 2010
Approved by Executive:		Date	
Endorsed by Strategy & Review Committee:		Date	
Endorsed by Council:		Date	7 September 2010

City of West Torrens Council Policy - Order Making Policy

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Current

City of West Torrens Council Policy - Order Making Policy

Council Policy - Order Making Policy

1. Introduction

- 1.1 The City of West Torrens is committed to using the Order making powers available to it under the *Local Government Act 1999* in such a way as to facilitate a safe and healthy environment, to improve the amenity of a locality, and generally for the good governance of its area.
- 1.2 This Order Making Policy is prepared and adopted pursuant to Section 259 of the *Local Government Act 1999* ("the Act") and sets out the steps Council will take in the making of Orders.

2. Purpose

- 2.1 This Policy sets out the steps Council will take in the making of Orders.
- 2.2 Orders can be issued by Council to instruct owners or occupiers of private land to take action required to resolve an issue as specified within the Act.
- 2.3 Unlike the blanket prohibition of certain activities that exists through by-laws, Orders are intended to apply and be considered on a case-by-case basis.

3. Scope

- 3.1 This policy applies to all owners or occupiers of lands within the City Of West Torrens' boundaries.
- 3.2 This policy applies in respect of making Orders under the following sections of the Local Government Act, 1999 ("the Act"):
 - 3.2.1 Section 254 - Power to make Orders
Section 254 empowers the Council to order a person to do, or refrain from doing, a thing under certain circumstances. This includes infringements specified for:
 - Unsightly condition of property, hazards on lands adjoining a public place.
 - Animals that may cause a nuisance or hazard (includes birds and insects).
 - Inappropriate use of a vehicle.
 - 3.2.2 Section 216 - Power to Order Private Road Owners to Carry out Roadworks
Section 216 empowers the Council to order an owner of a private road to undertake specified roadwork.
 - 3.2.3 Section 217 - Power to Order Road Infrastructure Owners to Carry out Maintenance or Repair Work
Section 217 empowers the Council to order an owner of infrastructure installed on a road to carry out specified maintenance or repair work.
 - 3.2.4 Section 218 Power to Order Adjoining Land Owner to Carry out Works
Section 218 empowers the Council to order an owner of adjoining land to carry out specified work.
 - 3.2.5 Section 299 - Power to Order Vegetation Clearance
Section 299 empowers the Council to require the owner / occupier of adjoining land to remove or cut back vegetation encroaching on to that land.

4. Definitions

4.1 Amenity

Amenity means any quality, condition or factor that makes or contributes to making the locality harmonious, pleasant or enjoyable.

4.2 City

City means the area within the boundaries of the City of West Torrens.

4.3 Service (Serve)

Service is an approved method of delivery of a document on a person.

4.4 Suitably Qualified Expert

Council recognises the following qualification(s) as the minimum qualification for a 'suitably qualified expert' for the purposes of Section 7 *Vegetation Orders*:

- Certificate IV Horticulture (with components of arboriculture)

5. Principles

- 5.1 Wherever possible, reasonable steps will be taken to have works undertaken or to resolve cases of local nuisance or potential hazards by negotiation with or educating the person involved before considering the issue of an Order.

- 5.2 In contemplating the exercise of its Order making powers, the Council will consider each case on its individual merits, in keeping with the following principles which are deemed central to effective assessment and resolution of matters requiring rectification:

- 5.2.1 The significance of the breach and any other public interest or well-being considerations.
- 5.2.2 The level of detraction from the amenity of the locality.
- 5.2.3 The nature of the occurrence; including the frequency, duration and prior history of incidents.
- 5.2.4 The potential to pursue other options such as negotiation, education, mediation, warnings or other more collaborative approaches.
- 5.2.5 The principles of natural justice (or procedural fairness) to ensure that decision-making is fair and reasonable. Depending on the circumstances which apply, this may require a decision-maker to:
 - inform any person whose interests are or are likely to be adversely affected by a decision, about the decision that is to be made and any case they need to make, answer or address
 - provide such persons with a reasonable opportunity to put their case why the proposed action should not be taken or a particular decision should or should not be made
 - consider those submissions

City of West Torrens Council Policy - Order Making Policy

- make reasonable inquiries and ensure that a decision is based upon findings of fact that are in turn based upon sound reasoning and relevant evidence
- act fairly and without bias in making decisions, including ensuring that no person decides a case in which they have direct interest
- address an issue without undue delay.

5.2.6 The level of evidence to warrant and support any action.

5.2.7 Opportunities to take action under alternative legislation.

5.2.8 The availability of a more appropriate response by the Council.

5.3 The Council retains an absolute discretion to issue an Order at any stage depending upon the circumstances of each individual matter.

6. Process

6.1 Circumstances Exempt from this Process

In the event that Council considers the circumstances or activity constitutes or is likely to constitute:

- a threat to life; or
- an immediate threat to public health or public safety; or
- an emergency situation,
- and that immediate action is required

It may, in accordance with Section 255(12) of the Act, make an Order and require compliance without undertaking the notification process outlined in this policy.

6.2 Prior to Making an Order

Council will take reasonable steps to serve a written notice of the proposed Order to the person. If the person is not the owner of relevant land, the Council will take reasonable steps to also serve a copy of any notices or Order on the owner of that land.

6.2.1 Acceptable means of service are defined within Section 279 of the *Local Government Act 1999* as being given to the person:

- (a) personally; or
- (b) by leaving it at the last residential or business address of the person known to the Council (including, in the case of a corporation, the registered address of the corporation); or
- (c) by post addressed to the person at the last residential or business address of the person known to the Council; or
- (d) by leaving it in the letter box to which the document could be sent under paragraph (c); or
- (e) by a means indicated by the person as being an available means of service (such as by facsimile transmission or by delivering it, addressed to the person, to the facilities of a document exchange); or
- (f) if the document is to be served on a person as the owner of land, the land is unoccupied, and the identity or address of the owner is unknown to the Council—by placing the document on a conspicuous part of the land; or
- (g) by any means provided for service of the document by another Act or law.

City of West Torrens Council Policy - Order Making Policy

- 6.2.2 If a document must be served on the owner or occupier of land and there is more than one owner or occupier, it is sufficient if the document is served on any owner or occupier (and not on all owners or occupiers).
- 6.2.3 If a person ("the agent") has actual or ostensible authority to accept service of a document on behalf of another, the document may be served on the agent as if the agent were that other person.

6.3 Notice of the proposed Order must include:

- 6.3.1 The proposed action, including the terms of the proposed Order, and the time period within which compliance with the Order will be required;
- 6.3.2 Reason(s) for the proposed action; and
- 6.3.3 Penalties for non-compliance with the proposed Order; and
- 6.3.4 An opportunity for the person to respond in writing to the proposed Order within a specified timeframe.

6.4 The time specified for compliance in the notice (or Order) may vary due to the nature of the defect, the potential for hazard or injury to others and the effect on the environment. The following time periods will apply:

Section	Offence	Written Notice Compliance Period	Order Compliance Period
254	Unightly condition of land	14 days	Not less than 7 days nor more than 21 days
254	Hazards on lands adjoining public places	Not less than 48 hours nor more than 14 days	Not less than 48 hours nor more than 21 days
254	Animals that may cause a nuisance or hazard	Not less than 24 hours nor more than 7 days	Not less than 24 hours nor more than 21 days.
254	Inappropriate use of vehicle	14 days	Not less than 48 hours nor more than 21 days
216	Carry out repair / maintenance roadwork	14 days	Not less than 7 days nor more than 21 days
217	Carry out repair or maintenance to road infrastructure	14 days	Not less than 7 days nor more than 21 days
217	Move road infrastructure / equipment to allow council to carry out roadwork	14 days	Not less than 7 days nor more than 21 days
218	Carry out construction, removal or repair of a crossing place to a road	14 days	Not less than 7 days nor more than 21 days
299	Remove / Cut back encroaching vegetation	14 days	Not less than 7 days nor more than 21 days

6.5 Notice of the proposed Order is intended to provide an opportunity for the person to:

- 6.5.1 Remedy the defect; or
- 6.5.2 Make representations to the appropriate person to take action; or
- 6.5.3 Make representations to the Council explaining any mitigating circumstances.

City of West Torrens Council Policy - Order Making Policy

- 6.6 In the event that a defect is remedied within the specified time period, no further action will be taken.

6.7 Considering Representations

The Council may, after considering any representations about a proposed Order:

- 6.7.1 Make an Order in accordance with the terms of the original proposal; or
- 6.7.2 Make an Order with modifications from the terms of the original proposal (without a requirement to provide further notice before making the modified Order); or
- 6.7.3 Determine not to proceed to make an Order.

6.8 Making an Order

The Order must be made in writing and include:

- 6.8.1 The action required, including the reasons for the action;
- 6.8.2 The terms of the Order;
- 6.8.3 The time period within which compliance with the Order will be required;
- 6.8.4 Penalties for non-compliance with the Order, including the ability of Council to take the action required by the Order and recover the debt from the person; and
- 6.8.5 A detailed statement of the review rights available to the person, in accordance with Regulation 20 (1) of the Local Government (General) Regulations 1999.
- 6.8.6 A statement about the ability of the Council to vary or revoke the Order if satisfied that it is appropriate to do so.

6.9 An Order, upon issue, may:

- 6.9.1 Include two or more Orders in the same instrument, or
- 6.9.2 Direct two or more persons to do something specified in the Order jointly.

- 6.10 An Order must be served by the Council on the person to whom it is addressed. If the person to whom the Order is addressed is not the owner of the land, the Council must take reasonable steps to serve a copy of the Order on the owner of the land.

6.10.1 The acceptable means of service detailed at Clause 6.2.1 apply to this section.

- 6.11 If the land is owned or occupied by more than one person the Order is not invalidated if it is not directed to all the owners.

- 6.12 The Council may vary any Order or revoke any Order it sees fit.

7. **Vegetation Clearance Orders**

- 7.1 Any person seeking an Order under Section 299 (Vegetation Clearance) of the Act should provide evidence that there are grounds for making such an Order.

City of West Torrens Council Policy - Order Making Policy

- 7.2 Council is not obliged to make Orders upon simply receiving an application.
- 7.3 The applicant will provide to Council information to allow Council to be satisfied that the encroaching vegetation comprises a threat of damage to persons or property, including:
- Details of the applicant's name and property
 - The species, size and position/s of the vegetation and the impact on the applicant and their property.
 - Reports from suitably qualified and experienced experts detailing:
 - findings from a thorough inspection of the properties regarding the vegetation and any building allegedly being damaged; and
 - a risk assessment outlining the potential consequences and likelihood of any risks to life or property posed by the vegetation; and
 - a determination of the most appropriate course of action, in their professional opinion, made on the basis of the inspection and risk assessment.
 - Where the allegation is that the vegetation impacts the applicant and/or their family's health (eg. through allergies), the applicant must produce medical evidence to support the claim.
 - Details and evidence of all discussions, negotiations and attempts to resolve the matter with their neighbour.
 - An indication of whether they are prepared to meet (or contribute to) the cost of the vegetation's removal.
- 7.4 Each situation will be assessed on its merits. The criteria used in the consideration of each matter will be:
- The level of nuisance resulting from the encroaching vegetation;
 - The degree of any hazard or danger resulting from the encroaching vegetation;
 - The extent of the work required to remove the encroachment;
 - The difficulty and cost involved in undertaking the work;
 - The degree to which other avenues of resolution have been undertaken, for example negotiation with the neighbour, mediation, civil remedies at common law¹, etc.
 - The resources available to the complainant to undertake the work directly or through a third party.
- 7.5 If Council determines that there is insufficient evidence of a threat to life or property or little likelihood of it occurring, the Council will not make an Order for the owner or occupier to complete any work on the vegetation.

8. Action for Non-Compliance with an Order

- 8.1 The following actions will occur if:
- the requirements of an Order are not complied with in the expected time period or
 - within 14 days of the determination of an application for a review of the order, (subject to the outcome of the review).
- 8.1.1 Council may impose penalties, by way of a fine or an expiation fee, in accordance with the relevant section of the Act.
- 8.1.2 Council may take the action required by the Order itself.

City of West Torrens Council Policy - Order Making Policy

8.1.3 Council may recover the reasonable costs and expenses incurred in taking the action required in the Order as a debt from the person who failed to comply with the Order, in accordance with Section 257 of the Act. The person will be given Notice in writing of a fixed period within which to pay the debt; being no less than 28 days from the date of the notice.

8.1.4 Failure to pay the debt will result in interest being accrued and a charge may be imposed on the land for the unpaid amount including interest.

9. Rights of Review

9.1 The person to whom the Order is directed has the right to appeal against the Order by applying for a review is to be made to the District Court within 14 days after service of the Order.

9.2 The operation of the Order continues pending the determination of an application for review unless the District Court, or the Council, makes an interim Order suspending the operation of the Order.

9.3 The District Court has the power, if satisfied that it is appropriate and just in the circumstances to do so, to vary or set aside the Order on an application for review.

10. Responsibilities

10.1 This Policy will be enforced by staff delegated in writing to undertake Council's powers, functions and duties under the relevant sections of the *Local Government Act, 1999*.

11. Access

11.1 This Policy is available for public inspection at the Civic Centre, 165 Sir Donald Bradman Drive, Hilton during normal office hours, and on the Council's web-site.

11.2 A copy may be purchased for a fee to be determined annually by Council.

¹ Persons may also apply to the Magistrates Court to have a dispute between neighbours determined. Section 3(1) of the Magistrates Court Act 1991 defines "neighbourhood dispute" as "A dispute between neighbours, or the occupiers of properties in close proximity, based on allegations of trespass or nuisance."

Appendix 1

Circumstances to which Order Making Policy will apply

The matters to which this Policy applies are set out below. The matters are stated in general terms with particular examples for illustration. These examples are not intended to be an exhaustive list of the circumstances in which the Policy will apply. They are included to assist the community to understand the purpose and intent of this Policy and the way in which it will be applied.

To do or to refrain from doing what?	In what circumstances?	To whom?	Example(s) of relevant circumstances:
Section 254: Unsightly condition of land			
To take action considered by the council to be necessary to ameliorate an unsightly condition.	Land, or structure or object on land, is unsightly and detracts significantly from the amenity of the locality in which the land is situated.	The owner or occupier of the land.	The storage or keeping, in a visually obtrusive location, of building materials, disused car bodies, machinery or other articles. A partially completed or partially demolished building / structure that that has been in that state for more than 6 months and is visually obtrusive.
Section 254: Hazard on lands adjoining a public place			
To fence, empty, drain, fill or cover land (including land on which there is a building or other structure).	A hazard exists that is, or is likely to become, a danger to the public.	The owner or occupier of the land.	Where a dangerous fence (eg. barbed wire) adjoins any road, community land or public place. Where a fence is required to prevent the escape of animals.
To remove overgrown vegetation, cut back overhanging branches, or to remove tree.	The vegetation, branches or tree create, or are likely to create, danger or difficulty to persons using a public place.	The owner or occupier of the land.	Where there are overhanging branches without a 2.7m. clearance over a footpath, overgrown vegetation or materials or structures on land adjoining a public place, which obstructs either the footpath or roadway. Where a fence, hedge or hoarding is over one metre in height and within 6 metres of the corner of an intersection. Where a flag, banner, flagpole or sign intrudes into a public place.
To remove or modify a flag or banner, a flagpole or sign, or similar objects or structure that intrudes into a public place.	The relevant object or structure creates, or is likely to create, danger or difficulty to persons using a public place.	The owner or occupier of the land.	Where a fence, hedge or hoarding is over one metre in height and within 6 metres of the corner of an intersection. Where a flag, banner, flagpole or sign intrudes into a public place.
Where the public place is a road- to take action necessary to protect the road or to remove a hazard to road users.	A situation exists that is causing, or is likely to cause, damage to the road or a hazard to road users.	The owner or occupier of the land.	Where stormwater from a property flows across the footpath or road or where a stormwater disposal system is not approved by council.

To do or to refrain from doing what?	In what circumstances?	To whom?	Example(s) of relevant circumstances:
Section 254: Animals that may cause a nuisance or hazard			
To do or to refrain from doing the thing specified in the order in order to abate a nuisance or a hazard to health or safety associated with a live or dead animal or animals, or otherwise to deal with an animal or animals.	<p>A person is keeping or dealing with (or failing to deal with) an animal or animals (whether the animal or animals are alive or dead) so as to cause, or to be likely to cause, a nuisance or a hazard to health or safety.</p> <p>A person is the owner or occupier of land where an animal or animals are located which may cause, or be likely to cause, a nuisance or a hazard to health or safety, or otherwise to become a pest.</p>	The owner or occupier of the land or any person apparently engaged in promoting or conducting an activity.	<p>The slaughtering of animals in an urban situation.</p> <p>Keeping an excessive number of insects, birds or other animals; including but not limited to:</p> <ul style="list-style-type: none"> more than three (3) pigeons unless the pigeons more than three (3) head of ducks, geese or turkeys over the age of 4 weeks of either sex more than three (3) head of poultry unless they are contained within an appropriate structure. <p>Keeping of bees within close proximity to other property.</p> <p>Keeping animals which generate excessive noise, dust or odour or attract pests or vermin.</p> <p>Keeping an aggressive animal or keeping an animal in a situation where it cannot be adequately contained or may cause danger to the public.</p> <p>Failing to dispose of a European Wasp nest or to allow Council's contractors entry to do so.</p> <p>Failing to bury or otherwise lawfully dispose of any dead animal or bird.</p>
Section 254: Inappropriate use of vehicle			
To refrain from using a caravan or vehicle as a place of habitation.	<p>A person is using a caravan or vehicle as a place of habitation in circumstances that</p> <ul style="list-style-type: none"> (a) present a risk to the health or safety of an occupant; or (b) cause a threat of damage to the environment; or (c) detract significantly from the amenity of the locality. 	The owner or occupier of the land or a person apparently occupying the caravan or vehicle.	A person living in a caravan on a block not supplied with toilet facilities.

To do or to refrain from doing what?	In what circumstances?	To whom?	Example(s) of relevant circumstances:
Section 216: Owner of Private Road			
To carry out the specified roadwork to repair or improve the private road.	Where the road is found to be in such a condition that it: <ul style="list-style-type: none"> • Presents a risk of health and safety of persons using the road; or • Cause a threat of damage to the environment; or • Detract significantly from the local amenity; or • Where the council is required to carry out roadwork. 	The owner of the private road.	Significant pot holes in the private road creating a traffic and/or pedestrian hazard.
Section 217: Owner of Infrastructure installed on a road			
To carry out specific work by way of maintenance or repair work on equipment (including pipes, wires, cables, fittings and other objects) installed in, on, across, under or over a road, or to move the structure or equipment to allow the council to carry out roadwork.	Where the infrastructure is found to be in such a condition that it: <ul style="list-style-type: none"> • Presents a risk of health and safety of persons using the road; or • Cause a threat of damage to the environment; or • Detract significantly from the local amenity; or • Where the Council is required to carry out roadwork. 	The owner, lessee or licensee of the infrastructure or equipment.	
Section 218: Owner of land adjoining a road			
To construct, remove or repair a crossing place from the road to the land.	A hazard exists from the establishment of a crossing place from adjoining road to private land.	The owner of land adjoining a road	Inappropriate position of crossing place creating a traffic hazard. Lack of repair creating a hazard to pedestrians
Section 299: Vegetation Clearance			
To cut back or remove vegetation encroaching on an adjoining property.	Following an application from the owner or occupier of the adjoining property.	The owner or occupier of the land.	A large branch with obvious damage that is perilously overhanging the roof of a neighbouring property where significant damage to the house would result if action was not taken.

7.2 Investment Policy Review

Brief

The *Council Policy - Investment* has been subject to a scheduled review and is presented to the Corporate Planning, Policy and Performance Prescribed General Committee for its consideration and recommendation to Council.

RECOMMENDATION(S)

The Committee recommends to Council that:

1. The revised *Council Policy - Investment* be approved.
 2. The Chief Executive Officer be authorised to make amendments of a formatting and/or minor technical nature to ensure the currency of the *Council Policy - Investment*.
-

Introduction

The *Council Policy - Investment* has been subject to a scheduled review and is presented to the Corporate Planning, Policy and Performance Prescribed General Committee for its consideration and recommendation to Council (Attachment 1).

Discussion

The review has resulted in no changes to the policy other than minor formatting which is shown as track changes.

Conclusion

The revised *Council Policy - Investment* has been subject to a scheduled review and is presented to the Corporate Planning, Policy and Performance Prescribed General Committee for its consideration and recommendation to Council.

ATTACHMENT 1

City of West Torrens Council Policy – Investment Policy

CITY OF WEST TORRENS



Council Policy: Investment Policy

Classification:	Council Policy
First Issued:	16 July 2002
Dates of Review:	15-May-2007, 17-November-2009, 23-December-2010, 17-May-2011, 2016
Version Number:	56
DW Doc set ID:	305650
Next Review Due:	17 May 2016
Applicable Legislation:	Local Government Act 1999 (SA) <u>Local Government Act 1999</u>
Related Policies or Corporate Documents:	<u>Mendelson Foundation Investment Policy</u>
Associated Forms:	
Note:	Formerly Policy No.F.7
Responsible Manager:	<u>Manager Financial Services</u>
Confirmed by General Manager:	General Manager Corporate and Regulatory <u>20 July 2016</u>
Approved by Executive:	<u>26 July 2016</u>
Endorsed by Council	Date <u>17 May 2014</u>

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| City of West Torrens Council Policy - Investments Policy

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Draft

| City of West Torrens Council Policy - Investments Policy

COUNCIL POLICY – Investment ~~Policy~~

1. Preamble

- | 1.1 Section 139 of the *Local Government Act 1999* (the Act) establishes the legal framework within which council must operate when investing funds.
- | 1.2 All investments are to be made exercising care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons. Investments that are speculative or hazardous in nature are to be avoided.

2. Purpose

- | 2.1 This policy aims to:

- Clarify Council requirements for the investment of funds.
- Ensure Council complies with its legislative responsibilities under Section 139 of the *Local Government Act 1999*.
- Provide guidelines for making investment decisions.
- Maximise investment returns while maintaining sufficient cash flow to meet Council's immediate working capital requirements.
- Ensure that risk management strategies are in place to protect Council investments.

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3. Scope

- | 3.1 This policy applies to all Council funds invested in financial institutions.
- 3.2 This policy does not apply to Mendelson Foundation Trust funds.

4. Definitions

- | 4.1 **Short term investments** are those of 12 months duration or less.
- | 4.2 **Long term investments** are those of greater than 12 months duration.

