

CITY OF WEST TORRENS



MINUTES

of the

Council & Committee Meetings

- **Urban Services Prescribed Standing Committee**
- **Governance Prescribed Standing Committee**

of the

CITY OF WEST TORRENS

held in the Council Chambers, Civic Centre
165 Sir Donald Bradman Drive, Hilton

on

TUESDAY, 7 NOVEMBER 2017
at 7.00pm

Terry Buss
Chief Executive Officer

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1 MEETING OPENED

The Presiding Member declared the meeting open at 7.09pm.

1.1 Evacuation Procedure

The evacuation procedures were read out to the gallery by General Manager Corporate and Regulatory.

2 PRESENT

Council Members:

Mayor J Trainer (Presiding Member)

Councillors: R Haese, G Palmer, K McKay, S Rypp, M Hill, A Mangos, S Tsiaparis, G Nitschke, J Woodward, M Farnden, G Vlahos

Officers:

Mr T Buss	(Chief Executive Officer)
Ms P Koritsa	(General Manager Business and Community Services)
Mr B Ross	(General Manager Corporate and Regulatory)
Ms S Curran	(Manager Strategy & Business)
Mr J Ielasi	(Manager City Assets)
Mr D Ottanelli	(Manager City Property)

3 APOLOGIES

Leave of Absence

Council Members:

Cr George Demetriou

Cr Tony Polito

Apologies

Council Members:

Cr Cindy O'Rielley

Officers:

Mr A Catinari (General Manager Urban Services)

Lateness

Council Members:

Cr George Vlahos (8.03pm)

RECOMMENDATION

That the apologies be received.

RESOLUTION

Moved: Cr Graham Nitschke

Seconded: Cr Kym McKay

That the recommendation be adopted.

CARRIED

4 DISCLOSURE STATEMENT

The following disclosures of interest were made:

Item	Type of Conflict	Elected Member
Council Item 15.1 Request for State Funding West Beach Road Upgrade	Perceived	Cr Steven Rypp
Correspondence Item 20.3 Rate Capping	Perceived	Cr Steven Rypp
Urban Services Committee Items 11.2 Request for Floodlighting - Novar Gardens Bowling Club & 11.3 Request for sub-licence - PHOS Netball Club, Glenlea Tennis Club	Perceived	Cr Megan Hill

5 CONFIRMATION OF MINUTES**RECOMMENDATION**

That the Minutes of the meeting of the Council held on 17 October 2017 be confirmed as a true and correct record.

RESOLUTION

Moved: Cr Kym McKay

Seconded: Cr Garth Palmer

That the recommendation be adopted.

CARRIED

6 MAYORS REPORT**RECOMMENDATION**

That the Mayor's Report be noted.

RESOLUTION

Moved: Cr Steven Rypp

Seconded: Cr Graham Nitschke

That the recommendation be adopted.

CARRIED

7 ELECTED MEMBERS REPORTS

Cr Nitschke advised of his attendance at the Philippine Fiesta at Kings Reserve on Saturday 4 November 2017.

Cr Rypp advised of his attendance at the City of West Torrens Citizenship Ceremony on Tuesday 31 October 2017.

Cr Haese advised of her attendance at the following:

- Civic Committee meeting on Tuesday 24 October
- Mendelson meeting on Friday 27 October 2017
- City of West Torrens Citizenship Ceremony on Tuesday 31 October 2017

Cr Mangos advised of his attendance at the following:

- City of West Torrens Citizenship Ceremony on Tuesday 31 October 2017
- 2018 Australian of the Year Awards for South Australia at Adelaide Oval on Monday 30 October 2017
- Public health meeting on Monday 6 November 2017

Cr McKay advised of his attendance at the Civic Committee meeting on Tuesday 24 October 2017.

RESOLUTION

Moved: Cr Michael Farnden

Seconded: Cr Graham Nitschke

That the reports from Members be noted.

CARRIED

8 PETITIONS

Nil

9 DEPUTATIONS

Nil

MOTION

Moved: Cr Michael Farnden

Seconded: Cr John Woodward

That Item 15.2 - Urban Corridor changes to Protect Glandore Character Area 24, be brought forward from the Motions with Notice for consideration at this point of the meeting prior to adjournment to standing committees.

CARRIED

9.1 Item 15.2 Urban Corridor changes to Protect Glandore Character Area 24 of the Motions of Notice brought forward for consideration at this point in the meeting.