5. Policy Statement

- | 5.1 All investments are to be made in accordance with the provisions of Section 139 of the *Local Government Act 1999*, with particular regard for the following:
- The purpose of the investment;
 - The desirability of diversifying council investments;
 - The nature of and risk associated with existing council investments;
 - The desirability of maintaining the real value of the capital and income of the investment;

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City of West Torrens Council Policy - Investments Policy

- The risk of capital or income loss or depreciation;
- The potential for capital appreciation;
- The likely income return and the timing of income return;
- The length of the term of a proposed investment;
- The period for which the investment is likely to be required;
- The liquidity and marketability of a proposed investment during, and on the determination of, the term of the investment;
- The aggregate value of the assets of the City of West Torrens;
- The likelihood of inflation affecting the value of the proposed investment;
- The costs of making a proposed investment;
- The results of any review of existing council investments.

5.2 Unless otherwise approved by Council, investments are limited to:

- 5.2.1 Deposits with the Local Government Finance Authority;
- 5.2.2 Interest bearing bank deposits;
- 5.2.3 Bank bills;
- 5.2.4 Treasury notes; and
- 5.2.5 Deposits with a financial institution covered by a Commonwealth Government guarantee.

5.3 Except as provided in 5.2.5, the City of West Torrens will only invest in investment grade institutions and products with a credit rating of at least A-1 (short-term) or A- (long term), based on rating scales published by Standard and Poor's.

5.4 Council's working account bank balance will be kept to the minimum possible, with other than working capital invested in higher interest bearing accounts.

5.5 Investment performance will be reviewed at the end of each financial year and the outcome will be reported to Council, pursuant to Section 140 of the *Local Government Act 1999*.

5.6 The City of West Torrens will comply with Australian Accounting Standards.

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7.3 Development Assessment Panel Delegations Policy

Brief

The *Council Policy - Development Assessment Panel Delegations* is a new policy and is presented to the Corporate Planning, Policy and Performance Prescribed General Committee for its consideration and recommendation to Council.

RECOMMENDATION(S)

The Committee recommends to Council that:

1. The *Council Policy - Development Assessment Panel Delegations* be approved.
2. The Chief Executive Officer be authorised to make amendments of a formatting and/or minor technical nature to ensure the currency of the *Council Policy - Development Assessment Panel Delegations*.

Introduction

The *Council Policy - Development Process* (Policy), approved by Council in July 2011, details in what instance and how Council makes delegations to the Chief Executive Officer and subsequently the Chief Executive Officer to staff. It also details the delegations from Council to the Development Assessment Panel pursuant to the *Development Act 1993* (Act).

Discussion

The Policy is very administrative in nature and largely repeats the provisions of the *Local Government Act 1999* so the review has resulted in the proposal, in another report contained in this agenda, that the *Council Policy - Development Process* be revoked.

However, in proposing this revocation, regard needed to be given to s34(23) and s34(27) of the Act which requires Council to delegate certain powers and functions to the DAP and establish a policy relating to the basis on which it makes those delegations. Consequently, a new policy has been developed pursuant to these provisions, *Council Policy - Development Assessment Panel Delegation* (Draft Policy), which is attached (**Attachment 1**). This Draft Policy only contains information relating to Council's delegations to the DAP.

The proposed Policy:

- Clearly outlines the purpose and scope of the document pursuant to the Act;
- Provides simple and relevant definitions; and
- States simplified and appropriate policy statements.

The Policy is a statutory requirement and as such requires direct consideration and approval by Council. Consequently, a report will be presented to the 20 September 2016 meeting of Council seeking of the approval of the *Council Policy - Development Assessment Panel Delegations*. This will finalise the process.

Conclusion

The *Council Policy - Development Assessment Panel Delegations* is a new policy and is presented to the Corporate Planning, Policy and Performance Prescribed General Committee for its consideration and recommendation to Council.

CITY OF WEST TORRENS



Classification:	Council Policy	
First Issued:	TBA	
Dates of Review:		
Version Number:	1	
Next Review Date:	TBA	
DW Doc set ID:	TBA	
Applicable Legislation:	Development Act 1993 (SA)	
Related Policies or Corporate Documents:	Development Assessment Panel Delegations Framework	
Associated Forms:		
Note:		
Responsible Manager:	Manager Business Services	
Confirmed by General Manager:	General Manager Business and Community Services	Date
Approved by Executive:		Date
Endorsed by Council		Date

City of West Torrens Council Policy - Development Assessment Panel Delegations

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City of West Torrens Council Policy - Development Assessment Panel Delegations

Council Policy - Development Assessment Panel Delegations

1. Preamble

- 1.1 Delegations are a key element in ensuring transparent, accountable and efficient governance and management of the City of West Torrens (CWT). Delegations provide formal authority to officers and committees to make decisions on behalf of Council.
- 1.2 Council is legally required to delegate certain powers to the DAP as the relevant authority in accordance with the *Development Act 1993 (Act)*.
- 1.3 Council is required to develop a policy pursuant to section 34(23) of the Act which details the way in which it provides delegated powers and functions as a relevant authority with respect to determining whether or not to grant development plan consent in accordance with section 34(27) of the Act.

2. Purpose

- 2.1 This policy outlines the basis upon which Council makes the various delegations required by Section 34(23) of the Act and references the conflict of interest conditions pertaining to the exercise of delegated powers.

3. Scope

- 3.1 This policy applies to delegations made by Council to the Development Assessment Panel (DAP).

4. Definitions

- 4.1 **Powers** refer to any decision making authority or the ability to act in exercise of delegations.
- 4.2 **Conflict of interest** refers to a relationship that a delegate has with an individual, company, agency or group that may deter, or be perceived to deter a delegate from acting in the best interests of Council.

5. Policy Statement

- 5.1 Delegations are made to the DAP as a whole and not an individual member.
- 5.2 Delegations will be reviewed regularly and presented to Council and DAP for endorsement.
- 5.3 To allocate these powers and functions to the DAP, the Council must formerly delegate each relevant power to the DAP via a Council resolution. Where delegations exist to the DAP, the Council cannot exercise these powers.
- 5.4 Limitations, conditions or restriction may apply to the powers and functions provided to the DAP and will be detailed in a public register.

City of West Torrens Council Policy - Development Assessment Panel Delegations

- 5.5 The DAP can only exercise the powers delegated to it as and when it meets as a decision making body. No individual member can exercise the powers delegated to the DAP.
- 5.6 The DAP cannot further subdelegate its powers.
- 5.7 The DAP is only delegated powers under the Act and the *Development Regulations 2008*.
- 5.8 If at any time during the consideration or assessment of a matter, a member of the DAP believes that they have a conflict of interest with that matter; it is the responsibility of that person to take appropriate action.
- 5.9 Council delegates all of its powers and functions as a relevant authority with respect to determining whether or not to grant development plan consent under the Act to the DAP in the following circumstances:
 - 5.9.1 Non-complying development - the power to grant development plan consent to development of this nature.
 - 5.9.2 Category 2 and 3 development - the power to hear any representations (in favour or against) and the power to subsequently decide on the proposal.
 - 5.9.3 Refusal - the power to refuse to grant development plan consent where an application does not sufficiently meet the Objectives and Principles of the Development Plan.
 - 5.9.4 All development - the power to determine only those applications where CWT staff have declined to use their delegated powers.

7.4 Delegations Process Policy Revocation

Brief

This report seeks the revocation of *Council Policy - Delegations Process*.

RECOMMENDATION(S)

The Committee recommends to Council that the *Council Policy - Delegations Process* be revoked subject to the approval of the *Council Policy - Development Assessment Panel Delegations*.

Introduction

Council approved its *Council Policy - Delegations Process* (Policy) at its July 2011 meeting (**Attachment 1**).

Discussion

This Policy details how Council will control, manage and maintain the delegations process and framework. It is very administrative in nature and largely repeats the provisions of the *Local Government Act 1999*.

Other than delegations to the Development Assessment Panel (DAP), there is no legal requirement for Council to have and maintain this Policy.

Given the Policy is administrative in nature and the delegations process is straightforward and undertaken pursuant to legislative requirements, it is proposed that the Policy be revoked.

However, in proposing this revocation, regard was given to s34(23) and s34(27) of the *Development Act 1993* (Act) which require Council to delegate certain powers and functions to the DAP and establish a policy relating to the basis on which it makes such delegations to the DAP.

Consequently, to ensure conformance with the Act, a new policy has been developed entitled *Council Policy - Development Assessment Panel Delegations* and is presented to this Committee as a separate report in this agenda.

Therefore, it is proposed that subject to Council's approval of the *Council Policy - Development Assessment Panel Delegations*, the *Council Policy - Delegations Process* be revoked.

As this Policy is a statutory requirement, it requires direct consideration and approval by Council. Consequently, a report will be presented to the 20 September 2016 meeting of Council seeking formal revocation of the *Council Policy - Delegations Process* subject to the approval of the *Council Policy - Development Assessment Panel Delegations*. This will finalise the process.

Conclusion

Given the pertinent information contained in the *Council Policy - Delegations Process* now forms the proposed *Council Policy - Development Assessment Panel Delegations* and all other information is administrative in nature, it is recommended that the *Council Policy - Delegations Process* be revoked subject to approval of the *Council Policy - Development Assessment Panel Delegations*.

City of West Torrens Policy - Delegations Process

[illegible]

City of West Torrens Policy - Delegations Process

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Current

COUNCIL POLICY - Delegations Process

1. Preamble

- 1.1 Council is required to maintain a public register of delegations and review these on an annual basis in accordance with the provisions set out in Section 44(6) of the *Local Government Act 1999*.
- 1.2 Council is required to develop a policy which details the way in which it provides delegated powers in accordance with Section 34(27) of the *Development Act 1993*.
- 1.3 Council recognises the benefit of delegating certain decision making powers to those people who are involved in the provision of community and regulatory services to its stakeholders.

2. Purpose

- 2.1 The purpose of this policy is to outline the principles of delegation and the subsequent provision of power through the subdelegation process.
- 2.2 Council believes that appropriate delegations allow the elected body to focus on developing and strengthening the strategic direction of the Council.

3. Scope

- 3.1 This policy applies to Council, Council Committees, the Development Assessment Panel (DAP) and the Chief Executive Officer (CEO).
- 3.2 This policy relates to the delegations made by Council.
- 3.3 This policy references the conflict of interest conditions pertaining to the exercise of delegated powers.
- 3.4 This policy includes instructions on how to access the delegation process documents of the City of West Torrens (CWT).

4. Definitions

- 4.1 **Powers** refer to any decision making authority or ability to act in exercise of delegations.
- 4.2 **Conflict of interest** refers to a relationship that a delegate has with an individual, company, agency or group that may deter, or be perceived to deter a delegate from acting in the best interests of Council (Refer to Part 4 of the *Local Government Act 1999*).

5. Policy Statement

5.1 Instrument of Delegations.

- 5.1.1 The CWT derives its instrument of delegations from the information provided by the Local Government Association (LGA).

- 5.1.1.1 The documents and templates, provided as a guide by the LGA, have been modified to suit the purposes of CWT.

5.2 Delegations by the Council.

- 5.2.1 The *Local Government Act 1999* (the Act) provides the ability for the elected body (Council) to allocate decision making powers to act in certain situations to a person, position, authorised officer, committee or subsidiary. The ability to do so is outlined in Section 44(2) of the Act.
- 5.2.2 The Act also allows for certain powers under other acts to be delegated by the Council.
- 5.2.3 There are certain powers which the Council is not able to delegate (as listed in Section 44(3) of the Act).
- 5.2.4 The provision of powers to the CEO as the Head Delegate or to the DAP does not negate or limit the ability of the Council to act, or exercise powers of decision making, in any circumstance.

5.3 Delegations by the Council to the Chief Executive Officer.

- 5.3.1 To allocate these powers, the Council must formally delegate each power to the position of CEO as its head delegate via a Council resolution.
- 5.3.2 Limitations, conditions or restrictions may apply to the powers provided to the Head Delegate. These, along with the delegations must be detailed in a public register. (Refer to [CEO Delegations Framework](#))
- 5.3.3 In providing powers to the CEO as Head Delegate, the CEO is able to act independently of Council (and does not need to refer the decisions to Council).
- 5.3.4 The CEO has the legal ability to further subdelegate powers (Section 101 of the Act) unless the Act prohibits the subdelegation of a particular clause of the Act.

5.4 Delegations by the Council to the Development Assessment Panel.

- 5.4.1 Council is legally required to delegate certain powers to the DAP as the relevant authority in accordance with the Development Act 1993. To allocate these powers, the Council must formally delegate each relevant power to the DAP via a Council resolution.
- 5.4.2 Limitations, conditions or restriction may apply to the powers provided to the DAP. These, along with the approved delegations to the DAP are required to be detailed in a public register. (Refer to the [DAP Delegations Framework](#))
- 5.4.3 The DAP can only exercise the powers delegated to it as and when it meets as a decision making body. No individual member can exercise the powers delegated to the DAP.
- 5.4.4 The DAP cannot further subdelegate its powers.

- 5.4.5 The DAP is only delegated powers under the *Development Act 1993* and the *Development Regulations 2008*.

5.5 Delegation by External Organisations or Bodies.

- 5.5.1 There are delegations that can be provided directly to a position or an officer of Council from an external governing body or other organisations. Council has no influence or control over the provision of these powers.

5.6 Conflict of Interest

- 5.6.1 If at any time during the consideration or assessment of a matter, a delegate thinks that they have a conflict of interest with that matter; it is the responsibility of that person to take appropriate action.

5.7 Inspection and Purchase of the Delegation Register

- 5.7.1 As specified within the Act (Section 44(6)), a person is entitled to inspect the Delegation Register free of charge and is comprised of the following documents:
- Council Minuted Resolution approving the Delegations to the Head Delegate
 - [CEO Delegations Framework](#)
 - [DAP Delegations Framework](#)
 - [Subdelegation Framework](#)
 - [Revocation and Instrument of Subdelegations Document](#)
- 5.7.2 These documents form the 'Delegations Register'. The Delegations Register is available on the CWT website and can be viewed at the Civic Centre, 165 Sir Donald Bradman Drive, Hilton SA 5033.
- 5.7.3 Copies of part of or the entire the Delegations Register can be obtained for a fee per page as detailed in the *Fees and Charges Register*.

7.5 Elected Member Records Management Policy Review

Brief

The *Council Policy - Elected Member Records Management* has been subject to a scheduled review and is presented to the Corporate Planning, Policy and Performance Prescribed General Committee for its consideration and recommendation to Council.

RECOMMENDATION(S)

The Committee recommends to Council that:

1. The revised *Council Policy - Elected Member Records Management* be approved.
2. The Chief Executive Officer be authorised to make amendments of a formatting and/or minor technical nature to ensure the currency of the *Council Policy - Elected Member Records Management*.

Introduction

The *Council Policy - Elected Member Records Management* (Policy) (**Attachment 3**) has been subject to a scheduled review to ensure that it is consistent with current practice and is presented to the Corporate Planning, Policy and Performance Prescribed General Committee (Committee) for its consideration and recommendation to Council.

Discussion

The aim of this review was to ensure a simplified policy with clear responsibilities for Elected Members regarding their records management requirements.

The changes proposed to this policy are extensive. The key changes proposed include:

- Minor amendments to formatting and to the template;
- Minor wording clarifications;
- Revised preamble;
- Significantly simplified purpose and scope to ensure clarity of the policy;
- Reduction of unnecessary definitions; and
- Clearer policy statements to ensure the policy purpose is evident throughout document

This policy was presented to Committee on 12 July 2016 (**Attachment 2**), which resulted in the following resolution being carried:

"that the Council Policy - Elected Member Records Management be deferred to the September 2016 meeting of the Committee in order for the Administration to:

- 1. Further define the difference between an official record and a record under 'definitions';*
- 2. Clarify whether notes taken by Elected Members at meetings i.e. Council meetings, constitute an official record and required to be forwarded to Information Management Unit (IMU). If not then this to be included in the list of exclusions to official records under 'definitions'; and*
- 3. Further define the terms ephemeral and transitory."*

Section 4 of the draft policy has been changed in response to this resolution and it is re-presented for Committee consideration (**Attachment 1**).

All documents received or held by the City of West Torrens are defined as 'records' under the *State Records Act, 1997* (Act) however, the Act defines 'official records' as those records that are not excluded under the definition of official records. As the Policy only deals with the official records of Elected Members (refer clause 3 of the Policy), the definition of "record" has been removed from the draft Policy.

Similarly, the term 'ephemeral' is not material to the Policy, nor used, so has been removed from the current draft.

As a result of this review, the following versions of the policy have been attached for your consideration:

- Draft Policy inclusive of amendments made during review and clarifications requested at 12 July 2016 Committee meeting (**Attachment 1**). Track changes have been used to highlight the amendments to section 4.
- Draft Policy as presented to the Committee at its last meeting held on 12 July 2016 (Attachment 2). Track changes have not been used given the vast number of proposed amendments to the current policy.
- Current Policy (Attachment 3).

Conclusion

The revised *Council Policy - Elected Member Records Management* (**Attachment 1**) has been subject to a review and is presented to the Corporate Planning, Policy and Performance Prescribed General Committee for its consideration and recommendation to Council.

CITY OF WEST TORRENS



**Council Policy:
Elected Member Records Management**

Classification:	Council Policy
First Issued:	20 March 2007
Dates of Review:	2007, 2016
Version Number:	3
DW Doc set ID:	550562
Next Review Due:	2021
Applicable Legislation:	<u>State Records Act 1997 (SA)</u> <u>Freedom of Information Act 1991 (SA)</u> <u>Local Government Act 1999 (SA)</u> <u>South Australian Record Keeping Metadata Standards (SARKMS)</u> <u>General Disposal Schedule for Local Government (GDS20)</u>
Related Policies or Corporate Documents:	<u>Information Technology and Its Use Policy</u> <u>Elected Member Electronic Communications Facilities Policy</u> <u>Code of Conduct for Council (Elected) Members</u>
Associated Forms:	
Note:	
Responsible Manager:	Manager Information Services
Confirmed by General Manager:	General Manager Corporate Date 25 May 2016 and Regulatory
Approved by Executive:	Date 31 May 2016
Endorsed by Council	Date

City of West Torrens Council Policy - Elected Member Records Management

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Draft

City of West Torrens Council Policy - Elected Member Records Management

COUNCIL POLICY - Elected Member Records Management

1. Preamble

- 1.1 The City of West Torrens (CWT) recognises the importance of effective records management and that this obligation includes the appropriate capture, storage, maintenance and disposal of physical and electronic records.

2. Purpose

- 2.1 This policy provides the framework for Elected Members to fulfill effectively their record management obligations and statutory requirements.

3. Scope

- 3.1 This policy applies to all official records with which Elected Members are involved.

4. Definitions

- 4.1 An **official record** is a record made or received by an Elected Member in the conduct of CWT business. This means that any record created, sent, received, forwarded or transmitted by an Elected Member in the performance and discharge of their functions and duties may be classified as an official record. However, official records do not include:

- a) Records that are merely transitory, ~~ephemeral~~, personal or private in nature;

i. A record is transitory in nature if it is of little or no continuing value to the CWT and only needs to be kept for a limited time or short period of time, such as for a few hours or a few days.

- b) Election materials and records created or received by an Elected Member in regard to electioneering;
- c) Unsolicited product or advertising information, such as junk mail, brochures and pamphlets;
- d) A magazine or other published material;
- e) An acknowledgement of correspondence received (e.g. thanks, noted);
- f) A record made as a draft only and not for further use or reference; or
- g) A duplicate or "cc" copy of a document.

Notes made by an Elected Member at a Council meeting are not considered to be official records.

- ~~4.2 A record includes written material, such as letters and emails, along with graphic and pictorial matter, disks, tapes, films and other object that contains information or from which information may be reproduced.~~

Comment [LJ1]: Added as per recommendation of 12 July 2016 CPPP Meeting

Comment [LJ2]: Added as per recommendation of 12 July 2016 CPPP Meeting

City of West Torrens Council Policy - Elected Member Records Management

5. Policy Statement

- 5.1 Elected Members have a legal obligation under the *State Records Act 1997* to ensure the capture, preservation and accessibility of all official records.
- | 5.2 Elected Member official records must be readily accessible to meet business and accountability requirements, including obligations under the *Freedom of Information Act 1991*, legal processes such as discovery and subpoenas, and requirements of external bodies and agencies.
- 5.3 It is the responsibility of each Elected Member to forward official records to the Information Management Unit (IMU) to be captured into the Council's corporate document records management system. Documents must be referred in electronic or hard copy form within three (3) business days.
- | 5.4 If an Elected Member believes that an official record forwarded to IMU for incorporation into the record keeping system is of a highly sensitive or confidential nature, he or she should advise the IMU Coordinator of that view. It will be at the discretion of the IMU Coordinator as to whether such information will then be treated as confidential and access to those official records restricted.
- |
- 5.5 Elected Members are required to handle official records with care and respect in a sensible manner to avoid damage and with a view to prolonging their life span.
- 5.6 Elected Members must not intentionally damage, mishandle, alter, dispose of or remove official records of the CWT.
- 5.7 Disposal of official records is only to be carried out by authorised IMU personnel.
- 5.8 Any breaches of this policy may result in a breach of the *Code of Conduct for Council Members* or referral to an external enquiry agency.

CITY OF WEST TORRENS



Classification:	Council Policy		
First Issued:	20 March 2007		
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Related Policies or Corporate Documents:	<u>Information Technology and Its Use Policy</u> <u>Elected Member Electronic Communications Facilities Policy</u> <u>Code of Conduct for Council (Elected) Members</u>		
Associated Forms:			
Note:			
Responsible Manager:	Manager Information Services		
Confirmed by General Manager:	General Manager Corporate and Regulatory	Date	25 May 2016
Approved by Executive:		Date	31 May 2016
Endorsed by Council		Date	

City of West Torrens Council Policy - Elected Member Records Management

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Draft
12/7/16

COUNCIL POLICY - Elected Member Records Management

1. Preamble

- 1.1 The City of West Torrens (CWT) recognises the importance of effective records management and that this obligation includes the appropriate capture, storage, maintenance and disposal of physical and electronic records.

2. Purpose

- 2.1 This policy provides the framework for Elected Members to fulfill effectively their record management obligations and statutory requirements.

3. Scope

- 3.1 This policy applies to all official records with which Elected Members are involved.

4. Definitions

- 4.1 An official record is a record made or received by an Elected Member in the conduct of CWT business. This means that any record created, sent, received, forwarded or transmitted by an Elected Member in the performance and discharge of their functions and duties may be classified as an official record. However, official records do not include:
- Records that are merely transitory, ephemeral, personal or private in nature;
 - Election materials and records created or received by an Elected Member in regard to electioneering;
 - Unsolicited product or advertising information, such as junk mail, brochures and pamphlets;
 - A magazine or other published material;
 - An acknowledgement of correspondence received (e.g. thanks, noted);
 - A record made as a draft only and not for further use or reference; or
 - A duplicate or "cc" copy of a document.
- 4.2 A record includes written material, such as letters and emails, along with graphic and pictorial matter, disks, tapes, films and other object that contains information or from which information may be reproduced.

5. Policy Statement

- 5.1 Elected Members have a legal obligation under the *State Records Act 1997* to ensure the capture, preservation and accessibility of all official records.

City of West Torrens Council Policy - Elected Member Records Management

- 5.2 Elected Member records must be readily accessible to meet business and accountability requirements, including obligations under the *Freedom of Information Act 1991*, legal processes such as discovery and subpoenas, and requirements of external bodies and agencies.
- 5.3 It is the responsibility of each Elected Member to forward official records to the Information Management Unit (IMU) to be captured into the Council's corporate document records management system. Documents must be referred in electronic or hard copy form within three (3) business days.
- 5.4 If an Elected Member believes that a record forwarded to IMU for incorporation into the record keeping system is of a highly sensitive or confidential nature, he or she should advise the IMU Coordinator of that view. It will be at the discretion of the IMU Coordinator as to whether such information will then be treated as confidential and access to those records restricted.
- 5.5 Elected Members are required to handle official records with care and respect in a sensible manner to avoid damage and with a view to prolonging their life span.
- 5.6 Elected Members must not intentionally damage, mishandle, alter, dispose of or remove official records of the CWT.
- 5.7 Disposal of official records is only to be carried out by authorised IMU personnel.
- 5.8 Any breaches of this policy may result in a breach of the *Code of Conduct for Council Members* or referral to an external enquiry agency.



**Council Policy:
Elected Member Records Management Policy**

Classification:	Council Policy		
First Issued/Approved:	20 March 2007		
Dates of Review:	1 September 2009		
Version:	Version 2		
DW Doc set ID:	550562		
Next Review Due:	1 September 2014		
Applicable Legislation:	<ul style="list-style-type: none"> – State Records Act 1997 – Freedom of Information Act 1991 – Information Privacy Policy 1988 – Local Government Act 1999 – South Australian Record Keeping Metadata Standards (SARKMS) – State Records Adequate Records Management Standards 2002 – Evidence Act 1929 – General Disposal Schedule for Local Government (GDS20:Version 3) – Victorian Electronic Records Standard (VERS) 		
Relevant Policies:	<ul style="list-style-type: none"> – A.12-3 Information Technology and Its Use Policy – EM.1-2 Provision of Communications Equipment to Elected Members Policy – Elected Member Electronic Communications Facilities Policy – Code of Conduct for Council (Elected) Members 		
Related Executive Standards:			
Note:			
Responsible Manager:	Manager Information Services		
Authorised by Manager:	Manager Information Services	Date	
Confirmed by General Manager:	General Manager Corporate and Regulatory	Date	
Approved by Council:		Date	1 September 2009

City of West Torrens – Elected Members Records Management Policy

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Current

COUNCIL POLICY - Elected Members Records Management Policy

1. Preamble

- 1.1 The State Records Act 1997 governs the obligations and responsibilities of local government in relation to the management of official records. Under this Act, the City of West Torrens (CWT) has an obligation to maintain official records in its custody in good order and condition. Not only does this include obligations in relation to the capture, storage, maintenance and disposal of physical records but also records in electronic format.

An official record is a record made or received by the CWT in the conduct of its business. This means that, because Elected Members act as representatives of the Council, any record created, sent, received, forwarded or transmitted in the performance and discharge of their functions and duties may be classified as official records. However, records that are merely transitory, ephemeral, personal or private in nature will fall outside the definition of “*official records*”.

2. Purpose

- 2.1 This policy provides the framework for the CWT to fulfill effectively its obligations and statutory requirements under the State Records Act insofar as Elected Members are concerned.

The CWT operates in an accountable and community orientated environment and is committed to maintaining a records management system that meets its business needs, statutory obligations and accountability requirements.

Good records management is of key importance to good governance. Records are vital ingredients in the support of the CWT's ongoing business activities. The CWT is committed to managing its records of continuing value and their timely transfer to the State Records Office.

CWT has certain legal obligations in relation to records management and records are themselves subject to legislation, such as the Freedom of Information Act 1991, and legal processes, such as discovery and subpoenas. The records may also be required by Royal Commissions, the Ombudsman, the Courts, auditors and other people or bodies to whom or which they may be subject.

Through sound record keeping practices and the accurate capture of information to meet the legal, evidential and accountability requirements Council is ensuring the preservation of its "corporate memory."

3. Definitions

Continuing Value - records of continuing value are those that contain information that is of administrative, legal, fiscal, evidential or historical value to the CWT.

Council Business - may include the provision of services, delivery of programs, development of policies, making of decisions, performance of CWT functions and other similar types of transactions.

City of West Torrens – Elected Members Records Management Policy

Dispose of - to dispose of an official record means to:

- destroy or abandon the record;
- carry out an act or process as a result of which it is no longer possible or reasonably practicable to reproduce the whole or a part of the information contained in the record; or
- transfer or deliver ownership or possession of or sell the record, or purport to do so,

but does not include the transfer or delivery of the record to the State Records Office or between the CWT and another agency.

Email

Is a service that enables people to exchange documents or messages in electronic form. It is a system in which people can send and receive messages through their computers. Each person has a designated mailbox that stores messages sent by other users. You may retrieve, read and forward or re-transmit messages from your mailbox.

Ephemeral/Transitory Record

A record is transitory or ephemeral in nature if it is of little or no continuing value to the CWT and only needs to be kept for a limited or short period of time, such as a few hours or a few days.

Metadata

Metadata refers to information about records, such as information recorded on index links, action dates, notes and responsible officers.

Normal Administrative Practice

Normal Administrative Practice provides for the routine destruction of drafts, duplicates and publications, with the test that it is obvious that no information of more than transitory or ephemeral value to the CWT will be destroyed. Material that can be disposed of under Normal Administrative Practice comprises items of an ephemeral or transitory nature created, acquired or collected by Elected Members in the course of their official duties. Such material has no ongoing value and is not usually incorporated into the CWT's record keeping system.

Record

A record means:

- written, graphic or pictorial matter; or
- a disk, tape, film or other object that contains information or from which information may be reproduced (with or without the aid of another object or device).

Official Record

A record made or received by the CWT in the conduct of its business, but does not include:

City of West Torrens – Elected Members Records Management Policy

- a record made or received by an agency for delivery or transmission to another person or body (other than an agency) and so delivered or transmitted; or
- a record made by an agency as a draft only and not for further use or reference; or
- a record received into or made for the collection of a library, museum or art gallery and not otherwise associated with the business of the agency; or
- a Commonwealth record as defined by the Archives Act 1983 of the Commonwealth, as amended from time to time, or an Act of the Commonwealth enacted in substitution for that Act; or
- a record that has been transferred to the commonwealth.

4. Adequate Records Management

Adequate Records Management is an overarching framework for the South Australian Government, incorporating the records management practices of all state and local government agencies and authorities. It has been developed with reference to the Australian Standard for Records Management, AS ISO 15489-2002.

Owing to the diverse nature of business covered by the South Australian Government, this is not a prescriptive standard, but rather outlines the minimum requirements that agencies and authorities need to meet and, ideally, exceed.

By meeting and exceeding the outcomes of Adequate Records Management, agencies will be meeting the legislative imperatives outlined in the State Records Act, 1997.

There are eleven Adequate Records Management outcomes for agencies. These are that:

- official records are created
- official records are captured
- official records are disposed of systematically
- access to official records is managed
- official records can be found
- official records can be relied upon
- the management of official records is planned
- records management training is provided to staff
- records management reporting mechanisms are implemented
- policies, procedures and practices exist for the management of official records
- sufficient numbers of skilled records management resources are allocated.

The following statements describe how the CWT will meet its obligations inherent in the State Records Act and subsequent Adequate Records Management framework.

4.1 Accessibility

Council has a legal obligation to provide access to records under the Freedom of Information Act 1991 and for legal processes such as discovery and subpoenas. Ombudsman, Royal Commissions, the Courts or auditors may also require access to records. Records must be accessible by personnel for the purpose of fulfilling Council business only.

4.2 Capture

All corporately significant information (created or received) will be maintained within the central EDRMS (electronic document and records management system) along with any metadata which provides context to that record. Council captures records to be in line with legislative requirements (Evidence Act 1929)

4.3 Control

Records captured within the corporate EDRMS will be controlled using security and access provisions, stored with physical and electronic records tracking abilities and sentenced against the GDS20:Version 3.

4.4 Disposal

The process of applying to State Records for destruction of a record once it has met its minimum retention requirements under the GDS20. Records should not be destroyed before the minimum disposal action has been reached.

4.5 Maintenance

Electronic Records (and the scanned instance of a physical record) can be managed within the EDRMS with appropriate and meaningful metadata in line with the South Australian Metadata Standards (dates, notes, index links, responsible officers, registration officers etc). The record integrity and reliability will also be maintained in accordance with the State Records Adequate Records Management Standard 2002. The location of the physical record must also be recorded and the record lifespan must also be manageable.

4.6 Retention

The life of a record will be according to its classification under the GDS20, and this will determine the retention period for corporate operations.

4.7 Security

Information may be accessed, viewed or manipulated by those personnel with predetermined rights. Security classifications will be applied to all electronic and physical records with access and use only available for operational intent. This will be carried out in accordance with various encompassing legislation eg information and privacy principles protocol.

4.8 Storage

Official records will be stored in accordance with the State Records Act 1997 and Adequate Records Management Guidelines. Security and access restrictions will also apply to physical and electronic records.

- Physical records will be stored in a fire safe environment (recommended minimum of 2 hour fire rating). They will not be exposed to elements (water, wind, sunlight) and should be free from any conditions which may damage or alter the integrity of the records and the information (away from chemicals, rodents or pests).
- Electronic records (eg originating electronically) will be stored in an open and enduring format in accordance with VERS (Victorian Electronic Records Standard) ensuring the long-term preservation of digital records.

5. Policy Scope

- 5.1 This policy applies to all CWT business with which Elected Members are involved, including electronic business. It concerns records, which are created, collected, processed, used, sentenced, stored and disposed of in the conduct of official business. It applies to all Elected Members.
- 5.2 Electronic communications which are relevant to the information gathering, policy formulation or decision-making processes of Council are part of the scope of this policy.

6. Policy Statement

6.1 Obligation of Elected Members

Elected Members must not intentionally damage, alter, dispose of or remove official records of the CWT without authorisation to do so. Elected Members are required to handle CWT records with care and respect in a sensible manner to avoid damaging records and with a view to prolonging their life span.

Elected Members shall ensure that Council records in any format, including electronic documents and electronic messages, which they personally receive or send are forwarded to the Information Management Unit to be captured into the Council's record keeping systems. Documents may be referred in electronic or hard copy form.

Election materials and records created or received by an elected member in regard to electioneering are **private records of the elected member**, and do not need to be forwarded to the CWT.

Records must be readily accessible to meet business and accountability requirements. Electronic records are to be captured and maintained as functioning records by preserving their structure, context and content. In order to maintain their value as evidence, electronic records must be inviolate. That is, they cannot be altered or manipulated for as long as they are retained.

Action may be taken under the relevant Code of Conduct against Elected Members who do not comply with this policy.

6.2 Confidential Records

If an Elected Member believes that a record forwarded to the Information Management Unit for incorporation into the record keeping system is of a highly sensitive or confidential nature, he or she should advise the IMU Coordinator of that view. It will be at the discretion of the IMU Coordinator as to whether such information will then be treated as confidential and access to those records restricted.

6.3 Destruction Methods

Official records will be disposed of in accordance with the General Disposal Schedule No.20 for Local Government Authorities in South Australia. Transitory or ephemeral records, or records that are personal or private in nature, will be destroyed in accordance with Normal Administrative Practice.

Elected Members need to protect CWT records, which should include ensuring they are not left in cars unattended as they could be lost or damaged or stolen.

City of West Torrens – Elected Members Records Management Policy

7. Appendices

Appendix 1 - Service Standard for Elected Members

Appendix 2 – Service Standard for Emails and Electronic Mail

Current

Service Standard For Elected Members

Corporately Significant Information

All "corporately significant information" relating to *corporate activities of council* will be captured in the corporate record keeping system. Under the *State Records Act* these are described as Official Records - records ".... made or received by an agency in the conduct of its business...". This includes any council business that originated with an elected member and is subsequently transferred to CWT staff to investigate, respond or act upon.

Elected Members receive correspondence from ratepayers and other stakeholders in their role as Council representatives. This correspondence becomes *corporately significant* if the matter is referred to council staff for action or response, or if actioned or responded to by the Elected Member.

Corporately significant information includes but is not limited to:

Incoming items

Incoming items (including couriered or hand-delivered mail, email and faxes) require registration if:

- CWT staff are required to respond to the record;
- An Elected Member is required to respond or take action concerning the record;
- It involves a decision made by an employee on council's behalf;
- It involves a complaint that requires investigation;
- It involves attending a formal meeting, conference, workshop or function;
- It concerns a safety issue;
- It adds to council's knowledge base (ie. a reference document or paper)

Outgoing items

- Response to any registered document
- New letters, Memos and Faxes

A record is not required to be registered if it is:

- Unsolicited product or advertising information ('junk' mail, brochures, pamphlets);
- A duplicate copy used for reference purposes, or a "cc" document;
- Personal communication in no way related to CWT business;
- A magazine or published material (although articles may be clearly photocopied and sent to IMU for registration if deemed corporately relevant to council's knowledge base).
- Acknowledgement only of receipt or email (eg. thanks, noted)

City of West Torrens – Elected Members Records Management Policy

Service Standard For Emails and Electronic Mail

1. **Emails recorded on local government equipment become a local government record and the property of council.**

The *State Records Act* defines electronically stored information, including emails sent or received by local government equipment, as a local government record.

2. **All “Corporately Significant Information” must be captured and stored in the corporate record keeping system.**

Emails concerning “corporately significant information” should be captured in the corporate record keeping system. The *State Records Act* defines emails as “Records of Value”.

3. **Each Elected Member is responsible for forwarding emails for registration.**

It is the responsibility of each Elected Member to forward corporate emails to the Information Management Unit for registration. This may occur in electronic or hard copy form.

4. **Ensure only appropriate language, style and subject matter is included when writing emails.**

Messages sent, received or stored must be available for review by an authorised representative of the State Government (State Records, Ombudsman, Privacy Commissioner, Court of Law). Electronic mail messages may not be secure or confidential and must therefore use appropriate language, style and subject matter. For this reason, it is suggested email not be used for confidential matters.

7.6 Ombudsman Enquiries and Investigation Policy Review

Brief

The *Council Policy - Ombudsman Enquiries and Investigations* has been subject to a scheduled review and is presented to the Corporate Planning, Policy and Performance Prescribed General Committee for its consideration and recommendation to Council.

RECOMMENDATION(S)

The Committee recommends to Council that:

1. The revised *Council Policy - Ombudsman Enquiries and Investigations* be approved.
2. The Chief Executive Officer be authorised to make amendments of a formatting and/or minor technical nature to ensure the currency of the *Council Policy - Ombudsman Enquiries and Investigations*.

Introduction

The *Council Policy - Ombudsman Enquiries and Investigations* (Policy) has been subject to a scheduled review to ensure that it is consistent with current practice and is presented to the Corporate Planning, Policy and Performance Prescribed General Committee for its consideration and recommendation to Council.

Discussion

Given they are not extensive, proposed changes to the Policy are shown as 'track changes' (**Attachment 1**).

The key changes proposed include:

- Minor amendments to formatting and to the template;
- Update of Ombudsman's role in the Preamble section;
- Clear and simple purpose and scope to ensure Policy is well defined;
- Slight amendments to ensure current practice regarding formal investigations and confidentiality is appropriately reflected; and
- Removal of unnecessary Policy Statements.

Conclusion

The revised *Council Policy - Ombudsman Enquiries and Investigations* has been subject to a review and is presented to the Corporate Planning, Policy and Performance Prescribed General Committee for its consideration and recommendation to Council.

ATTACHMENT 1

CITY OF WEST TORRENS



Council Policy: Ombudsman Enquiries and Investigations

Classification:	Council Policy
First Issued:	21 July 1998
Dates of Review:	2000, 2002, 2007, 2012, 2016
Version Number:	56
DW Doc set ID:	306014
Next Review Date:	2021
Applicable Legislation:	<ul style="list-style-type: none"> Ombudsman Act 1972 Local Government Act 1999
Related Policies or Corporate Documents:	<ul style="list-style-type: none"> Code of Practice – Procedures at Meetings Mandatory Code of Conduct for Council (Elected) Members Mandatory Code of Conduct for Council Employees Code of Conduct for Council Employees Ombudsman Enquiries and Investigations Administration Policy
Associated Forms:	
Note:	Formerly the <i>Incoming Ombudsman Correspondence Policy</i>
Responsible Manager:	Executive Manager Corporate Risk <u>Manager Business Services</u>
Confirmed by General Manager:	Executive Manager Corporate Risk <u>General Manager Business and Community Services</u> Date
Approved by Executive:	Date
Endorsed by Council:	Date 4/05/2012

City of West Torrens Council Policy - Ombudsman Enquiries and Investigations

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Draft

City of West Torrens Council Policy - Ombudsman Enquiries and Investigations

COUNCIL POLICY - Ombudsman Enquiries and Investigations

1. Preamble

1.1 The Ombudsman's role is to:

- investigate complaints brought to him about government departments and authorities, and local government councils
- review decisions made about the supply of public information in accordance with the Freedom of Information Act
- conduct investigations when the public have been refused access to local council meetings and
- receive information confidentially from a person who wishes to inform about possible improper or illegal actions, without disclosing that person's identity investigate complaints about South Australian government and local government agencies,
- review freedom of information determinations of these agencies;
- conduct audits of these agencies, and
- receive information about these agencies confidentially from whistleblowers.

1.2 The Ombudsman derives powers primarily from the Ombudsman Act 1972 (the Act).

2. Purpose

2.1 The purpose of this policy is to detail the process for the reporting on managing general enquiries from the Office of the Ombudsman and reporting formal investigations undertaken at the City of West Torrens (CWT) by the Ombudsman.

3. Scope

3.1 This policy relates to the reporting of formal investigations by the Ombudsman undertaken at the all contact between the Office of the Ombudsman and the City of West Torrens CWT to the Council.

4. Definitions

4.1 A Formal Investigation (also referred to as a full investigation under Section 18 of the Act) relates to a request by the Ombudsman for information from the Council relating to an administrative act about which the Office of the Ombudsman has received a complaint.

4.2 General Enquiries refer to mail, email, fax and telephone enquiries from the Office of the Ombudsman.

Comment [LJ1]: New definition to clarify how the ombudsman may contact the CWT.

4.3 The Ombudsman refers to the person holding the position of the South Australian Ombudsman, appointed under the Ombudsman Act 1972 Act, or a representative or delegate from the Office of the Ombudsman acting on their behalf.

4.4 The Principal Officer of the Council is the Mayor, as detailed in Section 3 of the Act.

5. Policy Statement

5.1 General Enquiries

Comment [LJ2]: New inclusion to incorporate how general enquiries are to be handled.

City of West Torrens Council Policy - Ombudsman Enquiries and Investigations

~~5.1.1 All written general enquires received by the from the Office of the Ombudsman are to be forwarded to the Governance Unit for action.~~

~~5.1.21 A written general enquiry, i.e. email, or an general enquiry received by telephone~~
general enquiry received by telephone from the Office of the Ombudsman is to be directed to the Manager of the respective area by the officer. If the Manager is unavailable, the call can be redirected to the Governance Unit or the ~~Officer~~ can take a message and advise the caller that their call will be returned within 24 hours.

~~5.1.32~~ Managers must ensure that details of the conversation are forwarded to the Governance Unit via the Governance Mailbox within 1 working day of providing the information so that the details can be recorded in the register.

5.2 Formal Investigations

~~5.2.1~~ If the Ombudsman receives a complaint and determines that it warrants a formal investigation, the Ombudsman will forward notification of the complaint and investigation to the Principal Officer in accordance with ~~Section s~~18(1a) of the Act.

~~5.1.15.2.1.1~~ The notification of a formal investigation will be provided to Council by the Chief Executive Officer (CEO) -with a covering report at the next available Council meeting unless the Ombudsman protects that information.

~~5.1.25.2.1.2~~ Any subsequent correspondence from the Ombudsman addressed to the Council or the Principal ~~Officer~~Member will be tabled for information at the next available Council meeting unless the Ombudsman protects the content of his correspondence.

~~5.2.2~~ Correspondence regarding formal investigations will be considered in confidence in accordance with ~~Section s~~90 of the *Local Government Act 1999* (LG Act) or other relevant legislation when the Ombudsman has ~~requested or~~ directed that Council do so.

~~5.2.2.15.2.1~~ Notwithstanding an Ombudsman ~~request or~~ direction in relation to a specific investigation, it is the responsibility of the ~~Chief Executive Officer (CEO)~~ to determine if correspondence relating to any matter (including a formal Ombudsman investigation) is otherwise confidential in nature, in accordance with ~~Section s~~83(5) of the *Local Government Act 1999*LG Act.

~~5.2.2~~ If correspondence from the Ombudsman is received, without a request for confidentiality, and the time before the next Council meeting is more than five (5) business days, a copy of the letter will be provided to all Elected Members via email. A report will be prepared for the next available Council meeting.

~~5.2.3~~ ~~Both~~ Council and the CEO will ensure that all matters are dealt with as discreetly as possible and the information obtained will only be used for the purposes of the investigation.

~~5.2.4~~ The Ombudsman may call on any ~~person~~officer within the ~~organisation~~ CWT or ~~the an~~ Elected MemberCouncil to assist in the investigation.

~~5.4.15.2.4.1~~ The CEO is able to provide assistance to Elected Members with any requests from the Ombudsman unless the Ombudsman has otherwise directed the CEO or any other officer not to do so.

~~a)5.4.1.1~~ It is an offence to obstruct, hinder or resist the Ombudsman in the exercise of his or her powers (Section 24 of the Act).

City of West Torrens Council Policy - Ombudsman Enquiries and Investigations

5.2.5 When the Ombudsman advises the Principal Officer, in writing, of any evidence obtained during a formal investigation that might constitute a breach ~~of duty or be considered to be misconduct by an Elected Member(s) of the Code of Conduct for Council Members or the Code of Conduct for Council Employees~~, the matter will be handled under the ~~relevant Code~~.

~~Code of Conduct for Council Employees~~.

Draft

7.7 Public Health Plan Progress Report

Brief

This report details the second biennial progress report on achievements against Council's *Public Health Plan* as required by the Chief Public Health Officer under the *Public Health Act (2011)*.

RECOMMENDATION(S)

The Committee recommends to Council that the second biennial progress report be approved and submitted to the Chief Public Health Officer to satisfy its reporting requirements pursuant to the *Public Health Act (2011)*.

Introduction

South Australian Public Health Act 2011 (Act) aims to promote and protect public health and reduce the incidence of preventable illness, injury and disability in South Australia.

Section 51(1) of the Act requires a council to "prepare and maintain a plan for the purposes of the operations of the council or councils under this Act (**a regional public health plan**)".

At its 2 September 2014 meeting, Council approved its *City of West Torrens Regional Public Health Plan* (Plan) which was subsequently forwarded to the Chief Public Health Officer pursuant to s51(13) of the Act.

The strategies listed in the Plan, consistent with the provisions of the Act, are based on Council's existing activities and strategic and corporate management plans.

Section 52(1) of the Act requires biennial progress reporting to the Chief Public Health Officer on the implementation of regional public health plans. The next report is due on or before 30 September 2016 for the reporting period 1 July 2014 - 30 June 2016.

Discussion

Reporting on the Plan provides an opportunity to capture the strategies and actions that make a difference in our local area, to publicise our achievements to state-level stakeholders and to highlight issues that may inform future public health planning.

The first two years of implementation of the Plan has seen the commencement and continuation of a number of activities and services that directly contribute to the four key objectives of the State Public Health Plan *South Australia: A Better Place to Live*:

1. Stronger and healthier communities and neighbourhoods for all generations;
2. Increasing opportunities for healthy living, healthy eating and being active;
3. Preparing for climate change; and
4. Sustaining and improving public and environmental health protection.

A consultative approach with key staff was employed in order to accurately determine the progress Council has made in implementing the Plan.

The outcomes of this consultation have been collated into a *Progress Report Template* (Template) provided to local councils by SA Health to assist councils meet their reporting requirements. The Template is attached (**Attachment 1**).

The Template categorises progress for each strategy as follows:

1. **in progress;**
2. **completed;**
3. **ongoing.**

Progress against the **54** strategies contained in the Plan are summarised below:

- 9 (16.5 %) in progress
- 3 (5.5 %) completed
- 40 (74 %) ongoing

In addition, the following two strategies are yet to be commenced:

1. Acknowledge and celebrate the Kaurna heritage in the landscape; and
2. Continue Council's food safe programs.

The final section of the Template provides the ability to list emerging public health issues and opportunities which have been identified through the implementation of the Plan over the past two years.

Key opportunities and identified issues for Council include:

- altered legislation regarding cycling on footpaths may lead to heightened anxiety of older and vulnerable people and potentially the need for increased resources to improve footpaths for cyclists; and
- changes to the Commonwealth Home Support Program (CHSP) and the withdrawal of external funding in 2018 may result in increased isolation of the frail aged and vulnerable groups as well as negative impact for Council.

The focus of public health planning to date has been on identifying key local health challenges and opportunities, and articulating the activities that Council is already undertaking (or plans to undertake) which contribute to improving public health in the region.

SA Health (with input from local councils) is developing a *Public Health Evaluation Framework* which will include a public health indicator set which will assist with planning, reporting and identifying potential priorities for future state public health programs and services and what (if any) role Council might play going forward. It will also assist in the refinement of 'health determinant' datasets to include data which is more localised, up to date and relevant to local government and less disease (mortality and morbidity) focused.

Over the next two years, it is intended that the Plan be revised to extend its scope to include activities undertaken by others who may work alone, or in partnership with Council, to improve the community's health and to include a set of indicators to aid in the reporting process.

Consideration will be given to whether a stand-alone corporate plan is needed or whether public health strategies are encompassed by Council's *Towards 2025 Community Plan* which outlines approaches to healthy communities and environments.

Conclusion

The *City of West Torrens Public Health Plan* was adopted by Council in 2014 and the *South Australian Public Health Act 2011* requires biennial reporting on the implementation of regional public health plans.

Key staff provided information on Council's progress for each strategy listed in the Plan and gave insight to emerging local public health issues and opportunities. Information has been collated in the Progress Report Template provided by, and as required by, SA Health for the Committee's consideration and recommendation to Council. On approval by Council the report will be forwarded to the Chief Public Health Officer before 30 September 2016 for the reporting period 1 July 2014 - 30 June 2016.

City of West Torrens Regional Public Health Plan Progress Report - 1 July 2014 - 30 June 2016

Section 1a: Progress on Regional Public Health Plan commitments aligned to State Public Health Plan:

Strategic Priority 1: *STRONGER AND HEALTHIER COMMUNITIES AND NEIGHBOURHOODS FOR ALL GENERATIONS*

PRIORITY/STRATEGY/ACTION FROM WEST TORRENS PUBLIC HEALTH PLAN	STATUS 1. in progress 2. completed 3. ongoing	ACHIEVEMENTS JULY 2014 - JUNE 2016	ADDITIONAL COMMENTS ON IMPLEMENTATION (eg key enablers & challenges, unexpected benefits or impacts)
Implement and review Council's Roads Infrastructure Assets Management Plan and 10 year capital works program to ensure that the Council manages its road (surface, pavement and kerb & gutter) assets in a manner most appropriate for the community.	3	A recondition audit of the city's 297km of road and a condition audit on pedestrian and road bridges was completed. More than \$20M has been spent in the past 2 years on transport related capital works, with most projects identified through the annual review of the Footpath Asset Management Plans and customer requests. The majority (approx. \$17M) was spent on resealing road surfaces, replacing kerbs and gutters and reconstructing roads.	The past 2 years have seen an increase of environmental improvement measures in our designs such as the installation of innovative bio-filtration beds (rain gardens, tree pits) which create multiple benefits such as peak flow reduction, water quality improvements, biodiversity in the landscape and has cooling effects on the urban environment.
Implement the City of West Torrens Transport Strategy <i>Transportation for the Next Generation 2025</i> to provide for community safety, minimise negative traffic impacts and support health promoting transport options.	1	The Local Area Traffic Management Study in Underdale, Torrensvalley and Thebarton was completed and work has begun on installing traffic control solutions such as streetscaping and physical devices to influence vehicle operation to create safer and more pleasant streets. Up-lighting also formed part of the transport strategy resulting in improving public safety. Up-lighting commenced along the River Torrens in Lockleys and Fulham.	This is one of a number of projects which requires effective collaboration to planning and implementation due to the combination of departments involved: City Assets, City Strategy and City Development.
Implement and review Council's Footpath Infrastructure Assets Management Plan to support walking, community connection, accessibility and minimise risks of injury.	3	Approximately \$2M has been spent on footpath construction and renewal over the past 2 years with major upgrades on Richmond Rd, Keswick; Railway Tce, Mile End South; Tapleys Hill Rd, Fulham; King St, Mile End and Stonehouse Ave, Plympton.	
Implement and review Council's Strategic Bicycle Plan to enhance bicycle networks for both local and regional trips and encourage cycling by providing a variety of options for cyclists with different needs and abilities.	3	Construction of a number of shared paths along the River Torrens, Watson and Bear Ave, Netley and around the West Beach Detention Basin have commenced during the period. These upgrades are part of implementing the <i>Bicycle Strategy</i> , and aim to move closer to an interconnected system.	

PRIORITY/STRATEGY/ACTION FROM WEST TORRENS PUBLIC HEALTH PLAN	STATUS 1. in progress 2. completed 3. ongoing	ACHIEVEMENTS JULY 2014 - JUNE 2016	ADDITIONAL COMMENTS ON IMPLEMENTATION (eg key enablers & challenges, unexpected benefits or impacts)
Manage building assets to address the needs of residents through Council's Buildings Infrastructure Assets Management Plan based on the principles of maximising community benefit, equity and accessibility.	3	Completion of the Council owned Property Review Report, which outlines the strategy for the management of Council's building stock (which includes more than 120 buildings - sporting, community, recreational and commercial operated facilities). Master planning has been undertaken for the redevelopment/upgrade of Weigall Oval, Apex Park and Lockleys Oval, which has taken into account local needs and equality of access to the spaces.	This is one of a number of projects which requires effective collaboration to planning and implementation due to the combination of departments involved: City Assets, City Strategy and Community Development.
Work towards implementation of the Thebarton Technology Hub Master Plan to develop a Shared Identity, Links and Connections and Green Streets and Places in the Thebarton Bioscience Precinct.	1	The Thebarton Technology Hub Masterplan was adopted and the Thebarton Streetscapes Concept Design Report developed for the rejuvenation of Holland Street Thebarton. The \$1.4M upgrade of Holland Street has commenced and it will provide a significant north-south pedestrian cycle-link and reconnect the precinct with the River Torrens Linear Park trail and Entertainment Centre Precinct. The upgrade also forms a key gateway from Phillips Street to the newly reopened Sir William Goodman Bridge and is identified as a bicycle route on the Adelaide Bikedirect Network.	Opportunities for street activation and community activities have been included through the inclusion of a predominantly pedestrian plaza suitable for community gatherings.
Promote development to support public health through Development Plan policy regarding Access, Crime Prevention, Community Facilities, Hazards, Orderly and Sustainable Development, Open Space and Recreation, Interface and Residential Development.	3	Council has actively influenced development policy within the Council area including the implementation of the Housing Diversity DPA, responding to ministerial DPAs affecting transport corridors and activity centres, and seeking zone changes in Underdale Torrens for improved interface between residential and other land uses. This work remains ongoing in response to the recent Planning Development and Infrastructure Act and future Planning and Design Code.	
Develop responses and amend the Development Plan to address issues for residents and businesses at the residential industry interface.	1	The Underdale Torrens Urban Employment Zone SOI has been finalised and received by Minister for Planning. As yet the Minister has not made a decision. Local Area Traffic Management Plans are being developed for affected areas around Wilford Ave in order to influence vehicle operation to create safer streets.	This is one of a number of projects which requires effective collaboration to planning and implementation due to the combination of departments involved: City Assets, City Strategy and City Development.

PRIORITY/STRATEGY/ACTION FROM WEST TORRENS PUBLIC HEALTH PLAN	STATUS 1. in progress 2. completed 3. ongoing	ACHIEVEMENTS JULY 2014 - JUNE 2016	ADDITIONAL COMMENTS ON IMPLEMENTATION (eg key enablers & challenges, unexpected benefits or impacts)
Apply the Building Code of Australia to ensure suitable amenities are provided in buildings based on the associated land use.	3	This is an ongoing requirement of Council and it will continue to meet its legislated responsibility.	The number of building inspections has slightly increased (4%) over the period. The development of a <i>West Torrens Disability Access and Inclusion Plan</i> (currently underway) will impact this strategy over the next 5 years as Council will promote the design and development of more accessible and adaptable private housing using universal design standards.
Provide feedback to Adelaide Airport regarding the application and review of its Master Plan, including consideration of public health impacts.	3	Feedback was provided to Adelaide Airport regarding their most recent Master Plan. Council continues to build relationships with Adelaide Airport through the Adelaide Airport Consultative Committee and AACCC Planners Forum to address inconsistencies between Federal, State and Local planning policies for development around airports- including noise exposure, safety zones, prevention of intrusion in the Obstacle Limitation Surface and navigational equipment issues. A review of how planning policy enforces ANEF (Australian Noise Exposure Forecast) contours to assist mitigation of noise exposure experienced in residential development is currently being undertaken.	Input regarding public health impacts was likely minimal - as areas zoned for residential development largely cannot be precluded from developing for domestic uses provided they meet the requirements of the national building code.
Ensure that planning, design and maintenance reinforce the open space hierarchy and there is an equitable spread of regional, district, neighbourhood and local open space.	3	The <i>Open Space and Public Place Strategy</i> , which included an Open Space Hierarchy, was adopted by Council on 17 September 2013. The Strategy ensures that planning, design and maintenance reinforce the open space hierarchy through inclusion in the Community Land Management Plans (which are currently under review). Council was awarded grant funding from DPTI's <i>Places for People</i> fund to undertake an open space for higher densities project in order to serve an increased residential population.	This is one of a number of projects which requires effective collaboration to planning and implementation due to the combination of departments involved: City Assets, City Strategy and City Works.

PRIORITY/STRATEGY/ACTION FROM WEST TORRENS PUBLIC HEALTH PLAN	STATUS 1. in progress 2. completed 3. ongoing	ACHIEVEMENTS JULY 2014 – JUNE 2016	ADDITIONAL COMMENTS ON IMPLEMENTATION (eg key enablers & challenges, unexpected benefits or impacts)
In planning, designing and maintaining open space, identify, monitor and provide for the health, cultural, sport and recreation needs of a growing community and urban population.	3	<p>An action from the <i>Open Space and Public Places Strategy</i> is that future planning should address; the provision and purpose of the open space, the intended user groups, community and stakeholder engagement processes, function of open space, types of facilities within open space such as playgrounds, shelters and pathways, landscape treatment including significant plantings, stormwater management (WSUD), opportunities to support biodiversity.</p> <p>This process of planning is evident through the master planning for Weigall Oval, Apex Park and Lockleys Oval during this reporting period.</p> <p>Council was awarded grant funding from DPTI's <i>Places for People</i> fund to undertake an open space for higher densities project in order to serve an increased residential population.</p>	<p>This is one of a number of projects which requires effective collaboration to planning and implementation due to the combination of departments involved: City Assets, City Strategy and City Works and Community Development. In addition, processes can take longer due to the extent of issues to be investigated in planning.</p>
Increase the provision of open space associated with growth corridors in order to address the potential demand for cultural, recreation and sports facilities.	3	<p>An ongoing process of identifying opportunities for new areas of open space within the following growth corridors forms part of the structure planning process for <i>Anzac Highway, Sir Donald Bradman Drive, Henley Beach Road and Port Road</i>, including opportunities around Ashford Hospital, Kurralka Park Shopping Centre, Hilton Shopping Centre and Thebarton Shopping Centre.</p>	<p>The impending commencement of the Planning, Development and Infrastructure (PDI) Act will no doubt impact many strategies within our corporate plans such as this one.</p>
Develop the Western Region Sporting Facilities Study to understand and provide for future sporting needs of the West Torrens and broader community.	2	<p>The Study was completed in 2015 and presented to Council.</p>	<p>The impending commencement of the Planning, Development and Infrastructure (PDI) Act will no doubt impact many strategies within our corporate plans. Due to the regional nature of the Western Region Sporting Facilities Study, there is potential for it to be used as a tool for implementation of PDI Act.</p>
Incorporate public place making into structure planning for growth corridors.	1	<p>This is currently at concept phase only.</p>	

PRIORITY/STRATEGY/ACTION FROM WEST TORRENS PUBLIC HEALTH PLAN	STATUS 1. in progress 2. completed 3. ongoing	ACHIEVEMENTS JULY 2014 - JUNE 2016	ADDITIONAL COMMENTS ON IMPLEMENTATION (eg key enablers & challenges, unexpected benefits or impacts)
Develop, maintain and facilitate the use of community hubs and facilities as points of social, recreational and educational interaction.	3	<p>Over 200,000 visits to the Hamra Centre Library were made each year of the reporting period. In addition over 1,800 bookings were made at the Thebarton Community Centre each year. These statistics reflect the immense opportunity residents have to reduce social isolation, and participate in recreational or educational activities at these community hubs.</p> <p>Through the Hamra Centre Library the OPAL staff developed a "Little Days Out" program of outdoor activities and nature play opportunities. These days were attended by 200-300 people. This project was a finalist in the Minister for Health – Excellence in Public Health Awards 2016.</p> <p>New community hubs are currently being developed across the city with master planning complete for Lockleys Oval, Apex Park and Weigall Oval.</p>	<p>Although state funding for the OPAL project ceased at West Torrens on 30 June 2016, Council will continue to run the Little Day Out activities through the Community Services Team. In addition, continuing other elements of the OPAL program is being investigated.</p>
Provide youth programs and investigate social enterprise initiatives and implement where feasible.	3	<p>Almost 300 activities were offered to children and youth over the past 2 years by the Community Services team. Key enterprise initiatives have included a music program with EMU Tree Music School and a Barista Training Program. The Music School saw 12 young people aged 14-18 years record their own songs using real instruments, vocals and music software. An album was produced and live performance to participant's families took place. The 'Crumbs -Step Up' cooking and work experience component of the IMPACT Youth Group presented Barista training for 8 young people to improve their readiness for a career in hospitality.</p>	<p>Partnerships are the strength of these initiatives. Adequate resources must be allocated to maintain existing and forge new relationships with local (where possible) business.</p>

PRIORITY/STRATEGY/ACTION FROM WEST TORRENS PUBLIC HEALTH PLAN	STATUS 1. in progress 2. completed 3. ongoing	ACHIEVEMENTS JULY 2014 - JUNE 2016	ADDITIONAL COMMENTS ON IMPLEMENTATION (eg key enablers & challenges, unexpected benefits or impacts)
Encourage the community to connect through community-based festivals, arts projects, local events and programs, and through activities that celebrate indigenous and multicultural heritage.	3	<p>West Torrens offers a strong events calendar including festivals, programs and projects. The annual program includes celebrations for: Harmony Day; Refugee Week; Every Generation Festival; Christmas; Chinese New Year and Anzac Day. The Auditorium Gallery hosted 32 exhibitions including exhibitions for SALA and the Adelaide Fringe.</p> <p>Cultural evenings are also held throughout the year to promote the city's multicultural heritage. During the reporting period, Turkish, African and Chinese evenings were held with approximately 80 people attending each event.</p> <p>In addition, our key Summer Festival program is held through January and February each year which attracts over 3,000 people. A large event was also held in the 2015/16 period at Thebarton Community Centre and Kings Reserve (Fork in the Road), attracting over 4,000 people.</p>	<p>With the exception of the <i>Cultural Evenings</i> program, there is a move away from specific cultural events/programs. Multiculturalism is integrated into the fabric of West Torrens, and as such, all events are, by the very nature of our community, multicultural.</p>
Provide an evolving range of resources and informal learning opportunities in appropriate community languages in response to the changing needs of the community.	3	<p>The Hamra Centre Library maintains one of the most extensive large-print and Languages Other Than English collections and the only independent living collection across South Australian Libraries. Informal training opportunities are offered each year including literacy and technology skills sessions and a range of courses for Volunteers.</p> <p>Historically the Community Bus operated as a service for Home and Community Care (HACC) eligible clients only. Over the past few years the use has expanded to support council's community development initiatives. During the reporting period the small fleet offered transport for participants of after school sporting programs: a partnership Soccer Program with Adelaide Titans, Uni SA and Western Youth Centre; a water safety program for refugees at Thebarton Aquatic Centre; and an Aussie Rules 'First Bounce' program for migrants/refugees. In addition, transport was available for local residents attending a number of family friendly local events and activities.</p>	<p>Greater promotion of resources and opportunities for learning could be undertaken to ensure equitable access.</p>
Ensure Transport Services plays an active role in supporting community development initiatives.	3		<p>The Transport Service is expanding beyond the traditional shopping assistance. However, the community expectation for the shopping service is high and vital for the most vulnerable members of our community. It is a delicate balancing act to ensure assistance is available across both areas (Community Services and Community Development).</p>

PRIORITY/STRATEGY/ACTION FROM WEST TORRENS PUBLIC HEALTH PLAN	STATUS 1. in progress 2. completed 3. ongoing	ACHIEVEMENTS JULY 2014 - JUNE 2016	ADDITIONAL COMMENTS ON IMPLEMENTATION (eg key enablers & challenges, unexpected benefits or impacts)
Provide care transport and personal care services to support vulnerable people to remain living at home through the Home and Community Care Program.	3	Domestic assistance and care support was provided to over 1,100 clients each year of the reporting period. In addition \$70,000 was spent on home modifications such as installation of grab rails during the reporting period, to enable people to live at home longer.	Changes to Home and Community Care (HACC) with the introduction of National Aged Care reforms saw the transition from locally provided HACC Schemes to the amalgamated continuous service model of 'myagedcare' Commonwealth Home Support Program. With external funding for Council winding down in 2018, planning and gap identification is imperative to ensure as far as possible, continuity of assistance to local residents.
Work within Council and with community groups to generate volunteer opportunities.	3	A steady team of volunteers support Council activities, providing over 10,000 hours of assistance each year. Three Volunteer Expos were held each year of the reporting period to attract more volunteers, with one expo promoting opportunities for those aged under 18 years. A comprehensive training program is offered to West Torrens volunteers including: First Aid; Manual Handling; Child Safe Environments, Aged Care Advocacy, Mental Health First Aid, and JP Training courses to keep volunteers from Council and also the local area, suitably skilled.	Greater effort in partnering with local community groups could be achieved in future in order to identify opportunities that suit a wider range of volunteers, in light of the changing volunteer community demographic (retirement or semi-retirement of baby boomers with high-level skills and experience).
Provide quality accredited residential aged care services for residents of St Martins.	2	In April 2015 the St Martins facility was sold to Regis Aged Care, a company specialising in, and dedicated to, the care of older people. St Martins was transferred from Council to Regis on 1 July 2015.	In light of ongoing Commonwealth Government legislative changes, it was determined that St Martins would be better managed by an organisation that specialises in aged care.
Ensure that the principles of public health and wellbeing are included in the City of West Torrens Disability Action Plan.	1	The <i>City of West Torrens Disability Access and Inclusion Plan</i> is currently being developed and includes principles of public health and wellbeing, and offers opportunities to mainstream diversity and move beyond minimum compliance.	It is anticipated the draft Plan will be available for public feedback through October/November 2016 and adopted by Council early in 2017.

PRIORITY/STRATEGY/ACTION FROM WEST TORRENS PUBLIC HEALTH PLAN	STATUS 1. in progress 2. completed 3. ongoing	ACHIEVEMENTS JULY 2014 - JUNE 2016	ADDITIONAL COMMENTS ON IMPLEMENTATION (eg key enablers & challenges, unexpected benefits or impacts)
Protect and enhance the unique and special qualities that reinforce the character and heritage of local places including, recognising cultural diversity and creating greater public awareness of heritage sites, events and people of local significance.	3	<p>Within the reporting period, Council has persuaded the Planning Minister to maintain heritage and character policy areas in the Residential Zone policy through the Housing Diversity DPA process.</p> <p>As part of the Holland Street, Thebarton, precinct upgrade, public art with homage to historic local industry, has been included in the pavement.</p> <p>History tours are offered 4 times each year to promote greater awareness of people and places of local significance, such as the Morphet family.</p> <p>The <i>Open Space and Public Places Plan</i> promotes the maintenance of the cultural significance and character of: Aroona Place, Sandison and Peake Gardens reserves and Cummins House and Weigall Oval.</p>	<p>A review of the previous heritage grants program is currently being undertaken with a view to recommending grants to assist property owners manage their heritage listed properties.</p>
Comply with the spirit and principles of the Disability Discrimination Act 1992, to apply access and mobility standards that ensure equality of access.	3	<p>Council continues to meet legislation with regard to access and mobility standards. Compliance upgrades are addressed through the annual works program.</p>	<p>The development of a <i>West Torrens Disability Access and Inclusion Plan</i> (currently underway) will impact this strategy over the next 5 years as Council will aim to improve the provision of universal design in public spaces and move towards beyond minimum compliance.</p>

Section 1a: Progress on Regional Public Health Plan commitments aligned to State Public Health Plan:

Strategic Priority 2 INCREASING OPPORTUNITIES FOR HEALTHY LIVING, HEALTHY EATING AND BEING ACTIVE

PRIORITY/STRATEGY/ACTION FROM WEST TORRENS PUBLIC HEALTH PLAN	STATUS 1. in progress 2. completed 3. ongoing	ACHIEVEMENTS JULY 2014 - JUNE 2016	ADDITIONAL COMMENTS ON IMPLEMENTATION (eg key enablers and challenges, unexpected benefits or impacts)
Provide community meal programs to HACC eligible clients.	3	Two community meal programs are offered: one is Council funded and one is funded through Community Home Support. During the reporting period, over 5,500 community meals were provided to HACC eligible clients.	With the introduction of National Aged Care reforms and external funding for Council winding down in 2018, planning and gap identification is imperative to ensure as far as possible, continuity of assistance to local residents.
Encourage community engagement with open space in the City of West Torrens through promotion and marketing.	3	During the period a number of engagement programs were undertaken including consultation on the Weigall Oval draft master plan, Holland Street upgrade and Council's Water Management Action Plan.	
Work with gardening groups to ensure that Community Gardens throughout the City are at capacity and well maintained.	1	Two council-run community gardens operate within the city, one at Plympton Community Centre and one at Clifford Street Torrens. Approximately 26 gardeners actively contribute to the gardens. A number of information sessions on topics such as pruning, water sensitive urban design principles and winter gardening were held over the past 2 years and attended by more than 200 people.	Communication between the users, the Community Development team and the Works Department must be maintained throughout the process of establishing community gardens to avoid access issues which can be costly to rectify. Access to public toilets has been an unexpected challenge as many of our registered gardeners require frequent access to amenities. The Torrensville garden, which does not have access to amenities, has reduced patronage.
Promote community interaction, healthy eating, alternative forms of recreation and food security, through productive street tree plantings and urban food production within reserves and streetscapes.	1	Council is currently developing a tree strategy which will investigate urban food production. At this stage the Strategy is only looking to plant appropriate food producing trees in open space, not as street trees. The <i>Tree Strategy</i> will be completed in the next 12 months.	

PRIORITY/STRATEGY/ACTION FROM WEST TORRENS PUBLIC HEALTH PLAN	STATUS 1. in progress 2. completed 3. ongoing	ACHIEVEMENTS JULY 2014 - JUNE 2016	ADDITIONAL COMMENTS (eg key enablers and challenges, unexpected benefits or impacts)
In Regional and District open spaces maintain and enhance their attraction as play destinations through the provision of equipment, natural playgrounds, public art and landscaping to create a range of play opportunities.	3	Improvements and upgrades of over 10 open spaces have been completed during the reporting period. Although a local open space, Falcon Avenue Reserve is a highlight, as the site housed the former Thebarton Neighbourhood House - a key community asset and service in West Torrens for many years. With the condition of the asset deteriorating, services were relocated and the facility demolished and returned to open space over the past 12 months. Nature play, interesting landscaping and a range of play opportunities are features of this new open space.	Enhancing open space to include equipment, natural playgrounds, public art and landscaping is not only occurs in regional and district level open space, but all levels. Greater community feedback and community needs analysis has led to almost all open space providing for a broad range of users with a wide range of abilities. Increased resources may be required in future to keep up with demand, especially as medium and high density housing increases in the area.
Establish a dog park that meets the developing need for off-leash dog destinations.	2	A dog park was developed along the Westside Bikeway near Moss Avenue Marlestone. It includes a separate space for smaller dogs, a wash-down area, lawn and paved area.	An identified community need as high density housing increases.
Preserve and enhance the quality and biodiversity of natural landscapes and waterways, in balance with retaining recreational and cultural activities which add to the social fabric of West Torrens, and limiting activities which denigrate and pollute.	3	Each year a Native Plant giveaway takes place where 5,000 indigenous seedlings are offered to residents to promote sustainable gardens. Community tree planting events are held annually to mark National Tree Day. 9,000 seedlings were planted during this reporting period by almost 200 volunteers. World Water Day tours are held each year and showcase Council water sensitive urban design elements. The tours are very popular and are booked out each time. 2016 saw the first DIY presentation focusing on water collection, treatment and reuse, and was attended by 40 people. Models of planter box rain garden and wicking bed planter box garden were built to demonstrate how roof runoff could be collected, cleaned and then transferred for sub surface plant watering.	The community has become progressively interested in modelling elements of water sensitive urban design principles on their own properties. Further DIY sessions should be encouraged as a way to improve the quality and biodiversity of the local landscape.

**Section 1a: Progress on Regional Public Health Plan commitments aligned to State Public Health Plan:
Strategic Priority 3 PREPARING FOR CLIMATE CHANGE**

PRIORITY/STRATEGY/ACTION FROM WEST TORRENS PUBLIC HEALTH PLAN	STATUS 1. in progress 2. completed 3. ongoing	ACHIEVEMENTS JULY 2014 - JUNE 2016	ADDITIONAL COMMENTS ON IMPLEMENTATION (eg key enablers and challenges, unexpected benefits or impacts)
Develop and implement flood and catchment management plans that provide resilience to flood and potential sea level rises.	1	Council has actively participated with Councils along the Brown Hill Keswick Creek to determine flood management options in conjunction with the State Government. A Storm water Catchment Flood Management Plan has been commenced in partnership with Council's from the catchment affecting the City of West Torrens.	
Install Water Sensitive Urban Design devices and rain gardens in street environments, engage and educate residents and monitor water quality impacts.	3	Rain garden technology is being used to successfully collect and harvest stormwater across the city including in Gardner Street, Plympton, Rankine Road, Mile End and across parts of Lockleys. Swales were also incorporated into the major road upgrade of Brooker Terrace, Hilton and Richmond. Information is provided to local residents on the benefits of these environmentally sustainable measures which are used to address localized flooding and ponding issues.	The community has become progressively interested in modelling elements of water sensitive urban design principles on their own properties. Further DIY sessions should be encouraged as a way to improve the quality and biodiversity of the local landscape.
Apply the Building Code of Australia requirements to maintain a standard for building design which achieves positive climate outcomes.	3	Legislation is followed with regard to the Building Code of Australia. If the Building Code changes to achieve increased positive climate outcomes, council will enforce the change.	
Provide habitat, shade and reduce heat island effect through planting and maintenance of appropriate trees in streets and public places.	3	The City of West Torrens, in conjunction with the City of Charles Sturt, City of Port Adelaide Enfield and the Adelaide Mount Lofty Ranges Natural Resources Management Board has commenced a regional urban heat island mapping project during the period. The project identifies key information including how the Western Region is currently affected by the urban heat island effect, hot spots across the region, and support future decision making in relation to climate change adaptation, green infrastructure, community health and planning. More trees are currently planted in West Torrens than are	In some cases Council's ability to control the public realm is being influenced by what is approved 'as of right' in the private realm. E.g. dwellings with double-width driveways, Group Dwellings with wide entryways, semi-detached dwellings which leave little space for on street parking and street trees between the driveways. Residential Code and private certification of application is creating issues for Council to maintain control over the public realm.

		removed, and there is an active pruning program in place whereby every 5 years each of the city's 6,000 trees are inspected, pruned or removed.	
PRIORITY/STRATEGY/ACTION FROM WEST TORRENS PUBLIC HEALTH PLAN	STATUS 1. in progress 2. completed 3. ongoing	ACHIEVEMENTS JULY 2014 - JUNE 2016	ADDITIONAL COMMENTS ON IMPLEMENTATION (eg key enablers and challenges, unexpected benefits or impacts)
Review and implement Council's Climate Change Action Plan to meet carbon emissions targets for Council activities.	1	The 2009 Climate Change Action Plan is currently being reviewed. The City of West Torrens has achieved a 6.3% reduction in CO ₂ emissions. A new Climate Change Corporate Plan for West Torrens is currently being developed and aims to convert regional level adaptation strategies into more localised opportunities.	
Contribute to the development and implementation of the Western Adelaide Region Climate Change Adaptation Plan.	3	The AdaptWest Western Adelaide Region Climate Change Adaptation Plan is currently being prepared and will outline a program of priority adaptation options for the Western Adelaide Region. A key aim is to increase the resilience of the region so that the communities, environment and businesses and industries of the Western Adelaide Region remain productive, connected and strong and can respond positively to the challenges and opportunities presented by a changing climate.	

**Section 1a: Progress on Regional Public Health Plan commitments aligned to State Public Health Plan:
Strategic Priority 4 SUSTAINING AND IMPROVING PUBLIC AND ENVIRONMENTAL HEALTH PROTECTION**

PRIORITY/STRATEGY/ACTION FROM WEST TORRENS PUBLIC HEALTH PLAN	STATUS 1. in progress 2. completed 3. ongoing	ACHIEVEMENTS JULY 2014 - JUNE 2016	ADDITIONAL COMMENTS ON IMPLEMENTATION (eg key enablers and challenges, unexpected benefits or impacts)
Continue to undertake routine inspections of food businesses, educate food handlers and investigate complaints relating to food safety.	3	The City of West Torrens agreed to participate in a Food Safety Rating Scheme which commenced in May 2016. Environmental Health Officers attended to over 600 customer requests relating to food safety during the reporting period. Officers also continued to provide education sessions to community groups, interested businesses and schools on food hygiene and safety as well as public health.	
Ensure public swimming pools, spa pools and water slides are routinely inspected.	3	Environmental Health Officers continued to meet their legislated requirements relating to inspection of swimming pools, spas and water slides. Details can be found in the SA Public Health Act Annual Report provided by City of West Torrens.	
Continue to provide public education about asbestos and investigate complaints.	3	Generic information is provided online regarding asbestos and West Torrens only investigates once a complaint is lodged.	
Educate the community and conduct inspections to control Legionella in high risk manufactured water systems (cooling water systems and warm water systems).	3	Environmental Health Officers continued to meet their legislated requirements relating to inspections to control Legionella in high risk manufactured water systems. Details can be found in the SA Public Health Act Annual Report provided by City of West Torrens.	
Conduct inspections, provide advice and educate the community about the health impacts and control of pests including mosquitoes, wasps, bees, rats and snakes.	3	Pests continued to be monitored within our area, with a greater emphasis on inspection and advice rather than education for members of the community. Snake awareness training has been implemented in the past 2 years to assist staff with identifying snake species whilst in the field as well as educating staff on how to behave around snakes.	

PRIORITY/STRATEGY/ACTION FROM WEST TORRENS PUBLIC HEALTH PLAN	STATUS 1. in progress 2. completed 3. ongoing	ACHIEVEMENTS JULY 2014 - JUNE 2016	ADDITIONAL COMMENTS ON IMPLEMENTATION (eg key enablers and challenges, unexpected benefits or impacts)
Maintain Council's immunisation programs and provide immunisation clinics for new arrivals.	3	Immunisation clinics continued to be provided during the period for residents, businesses and secondary schools in line with best-practice clinical guidelines. Almost 10,000 vaccines were administered over the past 2 years. Specific clinics for new arrivals clinics have ceased as numbers declined.	New arrivals are no longer re-settled in the West Torrens locality and therefore a specific clinic for new arrivals is no longer offered. Any new arrivals are encouraged to attend the public clinics.
Cultivate the community benefits of pet ownership, and create a 'pet friendly' environment to support happy and healthy pets, pet owners and community through implementation of Council's Animal Management Plan.	3	The key objective of Council's Animal Management Plan 2012-2017 is to encourage permanent identification of dogs and cats by microchipping. An annual Microchipping event has been held and was well attended. Microchip scanners are now held in all vehicles to expedite the return of lost pets to their owners and to allow customer requests to be received out in the field. The dog park along the Westside Bikeway has been well received by the community, as has the ban of dogs at certain parks and within fenced playgrounds.	Changes to legislation regarding desexing of pets will have some impact to the Compliance team in the coming years by potentially increasing the role of education and enforcement.
Undertake and actively promote Council's public health programs, such as the Healthy Hands Program.	3	This is an ongoing program with resources available for local primary schools. The program is not actively promoted.	
Continue to provide and improve waste management services provided to the community.	3	This reporting period has seen the continuation of positive waste management and reduction services and education offered by Council. The at-call hard rubbish collected over the period and diverted from landfill. 2,400 vouchers were provided to residents which allowed them to dispose of their rubbish at the transfer station instead of waiting for hard rubbish collection. The vouchers also enabled residents to dispose of some items not part of the hard waste collection. Rebates continued to be offered for residents to purchase a kitchen caddy for foodscrap recycling, compost bins and worm farms. 'Get Wasted' tours of landfill and recycling sites have continued to be popular.	There are opportunities and an increased need to innovate due to the change in the types of built form being facilitated by planning policy.

PRIORITY/STRATEGY/ACTION FROM WEST TORRENS PUBLIC HEALTH PLAN	STATUS 1. in progress 2. completed 3. ongoing	ACHIEVEMENTS JULY 2014 - JUNE 2016	ADDITIONAL COMMENTS ON IMPLEMENTATION (eg key enablers and challenges, unexpected benefits or impacts)
Undertake educational awareness of Illegal Dumping Strategy and household waste education programs.	3	Council's award-winning illegal dumping strategy continued over this reporting period where community education on the environmental impact of illegal dumping has proved to be successful. The return-to-property rate of illegally dumped material maintains an average of over 55 percent and ongoing cost savings to Council. Other successful household waste education programs are listed above.	
Monitor storm water quality, and continue with development of flooding and catchment management studies.	3	Water quality sampling projects and stormwater harvesting projects have been implemented at key sites including Holland Street, Thebarton where the harvested water is being reused to water vegetation. Rain gardens have been added to new street upgrades if feasible.	Monitoring and improving stormwater quality will continue to be a key consideration when upgrading streetscapes, with permeable paving to be investigated for use in open space in the future.
Continue to undertake building inspections.	3	1,244 building inspections of developments under construction were undertaken during the period. This is an ongoing requirement of Council and it will continue to meet its legislated responsibility.	
Continue to implement the functions of Council's Building Fire Safety Committee.	3	An ongoing requirement of Council and it will continue to meet its legislated responsibility.	

Section 1b: Regional Public Health Plan commitments that have not commenced:

Councils may wish to provide information on commitments deferred or those that will not progress

PRIORITY/STRATEGY/ACTION FROM WEST TORRENS PUBLIC HEALTH PLAN	STATE PUBLIC HEALTH PLAN STRATEGIC PRIORITY(S) ALIGNMENT				STATUS 1. deferred 2. will not be progressed	COMMENTS
	1	2	3	4		
Acknowledge and celebrate the Kaurna heritage in the landscape.	✓				1	Barriers include DPTI's review of the heritage process. Aboriginal heritage sites are managed under an alternate Act and cultural sensitivities exist regarding making the locations of some Aboriginal sites known to the public.
Continue Council's food safe programs.		✓			2	This is no longer offered by Council. There is online training available free to anyone in the community (including community groups and individuals).

Section 2: EMERGING PUBLIC HEALTH ISSUES AND OPPORTUNITIES

If applicable, please provide a description of emerging public health issues that have been encountered, and opportunities that have been identified, during the current reporting period.

- The changes to legislation regarding cycling on footpaths could potentially contribute to a public health issue. Cyclists using footpaths at high speeds may lead to heightened anxiety of older and vulnerable people. In addition, the greater need for shared-paths in local streets may lead to changes in regulations regarding footpath width. Although wider footpaths will offer community benefit, implementation would require additional resources and also limit environmental and greening opportunities in local streets.
- Changes to Home and Community Care (HACC) with the introduction of National Aged Care reforms saw the transition from locally provided HACC Schemes to the amalgamated continuous service model of 'myagedcare' Commonwealth Home Support Program. With external funding for Council winding down in 2018, public health issues may emerge as the frail aged and younger disabled miss out on socialisation, transport and domestic assistance. Due to community expectation of Council providing services over a number of years there could be a negative impact for Council.

7.8 Miscellaneous Section 29 Amendments Proposal

Brief

This report presents proposed amendments to the West Torrens Development Plan to be submitted, pursuant to s29 of the *Development Act 1993*, to the Minister for Planning in conjunction with heritage changes proposed in a separate report in this agenda.

RECOMMENDATION(S)

The Committee recommends to Council that the proposed amendments to the West Torrens Development Plan (as identified in Attachment 1) be submitted to the Minister for Planning for approval pursuant to s29 of the *Development Act 1993*.

Introduction

The *Planning, Development and Infrastructure Act 2016* (PDI Act), assented but yet to be commenced, introduced substantial changes and reform to the South Australian planning system. It is anticipated that Council will be required to adopt the proposed Planning and Design Code (currently under development by the Department of Planning Transport and Infrastructure) in the not too distant future.

In the interim, development applications received by Council must be assessed against the West Torrens Council Development Plan (Development Plan).

Due to the current uncertainty created by the unconfirmed timeframe for introduction of the Planning and Design Code, and the absence of a response from the Minister on the proposed Underdale Torrens Industrial Interface DPA, Council's opportunities to make changes to its Development Plan may be limited.

Over the past 6 years, a number of changes have been made to the City of West Torrens Development Plan, including Ministerial DPAs and DPAs driven by Council. Ministerial policy changes included DPAs related to bulky goods, regulated Trees and the establishment of the Adelaide Shores Zone.

Council-lead DPAs included the Brickworks Market Precinct DPA in 2010 and the Housing Diversity DPAs in 2013 and 2015 as well as the Better Development Plan conversion in 2011 in which Council adopted the State Government's Planning Policy modules and Better Development Plan format.

Discussion

These incremental changes focussed on discrete sections of the Development Plan and, in the context of ERD Court decisions setting new precedents on the interpretation of planning terminology, as well as a number of anomalies and contradictions have arisen in the Development Plan which creates issues during the development assessment process.

In such circumstances, the *Development Act 1993* (Act) allows for editorial and minor amendments to the Development Plan to be progressed via a s29 process. Due to the minor nature of such amendments, the Act provides that these changes be made without the need to undergo significant community engagement.

All requests to amend the Development Plan, pursuant to s29, are subject to approval and are at the discretion of the Minister for Planning. Section 29 amendments are designed to address unforeseen errors and minor issues. As they are not subject to scrutiny by the public, agencies or the ERD Committee, the type of changes allowed is limited and does not include changes in policy direction.

A proposed change pursuant to s29 is more likely to be supported if it can be demonstrated that the identified error will have considerable implications for development assessment if left uncorrected. If it is determined that the implications are serious, the correction may be postponed and addressed in a subsequent DPA. However, as highlighted above, Council's opportunities to make changes to its Development Plan through future DPAs now appears somewhat limited.

Communication with DPTI indicated that additional changes such as those included in this report may be eligible for progress under s29(2)(b)(i) and (ii) and s29(3)(c) of the Act.

Below is a summary of the proposed administrative updates to Council's Development Plan, as detailed in **Attachment 1**:

- Changes are required because the non-complying list contradicts the envisaged land uses.
This is easily rectified through the inclusion of exceptions or edits to existing exceptions in the relevant non-complying list.
- Changes are required because the envisaged built form described in the Development Plan contradicts the definitions of land uses as defined in Schedule 1 of the *Development Regulations 2008*.
This is easily addressed through improved descriptions in the envisaged land uses and removal of contradictory policy descriptions, particularly in relation to row dwellings above non-residential land uses, as described in the Neighbourhood Centre Zone. (By definition a row dwelling must occupy a site that is held exclusively with that dwelling, therefore cannot be built above a non-residential use. In such circumstances this types of development is likely to be described as a residential flat building which is already accounted for in the policy.)
- Minor editorial changes, that do not impact policy intent, and updates to two maps are also required

Conclusion

A review of possible editorial and s29 changes has been undertaken and a number of administrative amendments to the Development Plan have been identified (**Attachment 1**).

These proposed changes to the Development Plan, if approved by Council, will be lodged with the Minister for Planning, pursuant to s29 of the *Development Act 1993*, for processing in conjunction with those amendments proposed through a separate report in this agenda relating to heritage policy amendments.

ATTACHMENT 1

Administrative Section 29 Changes

Zone Section Neighbourhood Centre Zone:

Add additional exceptions to non-complying list:

- Residential Flat Building where located above an envisaged non-residential land use in Hilton Policy Area 11 or Marleston Policy Area 12.

By definition a row dwelling must occupy a site that is held **exclusively** with that dwelling, therefore cannot be built above a non-residential use, because that would mean the site was shared.

- Edit Policy Area 11 and 12 Principle of Development Control 3 to state, "A building that includes residential elements should be a minimum of two storeys and not exceed three storeys (12.5 metres) in height."
- Remove reference to 'row dwellings' being envisaged above non-residential uses in Hilton Policy Area 11 and Marleston Policy Area 12.
- Update Desired Character Statement in Policy Area 11 and 12 to state:
"Development in the form of buildings up to two and three storeys consisting of consulting rooms, offices, shops, bulky goods outlets or community uses, with residential flat buildings or dwellings above is envisaged within the zone."

Zone Section Commercial Zone:

- Add non-complying exception for Place of Worship in Precinct 6 South Rd, Keswick to address contradiction with envisaged land uses.
- Resolve contradiction between envisaged land uses and non-complying list for Service Trade Premises in Arterial Roads Policy Area 1 and Office Park Policy Area 4 in the Commercial Zone by editing non-complying list to stipulate that a Service Trade Premises is non-complying only in Precinct 1- Intersection and Precinct 5- South Road, Mile End.

Zone Section Bulky Goods Zone:

- In Bulky Goods Zone, replace '6 metres' with '10 metres' in the Bulky Goods Zone non-complying development table as the maximum height for advertisements and advertising hoardings.

Editorial Changes

- In Policy Area Map WeTo/12, delete '18' in the Urban Corridor Policy Area 34 boundary.
- In Policy Area Map WeTo/ 15, delete '34' in the Residential Policy Area 18 boundary.
- Update the Open Space Zone desired character statement to state, "...unnecessary loss of, or damage to, native vegetation, erosion..."
- Zone Section, Residential Zone, Elston Street Policy Area 25, grammatical error requires update, replace "The" with "There".

7.9 Proposed Section 29 Review of Heritage Register and Heritage DPA

Brief

This report presents an update to local heritage listings in the Development Plan and postponement of the Local Heritage Places Development Plan Amendment pursuant to s29 of the *Development Act 1993*.

RECOMMENDATION(S)

The Committee recommends to Council that:

1. The proposed amendments to the West Torrens Development Plan heritage listings (as identified in Attachment 1 to this report) be submitted to the Minister for Planning for amendment in accordance with the provisions of s29 of the *Development Act 1993*.
2. The Local Heritage Places Development Plan Amendment be suspended pending confirmation of the new heritage planning system, processes and relevant legislative instruments.

Introduction

Council's *Vision 2025* Strategic Directions Report (SDR), approved by the Minister for Planning in March 2015, includes a City of West Torrens Local Heritage Places Development Plan Amendment (Local Heritage Places DPA) as a medium priority.

A designation as a local heritage place, contributory item or state heritage place can affect what can be developed on listed properties and adjacent properties. Over time, local heritage place listings may become out of date as a result of changes such as subdivisions and development approvals.

The Administration has recently conducted a review of the heritage listings and overlays in the West Torrens Development Plan (Development Plan) and has identified a number of inconsistencies and inaccuracies.

This report discusses two possible mechanisms to update the Development Plan in order to address these issues and recommends Option 1 (undertake a s29 amendment) as the preferred option.

It also proposes, based on a request from the Department of Planning, Transport and Infrastructure (DPTI) that Council not proceed with a comprehensive review of the heritage elements of the Development Plan, that the Local Heritage Places DPA be postponed until after proposed changes to heritage management are legislated in a future stage of the Planning Reform program.

Additional proposed miscellaneous s29 administrative amendments, not related to heritage listings or heritage policy, are the subject of a separate report in this agenda but given the SDR, approved by Council and the Minister for Planning, specifically details the commencement of a Local Heritage DPA and to enable Council to specifically deal with heritage matters, this report is presented separately.

Discussion

Heritage places are shown in the Development Plan by two methods; they are spatially represented by shading or location dots on heritage overlay maps and also listed by address in the heritage tables.

Heritage listings are classified into three types:

- *State heritage* listings are places that have been listed on the South Australian Heritage Register as a "State Heritage Place" and meet criteria specified in the *Heritage Places Act 1993*.
- *Local heritage* listings are places that have been identified by Council and meet specific criteria identified in the *Development Act 1993*.
- *Contributory item* listings are identified as part of historic conservation areas, zones or policy areas as surviving examples of particular forms of development that represent a defined period and its built-form character within an area. Contributory items do not have specific status in the *Heritage Places Act 1993*, nor in the *Development Act 1993* and are not required to demonstrate the level of merit that is required to be individually listed as a local heritage place.

The Administration has reviewed the Development Plan heritage list and heritage overlays for consistency and accuracy of existing heritage listings.

Over a number of years, subdivisions and development approvals have resulted in listing details becoming outdated, e.g. some items on the list have been demolished and therefore require removal from the list. Mapping also needs updating when those newly created allotments have been excised from heritage listed parent allotments. The Development Plan requires updating to take account of these changes, which are summarised below. Further details are documented in **Attachment 1** and mapped in **Attachment 2**:

- Remove 1 local heritage place and 1 contributory item that have been demolished (with Development Approval) from heritage table and maps;
- Update address information for 3 state heritage listed items;
- Edit the heritage table lists to address street address inconsistencies, remove demolished items and places from the list and revise the heritage overlay maps in relation to the Richmond Historic Conservation Area to reflect redevelopment of the Adelaide Workers' Homes;
- Remove from the heritage list newly created allotments that do not contain a contributory item and update the heritage overlay maps to reflect a number of residential subdivisions in relation to 38 listings in the Mile End Historic Conservation Area;
- Update heritage list address details and excise allotments from the heritage overlay maps for 18 incomplete or incorrect listings subsequent to residential subdivision;
- Update and correct incomplete or incorrect heritage table listings or heritage overlay maps to provide clarity for 13 listings (not as a result of sub-division); and
- Changes to site identification information.

The process for listing and delisting heritage places is prescribed in the *Development Act 1993* and *Development Regulations 2008* and generally requires a Development Plan Amendment (DPA).

The *Planning, Development and Infrastructure Act 2016* introduced substantial changes to the South Australian planning system. While the legislation relating to heritage management, including the statutory heritage criteria, was retained relatively unchanged, DPTI has recently released a discussion paper to start the conversation about proposed changes to heritage management legislation that are scheduled for review through reforms to the South Australian Planning system.

Therefore, DPTI has requested that Council not undertake a comprehensive review of heritage elements of the Development Plan, i.e. a full-scale Local Heritage Places DPA, until such time as the statutory heritage criteria have been reviewed.

It is important to note that indications from DPTI, regarding heritage reforms, indicate that any existing listings will be carried over into the revised system. DPTI staff have also advised that any inaccuracies in the Development Plan heritage lists and maps may be corrected through one of the two options discussed below.

Option 1 - Undertake a Section 29 amendment to the Development Plan.

Council may present a case to make minor, non-substantive changes and corrections to the Development Plan in accordance with s29 of the *Development Act 1993*. This includes provisions to remove items from the heritage list if the relevant item, or place, has been demolished, and updating address details in the heritage list.

Section 29 amendments are designed to address unforeseen errors and minor issues. As they are not subject to scrutiny by the public, agencies or the ERD Committee, the type of changes allowed is limited and do not include changes in policy direction.

If a council submits a request to amend the Development Plan pursuant to s29, as is the case with all changes to Development Plans, the approval is at the discretion of the Minister for Planning.

A request to undertake a s29 amendment is generally more likely to be supported if it can be demonstrated that the identified error will have considerable implications for development assessment if left uncorrected. If it is determined that the implications are not serious, the correction may be postponed and addressed in a subsequent DPA.

The Administration has contacted DPTI for confirmation that minor heritage corrections such as those listed would be eligible for progress under s29(2)(b)(i) and (ii) and (3)(c) of the *Development Act 1993*. The advice received indicates that a clear case must be stated and submitted in the prescribed format to support the proposed amendments.

Option 2 - Include heritage changes in a scheduled DPA

DPTI suggested that minor changes to the heritage register could be made as part of one of Council's scheduled DPAs.

This would have the advantage that any changes that are beyond the scope of a s29 amendment could be included in the broader DPA. This method is considered to be somewhat problematic by the Administration as an alternative DPA will not directly address wider heritage policy issues.

In addition, the associated lengthy timeframe required for investigations for any large wide-ranging DPA, would be onerous for these relatively small administrative changes.

Public consultation on a broader DPA also would not allow for focussed attention on heritage matters thereby negating any perceived advantage of public consultation required as part of this process. The inclusion of heritage matters as part of an alternate DPA could distract from the primary strategic policy issues under consideration.

Furthermore, due to the forthcoming demise of individual council Development Plans, when all planning policy is rolled into the State Government's Planning and Design Code, any upcoming DPAs have been deferred, with the exception of those already submitted to the Minister, and the proposed s29 amendment that is the subject of this report.

Resources will instead be refocussed on efforts to influence the local variations allowed in the Planning and Design Code, and preparing the organisation to meet the changes proposed under the new system.

Consequently, and given the minor nature of the required changes described above, the Administration is of the view that a good case can be made for undertaking a s29 amendment to the Development Plan and therefore recommends that Option 1 be pursued and that a request be submitted to the Minister for Planning for approval and subsequent amendment to the Development Plan. It is worth noting that the Minister is at liberty to reject a request for a s29 amendment.

Another report in this agenda also seeks approval for certain s29 amendments and both, if approved by Council, will be submitted to Council as one request.

Conclusion

A review of local heritage places has been undertaken and various administrative and minor amendments have been identified (**Attachment 1**) and mapped (**Attachment 2**).

The implementation of a more comprehensive Local Heritage Places DPA has also been considered but it is recommended that this be suspended subject to confirmation of the new heritage planning system.

Two options have been identified to effect the necessary changes to Council's Development Plan. While the option of pursuing corrections to the local heritage listings in the Development Plan through an alternate DPA was considered, it is Administration's view that a s29 amendment to address these changes would be a more efficient and effective approach given the proposed amendments are minor and administrative in nature.

Subject to the Committee's feedback and recommendation to Council, and Council's subsequent approval, it is proposed that the amendments summarised in **Attachment 1** and mapped in **Attachment 2** be submitted to the Minister for Planning for approval pursuant to s29 of the *Development Act 1993*.

Those s29 amendments approved by Council, as a result of this report, will be submitted to the Minister for Planning in conjunction with those amendments approved by Council for submission that are the subject of the separate report in this agenda, pursuant to s29 of the Act.

ATTACHMENT 1

Proposed changes to the City of West Torrens Development Plan

1.0 Demolished Items

Two contributory item buildings have been demolished in accordance with Development Approval and require removal from the heritage table list and heritage overlay map:

- 66 Henley Beach Rd, Mile End
- 14 Wainhouse St, Torrensville.

2.0 Items in Richmond Historic Conservation Area

The Adelaide Workers' Homes were issued with Development in 1998 and subsequently substantially redeveloped, including the demolition of some dwellings, construction of new dwellings and land division resulting in boundary realignments and new allotments (DA211/1176/1998).

In accordance with this Development Approval, some contributory items have been demolished, new lots have been created not containing contributory item buildings and some street addresses have changed. As a result, the heritage table list and overlay map in the Development Plan are now incorrect.

The following amendments to the Development Plan heritage table listings and heritage overlay maps are proposed:

Remove following allotments that do not contain a contributory item building from the heritage table list and heritage overlay maps:

- 37A Milner Rd, Richmond
- 1A Martin Ave, Richmond
- 14 addresses labelled "Richmond" (no street address details provided)

Remove the following allotments that do not contain a building identified as a contributory item from the heritage overlay maps. (These addresses are not listed in the heritage table.)

- 10A, 18A, 18B, 22A, 22B, 26A, 26B Davenport Tce, Richmond
- 33A, 43A Milner Rd, Richmond
- 2 Martin Ave, Richmond
- Charleston (Private Road) Lane
- 12A, 13A, 14, 14A, 16, 16A, 16B, 18, 18A, 20, 20A, 22, 22A, 24, 24A, 26, 26A, 28, 28A Frederick St, Richmond (partial allotments)
- Common area, Frederick St, Richmond
- Elder (Private Road) Close, Richmond
- 1, 2, 3, 4, 5, 6 Elder (Private Road) Close, Richmond
- 7, 7A, 9, 9A, 11, 11A, 13, 13A, 15, 15A, 17, 17A, 19, 22, 29, 29A, 31, 31A Albert St, Richmond
- 10, 10A, 10B, 12, 12A Martin Ave, Richmond
- Lehman (Private Road) Place, Richmond
- Common area, Lehman (Private Road) Place, Richmond
- 1, 3, 5, 7 Lehman (Private Road) Place, Richmond
- 9, 11, 13, 15, 17, 19, 21 Lehman (Private Road) Place, Richmond (partial allotment)

Add the following allotments that are listed in the heritage table listings and contain a building identified as a contributory item to the heritage overlay maps.

- 21 Albert St, Richmond

Edit the heritage table listings to add the following addresses as the allotment is identified in the heritage overlay maps and does contain a building identified as a contributory item.

- 1 Martin Ave, Richmond
- 33 Milner Rd, Richmond
- 8 Albert St, Richmond

Some heritage table listings are incorrectly grouped and revising them will make the listing appear correctly. Edit the heritage table listings to amend the following listings:

- 5 Martin Ave, Richmond
- 9 Martin Avenue, Richmond
- 13 Martin Avenue, Richmond
- 17 Martin Avenue, Richmond
- 43 Milner Road, Richmond

3.0 Items on the State Heritage List

There are two state heritage places that are shown with incorrect or incomplete address information in the Development Plan heritage table where, the heritage overlay maps are spatially correct.

These errors may have resulted due to subdivision or incomplete information provided at the time of the inclusion of the original listing.

Amend addresses in the Development Plan heritage State Heritage list as follows:

- Former Thebarton Baptist Church and Hall, Phillips Street, Thebarton
Add the omitted street number and amend the listed address to be:
42 and 42A Phillips Street, Thebarton
- Former Hoffman Brick Kiln, Brickworks Market (former Hallett Brickworks), 36 South Road, Torrensvile
Amend the address to be:
Lot 201 Ashwin Parade, Torrensvile
- Dwelling - Row Cottages (Adelaide Workmen's Homes), 36-50 & 39-45 Rose Street Mile End
Add the omitted street numbers and amend the listed address to be:
36-50A & 39-45A Rose Street, Mile End

4.0 Items in Mile End Historic Conservation Area

Over a period of time there have been a number of subdivisions of residential allotments in the Mile End Historic Conservation Area. These residential subdivisions involve properties with a primary street frontage and secondary rear lane access.

The subdivisions have resulted in the creation of allotments containing the contributory item building that front the primary street and a second allotment that fronts the lane and does not contain a contributory item building.

The new rear lane allotments do not contain any heritage value, however they are identified as contributory items in the heritage overlay maps. Although the new street addresses are not listed in the heritage table, the properties are identified in the heritage overlay maps and should be removed. There is also one allotment where the contributory item is not identified in its entirety.

The following amendments to the Development Plan heritage table listings and heritage overlay maps are proposed:

Remove the following allotments that do not contain a contributory item building from the relevant heritage overlay maps:

- Remove '2-3/9 Cuming St, Mile End' and retain '1/9 Cuming St, Mile End'
- Remove '21 & 21A Fisher Pl, Mile End' and retain '16 Gladstone Rd, Mile End'
- Remove '1/22 & 2/22 Fisher Pl, Mile End' and retain '25 Hughes St, Mile End'
- Remove '24 Fisher Pl, Mile End' and retain '31 Hughes St, Mile End'
- Remove '32 & 32A Fisher Pl, Mile End' and retain '37 Hughes St, Mile End'
- Remove '41 & 43 Fisher Pl, Mile End' and retain '38 Gladstone Rd, Mile End'
- Remove '48 & 50 Fisher Pl, Mile End' and retain '59 Hughes St, Mile End'
- Remove '57 Fisher Pl, Mile End' and retain '54 Gladstone Rd, Mile End'
- Remove '60 & 60A Fisher Pl, Mile End' and retain '71 Hughes St, Mile End'
- Remove '68 Fisher Pl, Mile End' and retain '83 Hughes St, Mile End'
- Remove '21 Flaherty Ln, Mile End' and retain '18 Cuming St, Mile End'
- Remove '25 Flaherty Ln, Mile End' and retain '22 Cuming St, Mile End'
- Remove '45 Flaherty Ln, Mile End' and retain '42 Cuming St, Mile End'
- Remove '76 Flaherty Ln, Mile End' and retain '76 Gladstone Rd, Mile End'
- Remove '81 Flaherty Ln, Mile End' and retain '72 Cuming St, Mile End'
- Remove '3-4/24 Gladstone Rd, Mile End' and retain '1-2/24 Gladstone Rd, Mile End'
- Remove '2-4/34 Gladstone Rd, Mile End' and retain '1/34 Gladstone Rd, Mile End'
- Remove '11 & 11A Junction Ln, Mile End' and retain '8 & 8A Hughes St, Mile End'
- Remove '2/7 Victoria Ln, Mile End' and retain '50 & 52 Hughes St, Mile End'
- Remove '21 Victoria Ln, Mile End' and retain '64 Hughes St, Mile End'

Amend following addresses in the heritage table list as the allotments contain a heritage item:

- Amend '10A Ballara St, Mile End' to add '10' to the listing
- Amend '1A Claremont St, Mile End' to be '1/1 & 2/1A Claremont St, Mile End'
- Amend '9 Cuming St, Mile End' to be '1/9 Cuming St, Mile End'
- Amend '18 Cuming St 21 Flaherty Lane, Mile End' to be '18 Cuming St, Mile End'
- Amend '22 Cuming St (25 Flaherty Lane), Mile End' to be '22 Cuming St, Mile End'
- Amend '28A Cuming St, Mile End' to add '28' to the listing
- Amend '36 Cuming St, Mile End' to be '1/36 & 2/36 Cuming St, Mile End'
- Amend '52A Cuming St, Mile End' to be '52 & 52A Cuming St, Mile End'
- Amend '56A Cuming St, Mile End' to be '1/56A & 2/56 Cuming St, Mile End'
- Amend '22 Fisher Pl, Mile End' to be '16 Gladstone Rd, Mile End'
- Amend '24 Gladstone Rd, Mile End' to be '1-2/24 Gladstone Rd, Mile End'
- Amend '34 Gladstone Rd, Mile End' to be '1/34 Gladstone Rd, Mile End'
- Amend '42 Gladstone Rd, Mile End' to add '42A' to the listing
- Amend '59A Gladstone Rd, Mile End' to add '59' to the listing
- Amend '85 Gladstone Rd, Mile End' to add '87' to the listing
- Amend '52 Hughes St 7 Victoria Ln, Mile End' to be '1/50 & 52 Hughes St, Mile End'
- Amend '47 Hughes St, Mile End' to be '1-2/47 Hughes St, Mile End'
- Amend '32 & 32A King St, Mile End' to be '32A & 32B King St, Mile End'
- Amend '35 King St, Mile End' to be '1/35 & 35A King St, Mile End'
- Amend '54A King St, Mile End' to add '54' to the listing
- Amend '1A Victoria St, Mile End' to add '1' to the listing
- Amend '30 Victoria St, Mile End' to be '1/30 & 30A Victoria St, Mile End'

5.0 Changes as a result of subdivision

A number of addresses linked to local heritage and contributory items have been subdivided with Development Approval. This has resulted in two situations:

- The address is correctly identified in the Development Plan heritage list however, the heritage overlay still extends over the subdivided section that does not contain the local heritage or contributory item building, or
- In the case of semi-detached dwellings that have been subdivided into two allotments, the address of the new allotment is omitted from the Development Plan heritage list, however the heritage overlay correctly extends over the entirety of the listed building to include both allotments.

The following amendments to the Development Plan heritage table listings and heritage overlay maps are proposed to correct these anomalies:

Remove the following allotments that do not contain a heritage item from the heritage overlay maps:

- Remove '13A' Huntriss St, Torrensville' and retain '1/31 & 2/31 Carlton Pde, Torrensville'
- Remove '15C' Huntriss St, Torrensville and retain '15B Huntriss St, Torrensville'
- Remove '12A' Northcote St, Torrensville and retain and '12 Northcote St, Torrensville'
- Remove '16A' Northcote St, Torrensville and retain '16 Northcote St, Torrensville'
- Remove '17 & 19' Carlton Pde, Torrensville and retain '16 & 20 Wainhouse St, Torrensville'
- Remove '1A' Pembroke Avenue, Netley and retain '328 Marion Road Netley'
- Remove '354A' Marion Road, North Plympton and retain '354 Marion Road, North Plympton'.

Amend following addresses in the heritage list as the allotments contain a heritage item:

- Amend '8A Dew St, Mile End' to add '8' to the listing
- Amend '6-8 Henley Street, Mile End' to be '6-8 Henley Street & 11-19 Elm Avenue, Mile End'
- Amend '68 & 70 Henley Beach Rd, Mile End' to be '1-4/68 & 70 Henley Beach Rd, Mile End'
- Amend '34 Danby Street, Torrensville' to be '34 Danby St, Torrensville'
- Amend '11 Huntriss St, Torrensville' to add '9' to the listing
- Amend '18 Huntriss St, Torrensville' to be '1/16 and 2/18 Huntriss St, Torrensville'
- Amend '50 Huntriss St, Torrensville' to be '48 and 1/50 Huntriss St, Torrensville'
- Amend '16 Northcote Street, Torrensville' to be '16 Northcote St, Torrensville'
- Amend '6 North Pde, Torrensville' to be '1-2/6 North Pde, Torrensville'
- Amend '156 South Rd, Torrensville' to add '158' to the listing
- Amend '20 Wainhouse Street, Torrensville' to be '20 Wainhouse St, Torrensville'

6.0 Editorial street address corrections

The following errors in the heritage table and overlay maps appear to have resulted due to incomplete or inaccurate address information being included in the original listing or the street address has changed since it was listed (subdivision has not occurred).

Amend the addresses in the heritage list for the following items:

- Amend '7-7A Elston St, Brooklyn Park' to be '7 Elston St, Brooklyn Park'
- Amend '2/ 2/57 & 57A Gladstone Rd Mile End' to be '2/57 & 57A Gladstone Rd Mile End'
- Amend '83 Hughes Street 83 Hughes Street Mile End ' to be '83 Hughes St Mile End'
- Amend '37 Hughes Pl, Mile End' to be '37 Hughes St, Mile End'
- Amend '19-21 East Terrace, Mile End' to be '19 James Congdon Drive, Mile End'
- Remove '16A' from '16-16A Victoria St, Mile End'
- Amend '1/336 Marion Rd North Plympton' to be '336 Marion Rd North Plympton'
- Amend '51-53 South Rd, Thebarton' to be '51-57 South Rd, Thebarton'
- Amend '7 August St, Thebarton' to be '125-133 South Rd, Thebarton'
- Amend '127-133 South Rd, Thebarton' to be '125-133 South Rd, Thebarton'
- Amend '1/38 Ashley Street, Torrensville' to be '38 Ashley Street, Torrensville'

Amend the heritage overlay for the following item to include the complete allotment containing the contributory item:

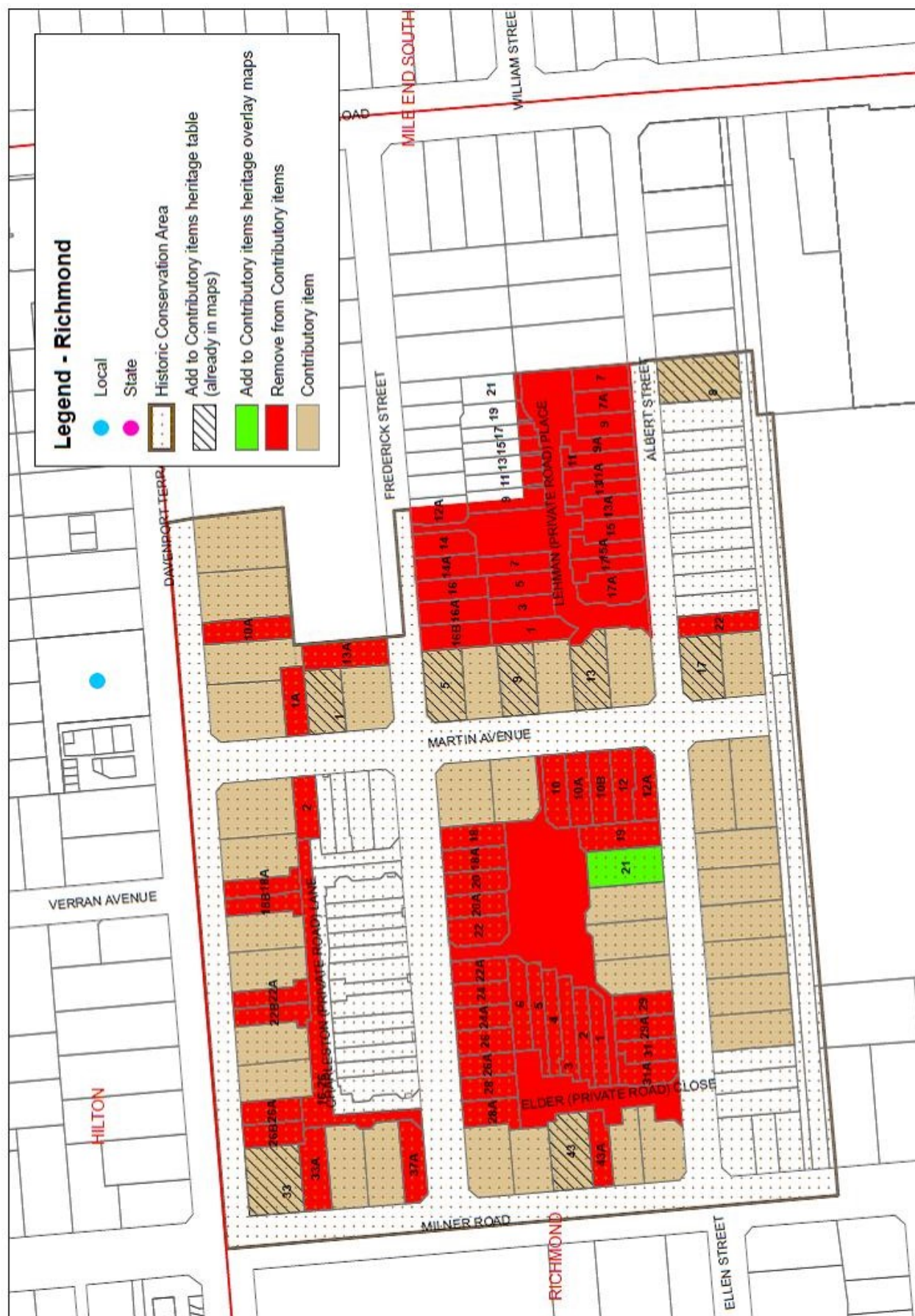
- Extend the heritage overlay across all of 61 Hughes St, Mile End (currently only partially includes the contributory listed building).

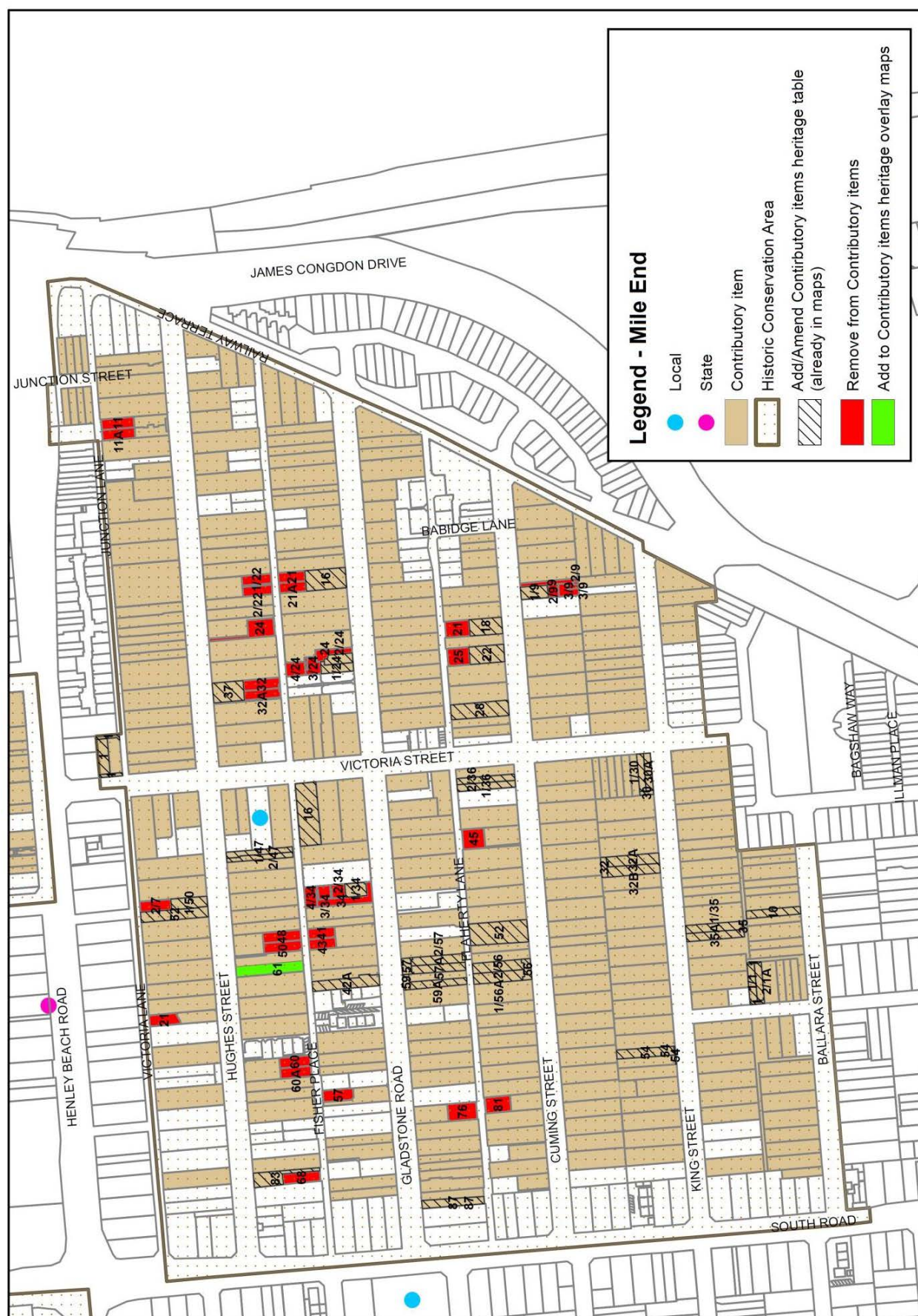
7.0 Consequential changes

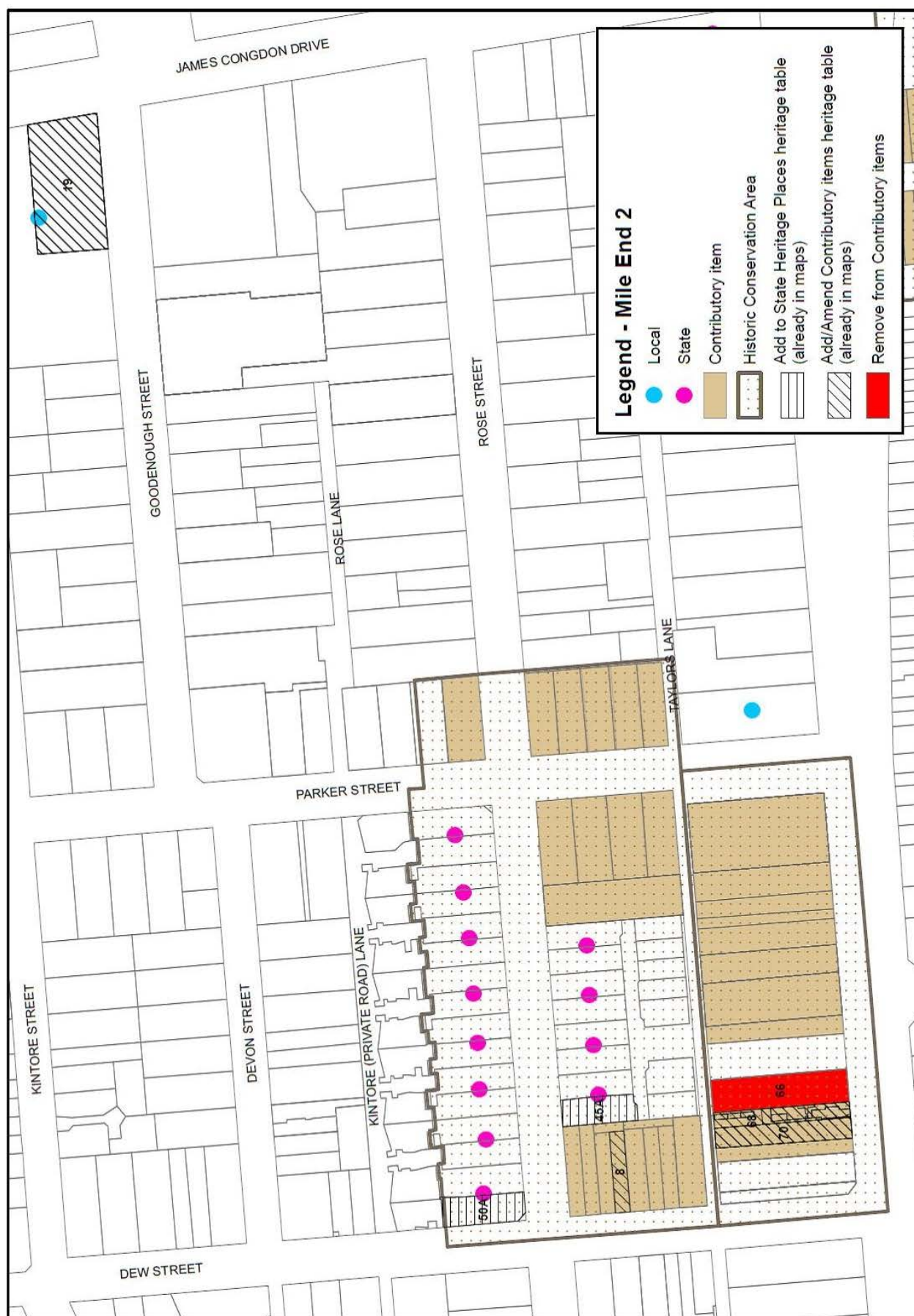
Following the above changes, a number of consequential changes will be required for some amended and new listings:

- add new DPLG IDs to some heritage table listings
- update Certificate of Title and lot/plan references for listings

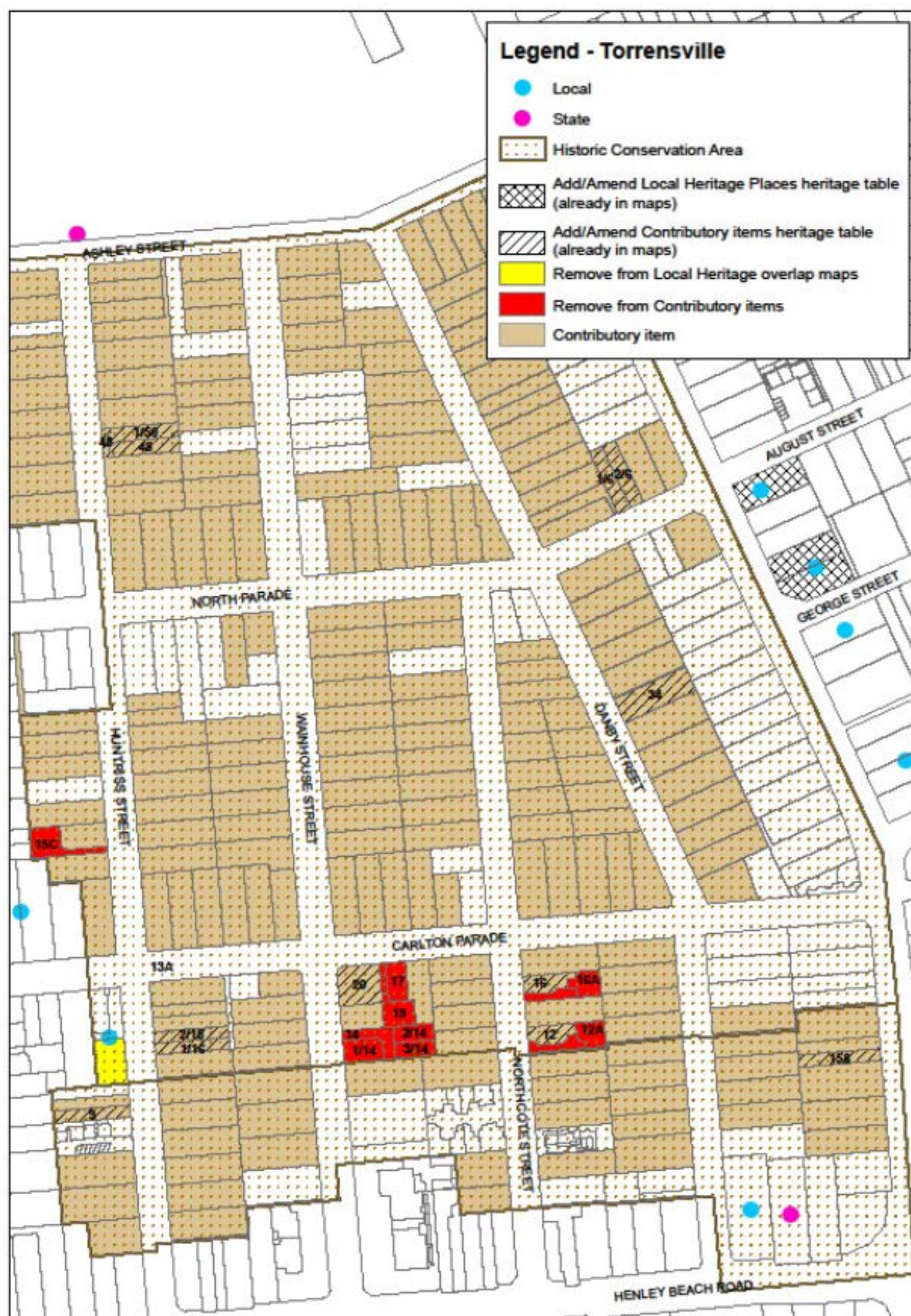
ATTACHMENT 2

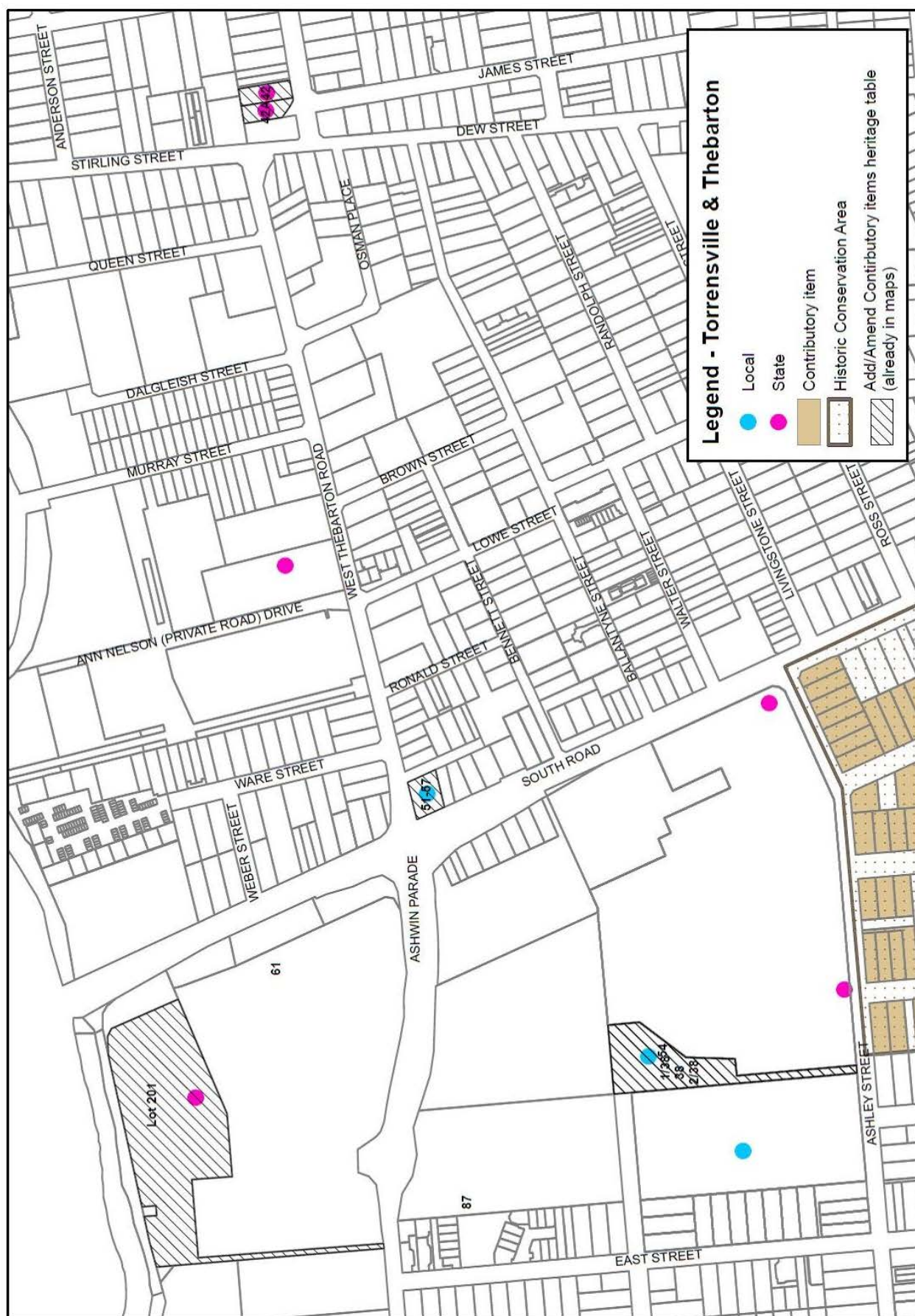


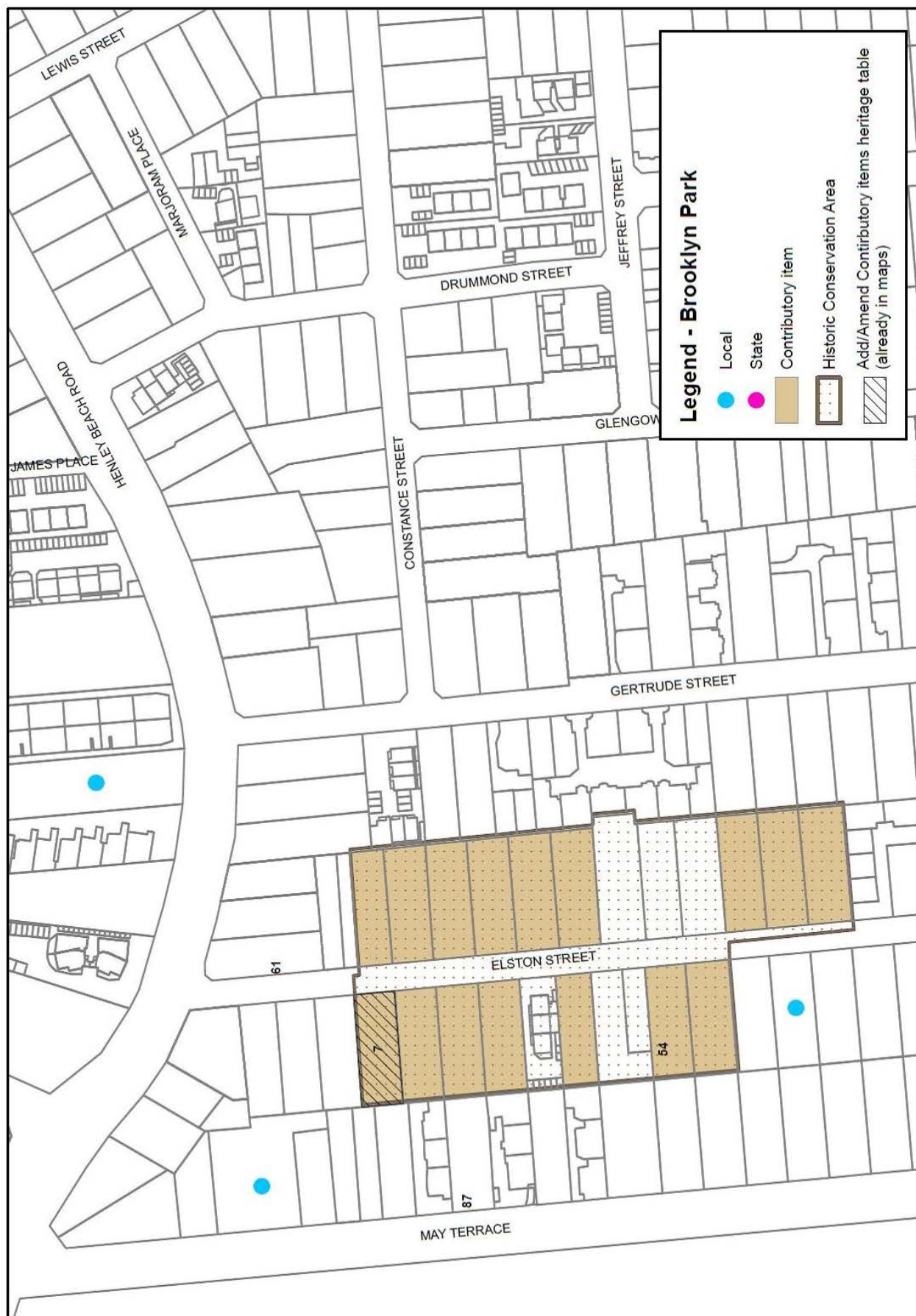


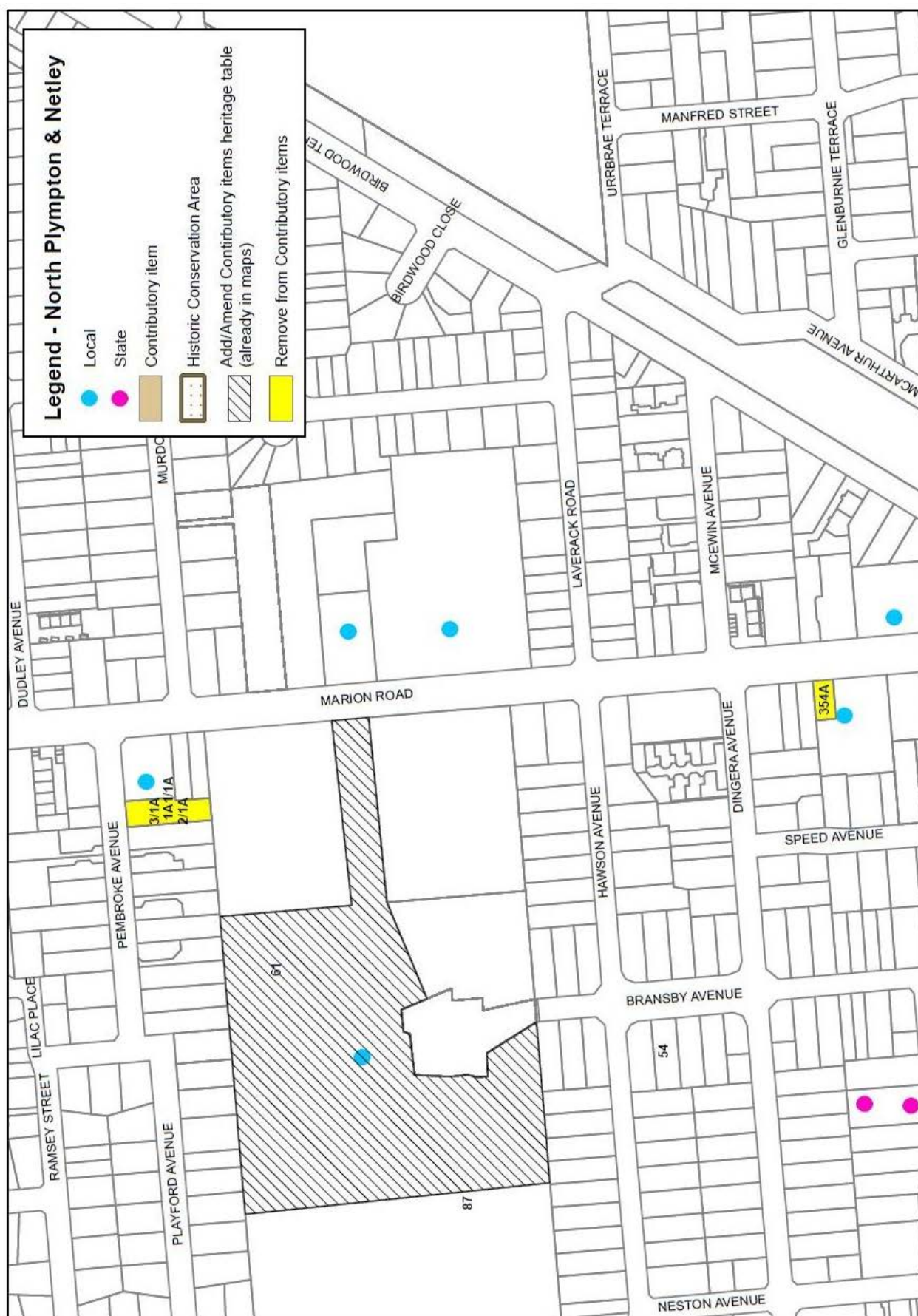












7.10 Progress on Implementing Council Decisions

Brief

This report provides an update on outstanding Council and Committee resolution actions.

RECOMMENDATION(S)

The Committee recommends to Council that the report be received.

Introduction

At the meeting of the former Policy, Planning and Performance Committee on 23 August 2011 a request was made for a report to be provided at each meeting of the Committee of outstanding actions relating to resolutions of Council and Committees.

Discussion

A copy of the outstanding resolution actions to 16 August 2016 is provided for Members information (**Attachment 1**), updates/comments are to 6 September 2016.

ATTACHMENT 1

Item No	Date	Meeting	Action title	Resolution / Action required	GM	Actions taken
1	02/03/2016	Urban Services Prescribed Standing Committee	11.1 George Street Upgrade Stage 2 - Street Consultation Summary	Nilschke / Mahos that: 1. The report be received. 2. The Administration proceeds with the George Street - Stage 2 upgrade based on a revised version of the Option 3 road design (Attachment 1 of report). (This design variation will provide an additional two (2) on-street parking spaces and require the removal and replacement of a further two (2) existing street trees.)	Angelo Calnani	7/9/16 - Consultant has been engaged to commence detailed design.
2	25/07/2016	Community Facilities Prescribed General Committee	7.3 Camden Oval - Masterplan Update	Deneilou / Valios that: 1. The report be noted. 2. The draft landscape Masterplan developed by JPE Design Studio for the Camden Oval facility be endorsed for stakeholder consultation. 3. Following consultation, the Administration be authorised to appoint a consultant to proceed with the development of detailed design plans for this complex. 4. A further report be provided to the relevant Ward Councillors, Administration officers and the Chair of this committee in relation to the detailed design process and cost of the proposed development. 5. A further report be provided to this Committee following the completion of detailed design plans. 6. That the previous proposal to construct a footbridge across the Sturt Creek linking Camden Oval with the existing community facilities on the western side of the Creek be deferred.	Angelo Calnani	The landscape masterplan/concept plan has been provided to all lesser-illness users at Camden Oval (namely PHOS and Camden Sports and Social Club, Camden Athletics, Glenelg District Cricket, W.T. Birrellia Soccer Club, PHOS Netball) requesting feedback from them on the masterplan/concept plan. The following meetings have also been meetings with: • PHOS Netball (Camden Sports-SC (Paul Williams) • PHOS Netball (Brenton McHugh) • Camden Athletics (Colin Peterson and Frank McHugh) and • Glenelg District Cricket Club (Allan Scholz) The Administration will also meet with W.T. Birrellia Soccer Club in regard to the synthetic pitch project. 7/9 - report will be going to Council on the design in due course.
3	25/07/2016	Community Facilities Prescribed General Committee	7.4 Trebanion Oval Complex Update - Torrensvalle Bowling Club / South Australian Amateur Football League (SAAFL)	Rapp / Haese that: 1. The report be noted. 2. The options presented by the club's consultant (other than the area identified as "indicative carparking extension (by Council)") be approved in principle and that the Torrensvalle Bowling Club be advised of this extension. 3. The Administration be authorised to enter into negotiations with the SAAFL to vary (reduce) the land currently occupied by the SAAFL, and that, subject to satisfactory negotiations, a Deed of Variation be prepared at the cost of the Torrensvalle Bowling Club, to give effect to the reduction in land to be occupied by the SAAFL for execution by the SAAFL and Council. Further, that the Mayor and Chief Executive Officer be authorised to sign and seal the Deed of Variation. 4. Providing the SAAFL agrees to relinquish the additional land sought by the Torrensvalle Bowling Club on terms satisfactory to Council, and executes a Deed of Variation giving effect to this, the Administration be authorised to enter into negotiations with the Torrensvalle Bowling Club for the grant of a new long term lease over the land proposed to be occupied by the Torrensvalle Bowling Club. 5. A further report be provided to Council on completion of satisfactory negotiations between the Administration and the Torrensvalle Bowling Club outlining the proposed terms and conditions of the new lease, prior to necessary public consultation of the proposed grant of lease, to the Torrensvalle Bowling Club.	Angelo Calnani	30/03/2016 - the Secretary of the Torrensvalle Bowling Club has been advised of Council's in principle approval for the options presented by the Club and a copy of the resolution of Council from its meeting on 26 July 2016 has also been provided to the Club. A further report will be presented to Council in relation to the terms and conditions of a new lease.
4	22/07/2016	Audit and Risk Prescribed General Committee	9.3.3 Annual Internal Audit Program 2016 - 2017	Woodward / Moran that: 1. The Annual Internal Audit Program 2016-17 be delivered to the 11 October 2016 meeting of Committee. 2. In the interim those audits that are currently in progress and identified for commencement in quarter one be progressed.	Pauline Kortsis	1. The 2016/17 Internal Audit Program is currently being reviewed and will be presented to the 11 October 2016 meeting of the Committee. 2. Progress against quarter 1 audits will be reported to the 11 October meeting of the Committee.
5	19/07/2016	Council	9.2 Item 11.1 - Clifford Street Reserve, Torrensvalle Stage 2 Upgrade Brought Forward for Consideration at this Point in the Meeting	Nilschke / O'Reilly that: 1. The Report be received. 2. The proposed Stage 2 upgrade works consist of the following: a) A re-alignment of the internal fence Option 2 to increase the dog-run area; b) The installation of pedestrian lighting; and c) Improvements to the access areas (by the gates) to the reserve. 3. The remaining nominated budget funding to be used for other reserve upgrades as listed in the 2016 / 2017 Budget.	Angelo Calnani	No further report required for Council on this. City Works expect to have works completed by Christmas 2016.

Item No	Date	Meeting	Action title	Resolution / Action required	GM	Actions taken
6	19/07/2016	Council	15.2 Terms of Reference (MWH)	Denetford / Woodward that during the current review of the Terms of Reference for all General Committees, Prescribed and Non-Prescribed, consideration be given to allowing for co-Ward Councillors to act as proxy Committee Member in the event that the appointed Committee Member is not able to attend the meeting for whatever reason.	Pauline Koritsa	Terms of reference for all committees are currently under review and will be presented to the 18 October 2016 meeting of Council
7	12/07/2016	Corporate Planning Policy and Performance Prescribed Committee	7.6 Annual Service Plans 4th Quarter 2015/16 Progress Update	McKay / Mangos that: 1. Annual Service Plans 4th Quarter Progress Report 2015/16 be received, and 2. Requests to defer incomplete actions from the 2015/16 service plans to the 2016/17 service plans are approved, as detailed within the report	Pauline Koritsa	9/09/16 - Incomplete actions from the 2015/16 Service Plans have been deferred and included in the 2016/17 Service Plans
8	05/07/2016	Council	16.3 NRM Levy	McKay / Ryppe that the CEO write to the LGA and seek an update on the actions taken following the passing of a resolution at the April 2016 LGA Ordinary General Meeting requiring the LGA to lobby the State Government for a cessation of the current collection method of the NRM levy.	Terry Buss	Draft letter with CEO for review.
9	17/05/2016	Council	17.3 Building Western Adelaide Update	McKay / Palmer that: 1. The redesigned Building Western Adelaide strategy be endorsed, subject to any minor editorial changes. 2. The Administration works with partner councils towards development of a program of events through the Western Innovation Network and preparation of a combined Tourism Destination Action Plan, and 3. A contribution of \$5,000 be allocated towards the Western Innovation Network and an additional \$5,000 allocated towards development of the combined Tourism Destination Action Plan from the current Building Western Adelaide budget.	Pauline Koritsa	30/6/16: Staff of the partner councils have met to progress plans for delivery of the identified Building Western Adelaide projects in 2016/17. 6/9/2016: A regional tourism destination action plan has been commenced. A draft regional Tourism Destination Action Plan is proposed by the end of September and will be presented to Council for review and endorsement by November.
10	03/05/2016	Urban Services Prescribed Standing Committee	9.1 Light Rail Expansion	Mayor Trainer / O' McKay that: 1. Provide in principle support to the expansion of light rail; 2. Participate in the development of a comprehensive study into the State Government's AdelLINK light rail network, provided that a comprehensive governance process is developed outlining local government's involvement and role in the scoping study, and 3. Participate in further discussions with the Federal Government, State Government and neighbouring Councils within the proposed AdelLINK light rail network regarding funding and delivery options.	Terry Buss	Continuing. CEO and GM Urban Services attending meetings as required.
11	19/04/2016	Council	15.1 Capital Budget for Community Facilities	Woodward / Dua that: 1. The \$5 million set aside in the 2015/16 capital budget for the Camden Oval precinct development pursuant to a resolution of the Community Facilities General Committee on 22 September 2015, and subsequently endorsed by Council on 6 October 2015, be reduced to \$3.5 million; 2. \$1 million be allocated to the redevelopment of Weigall Oval Stage 1 from the unspent 2015/16 capital budget for community facilities, currently \$6,568 million; and 3. \$500,000 be added to the budget for the Camden Oval precinct development from the proceeds of future asset sales when these sales occur.	Bill Ross	The changes in items 1 and 2 were picked up in the March budget review which was being presented to Council on 17 May 2016 - completed. Item 3 is on hold until an asset sale occurs - in progress.
12	15/03/2016	Council	16.1 Senior Citizens Services	Woodward / Ryppe that: 1. Investment interest from the proceeds of the sale of St. Martins for 2015/16 be allocated for services for senior citizens in the 2015/16 budget; 2. The Administration provide a recommendation on how the interest could best be used for senior citizen services in West Torrens.	Pauline Koritsa	GM Corporate and Regulatory has been assigned point 1 of this motion, please liaise with Bill to action point 2 accordingly. Initial ideas for the additional funds currently being reviewed by GM Business and Community Services. A workshop was held with Elected Members on 30 August to discuss options and a report is being prepared for the October Civic Committee.
13	08/03/2016	Corporate Planning Policy and Performance Prescribed Committee	7.15 Policing of Parking Restrictions	McKay / O'Reilly that: 1. An additional \$200,000 be included in the 2015/16 budget in support of Council's community grants program. 2. One new administrative FTE be provided in support of compliance operations. 3. An adjustment be made in the March budget review for the additional administrative support that is recommended.	Bill Ross	Recruitment for a Senior Administration Officer has been completed and an appointment has been made. Workshops being conducted with Elected Members re the allocation of dollars

Item No	Date	Meeting	Action title	Resolution / Action required	GM	Actions taken
14	01/03/2016	Council	17.3 Multicultural Festival Proposal	Demetriou / Hill that a multicultural event be integrated into Council's Summer Festival Program subject to budget approval	Pauline Koritsa	Proposal to be considered in the Summer Festival planning subject to budget approval Initial Summer Festival planning includes a multicultural festival.
15	01/03/2016	Council	17.5 Reforming Council's Community Grants Scheme	Demetriou / Palmer that: 1. The community grants program be amended in accordance with the information contained in this report; 2. A biannual community equipment grants program be established in accordance with the information contained in this report, to be run simultaneously with Council's community grants program; 3. The maximum community grant available be increased from \$2,000 to \$3,000 and the maximum community equipment grant available be set at \$1,000, effective from the first round of grants in the 2016/17 financial year.	Pauline Koritsa	Community grants, equipment grants, environmental grants and sponsorship to be reviewed prior to first round of 2016/17 funding. Elected Member workshop to be held on 30 August to determine use of additional community grant funding. Outcomes of the workshop will be incorporated into the review of grants. A report will be presented to the October Civic Committee meeting.
16	01/03/2016	Council	15.2 Tidy Streets	Woodward / Mangos that the Administration provide a report to Council on the concept of reintroducing a Tidy Streets program for the City of West Torrens.	Pauline Koritsa	30/06/2016 Transferred to Community Services for investigation. Resource constraints delaying investigation.
17	16/02/2016	Council	15.1 Vouchers for the Waste Transfer Station	Woodward / Tsiparis that one free voucher for the waste transfer station at North Plympton be made available on request to an owner or occupier of a residential property in the City of West Torrens, subject to the following: 1. There being only one voucher entitlement per property per financial year; 2. Vouchers only being valid for one month from the date of issue; 3. Proof of residency or ownership being presented in support of a voucher request; 4. The entitlement being limited to a 6 x 4 trailer; 5. Government organisations, including the SA Housing Trust, and housing associations not being entitled to vouchers; 6. This will form part of the review of the entire hard waste collection in November 2016.	Bill Ross	Service Centre has been advised of Council's resolution and process that is required to be undertaken A review of the vouchers will be undertaken as part of the hard waste collection in September 16 Report will be presented to Council on 20 September 16
18	09/12/2015	Council	15.3 Aircraft Noise Policy	Vlahos / Mangos that as a matter of urgency, the Administration develop an Aircraft Noise Policy for Council consideration that provides a framework and sets out principles that are to guide planning proposals, development assessment and provision of aircraft noise information for those properties within the City of West Torrens affected by aircraft noise. The policy framework shall be consistent with national standards and State planning policies yet also be responsive to local needs and expectations. As a minimum the policy should aim to: - Facilitate the provision of information to the public about aircraft noise that is accurate and meaningful, and that enables people to make appropriate decisions; - Adopt the Building Site Acceptability principles outlined in Australian Standard AS 2021&dash2015; - Acoustic&dash2015; Aircraft noise intrusion&dash2015; Building siting and construction, or any successor Australian Standard, but provides more definitive guidance regarding discretionary matters under that Standard; - Take into consideration the National framework for Safeguarding Airports; - Allow a merit-based development assessment framework that is responsive to local expectations, weighs up potential costs and benefits to the community, and promotes approaches that are cost-effective, equitable and affordable; and - Promote a co-operative framework in which all interested stakeholders can contribute to the future planning of Adelaide Airport and its environs.	Terry Buss	This action is being progressed by the CEO and General Manager Urban Services. To date: - Council's intention to develop the policy has been advised to the Adelaide Airport Consultative Committee - Discussions around development of the policy have been held with AAL - A consultant has been engaged to assist Council with development of the policy
19	09/12/2015	Strategy and Community Prescribed Standing Committee	11.1.1 Australia Day Awards: Nominations and Recommendations 2016	Haege / Palmer that: 1. Council approves the recommendations, detailed in the attachment provided under separate cover; 2. Media, Elected Members and the Administration refrain from publicly discussing the names of nominees and/or recommended award recipients until all nominees have been advised of their nomination and the award outcomes; 3. The Administration contacts the nominees and nominators to advise them of Council's decision as soon as is practicable; 4. Council provide a certificate of commendation to the Young Citizen of the Year nominees that did not receive awards in 2016 as a once off; 5. The matter of commendation certificates for the various award categories be referred to the Corporate Planning, Policy and Performance Committee for review.	Pauline Koritsa	2015 award process Completed. One off certificates have been provided. Review will be referred to a future CPPP Committee meeting. Review of Australia Day Awards forms undertaken and presented to August Civic Committee Recommendations from Council to be included in Australia Day 2017 process.

Item No	Date	Meeting	Action title	Resolution / Action required	GM	Actions taken
20	20/10/2015	Council	15.1 Household Waste Working Party	Demetriou / McKay that a working party be formed to investigate and report on the disposal of household waste etc. The working party will consist of Cllrs Demetriou, McKay and Woodward, and two staff appointed by the Chief Executive Officer. The working party will report its outcome back to Council in three months. Note: Motion carried at the 8/12/2015 meeting of Council recommending that the outcome of the Working Party's investigations be reported by 30 June 2016.	Bill Ross	GM Corporate and Regulatory and Manager Regulatory Services are the two staff representatives. The Working Party has met on a number of occasions, which includes visits to the Waste Transfer Station and Underdale/Wingfield. Meetings scheduled with Aspleigh, Visy and SA Government representatives. A trip to Midura is intended.
21	22/06/2015	Community Facilities Prescribed General Committee	9.1 Honour Boards	Noting that the matter was not urgent, Cr McKay asked if the number of honour boards under Council's care and control could be advised, together with their dimensions and total surface area? The Administration undertook to investigate and report back to a future meeting.	Pauline Korlisa	Consulted with Cr McKay to clarify focus is on War Memorial honour boards. Scoped out task with Dean Ottanelli. Workers being deployed to locate, identify, measure and photograph boards in preparation for report back
22	25/06/2015	Civic Committee	7.2 Thebarton Community Centre - Signage and Public Artworks	Demetriou / Trainer that the Administration undertake additional research into public art installations at Thebarton Community Centre and environs that reflect the history of the area including early migration, settlement and industry, and report back on possible options at a future meeting of this Committee.	Pauline Korlisa	Investigations underway concerning art installations of this nature undertaken by other councils and cultural agencies. Consultation with City Works concerning possible location options being developed. EOI and project description documents completed. This has now been incorporated in to wider design brief for the upgrade and refurbishment of Thebarton Community Centre proposals Recommend deferral to 2016/17 financial year. Upgrades for TCC currently being considered with a view to developing a plan for 2016/17.
23	19/05/2015	Finance and Regulatory Prescribed Standing Committee	11.9 Hard Waste Collection	Mangoor / Woodward that: 1. An at-call hard waste collection service be introduced for trial across the whole Council area for 12 months commencing in October 2015, with two free collections per household 2. A specification and tender be developed for a contracted out at-call waste collection service; 3. Trial arrangements be publicised widely within the community. 4. A review of the trial be undertaken and it be reported to Council at the conclusion of the trial.	Bill Ross	Erochures and other media promotions completed and notification sent to all households. 12 month trial awarded to Solo. At Call collections commenced on 1st October 2015 Review Report will be presented at the Council meeting 20 September 2015
24	16/06/2014	Council	15.3 Restoration of the Brickworks Kiln and Chimney	Mangoor/Sarris that the CEO be authorised to investigate and report back to Council regarding private sponsorship options for restoration works of the Brickworks Kiln and Chimney at the Brickworks Marketplace to assist Council remediate the State Heritage item.	Terry Buss	No further action taken at this point in time as negotiations to dispose of the Riverfront land are currently in progress.
25	17/06/2013	Council Meeting	Car Parking Contribution Fund	McKay/Coxon that following the approval (by Council) of its Housing Diversity DPA, the Administration commence the requisite investigations to identify the designated areas for considering contributions and the location and costs for providing the car parks, associated with the proposed Car Parking Fund.	Pauline Korlisa	A West Torrens Activity Centres DPA was included in the forward program of DPAs in Council's recent Strategic Directions Report (approved by Council October 2014 and by the Minister February 2015). The Strategic Directions Report proposed that a needs analysis and investigations into the feasibility of a City of West Torrens Parking Contribution Fund be included in the supporting investigations for this DPA. Subsequent to this the Minister has released an Activity Centres DPA for consultation (August 2015), which would have significant impact on any Car Parking Contribution Fund in West Torrens. A report was presented to Council on 6 October with a recommended response to the Minister on his Activity Centres DPA. In-house investigations based on land reconed through the Housing Diversity DPA have commenced, however it is recognised that the Minister is undertaking a suite of changes to the Planning System that will impact significantly on areas where parking contributions may be considered. The location, costs and viability of providing a Car Parking Contribution Fund will also be significantly affected by the Minister's Activity Centres DPA. This is expected to be rolled out during 2016. 28/4/16: The Minister's Activity Centres DPA was gazetted on 21 April 2016. Strategic Planning Staff will now analyse the new policy, including consideration in relation to the proposed Car Parking Fund. In-house investigations have also been completed which identified relevant data relating to parking compliance in past Development Applications. 20/8/16: Following gazettal of the Planning, Development and Infrastructure Act, a consultant has been engaged to investigate what parking provisions are available through the new legislation. 06/09/16: A report will be presented to the 20 September meeting of the Strategy and Community Committee providing an overview of advice received from a legal consultant, and information on current and future legislative options available to councils to acquire funding toward the development of off-street car parking.

8. OUTSTANDING REPORTS/ACTIONS

9. OTHER BUSINESS

10. NEXT MEETING

8 November 2016, 6.30pm in the Mayor's Reception Room.

11. MEETING CLOSE