RESOLUTION

Moved: Cr Michael Farnden

Seconded: Cr John Woodward

That the Administration urgently develops a statement of intent for submission to the Minister for Planning to amend the relevant sections of Council's Development Plan, with regard to Anzac Highway, Glandore to:

- a. Ensure the community intent of the plan is reflected, as heavily consulted in 2013 and subsequently approved by the Minister for Planning in 2015.
- b. Specify that the maximum height limit is 3 storeys for **all** land in the Urban Corridor Zone between Beckman Street and South Road, to protect the Character of the Glandore Character Policy Area 24.
- c. Strengthen the wording with regard to maximum height limits to ensure the relevant authority gives strong regard to the maximum height limit when considering any development applications.

CARRIED

10 ADJOURN TO STANDING COMMITTEES

RECOMMENDATION

That the meeting be adjourned, move into Standing Committees and reconvene at the conclusion of the Governance Committee.

RESOLUTION

Moved: Cr Steven Rypp

Seconded: Cr Arthur Mangos

That the recommendation be adopted.

CARRIED

7.30pm the meeting adjourned into Committees.

8.03pm the meeting reconvened. All those present prior to the adjournment of the meeting were present in the Chamber when the meeting reconvened with the addition of Cr Vlahos.

11 ADOPTION OF STANDING COMMITTEE RECOMMENDATIONS

11.1 Urban Services Committee Meeting

Cr Megan Hill declared a perceived conflict of interest in Urban Services Committee Item 11.2 Request for Floodlighting - Novar Gardens Bowling Club and Item 11.3 Request for sub-licence - PHOS Netball Club, Glenlea Tennis Club as she has a close personal association with the clubs and participated in the discussion and vote.

RECOMMENDATION

That the recommendations of the Urban Services Committee held on 7 November 2017 be adopted.

RESOLUTION

Moved: Cr John Woodward

Seconded: Cr Michael Farnden

That the recommendation be adopted.

CARRIED

Cr Hill voted in favour of the motion moved by Cr Woodward and seconded by Cr Farnden.

11.2 Governance Committee Meeting

RECOMMENDATION

That the recommendations of the Governance Committee held on 7 November 2017 be adopted.

RESOLUTION

Moved: Cr Garth Palmer

Seconded: Cr Rosalie Haese

That the recommendation be adopted.

CARRIED

12 ADOPTION OF GENERAL COMMITTEE RECOMMENDATIONS

12.1 Civic Committee Meeting

8.05pm Cr Simon Tsiaparis declared a material conflict in Civic Committee Item 7.1.1 - Plympton International College Community Grant Application as he is a member of the governing council of the Plympton International College and left the meeting for the discussion and vote on the item.

Cr Steven Rypp declared a perceived conflict of interest in Civic Committee Item 7.1 - Community Grants August - September 2017 on the basis that he provides a donation to the Camden Athletics Club and participated in the discussion and vote.

RECOMMENDATION

That the Minutes of the Civic Committee held on 24 October 2017 be noted and the recommendations adopted.

RESOLUTION

Moved: Cr Kym McKay

Seconded: Cr Arthur Mangos

That the recommendation be adopted.

CARRIED

Cr Rypp voted in favour of the motion moved by Cr McKay and seconded by Cr Mangos.

8.06pm Cr Tsiaparis returned to the meeting.

13 QUESTIONS WITH NOTICE

13.1 City of West Torrens Green Space

Question

Recent reports indicate that West Torrens has suffered a 5% decrease in green-space since 2013.

1. What factors have caused this decrease?
2. What are the potential impacts to our community; and
3. What is West Torrens doing to address this issue?

Answer

In 2017, a report released by *Vision 202020* (Report) provided an overview of changes to **green space** over time (between the study years of 2013 and 2016). The terms 'green space' and 'green cover' are used interchangeably throughout the report.

It is important to note that the definition of 'green space' and 'green cover' used in the Report **only** includes tree canopy, shrubs and grass. It **does not** provide a measure of Council's *public open space* network. Therefore, in this report, to avoid any potential confusion with *public or private open space*, when referring to 'green space', the term 'green cover' has been favoured.

A brief overview of the Report is provided below:

Vision 2020 is a collaborative plan to increase the amount of green cover by 20% in Australia's urban areas by the year 2020. The study was initiated in 2013 by Nursery and Garden Industry Australia in collaboration with Horticulture Australia Ltd and has since grown to include 153 partners and 28 strategic experts.

As part of achieving the *Vision 2020* plan (Plan), a snapshot of green cover in each council area across Australia was produced for the year 2013 and 2016 to help raise awareness of the importance of green cover and to measure progress in meeting the 20% target.

The snapshot defined green cover as tree canopy, shrubs and grass. It also measured changes to the amount of hard surfaces. It should be noted that **these snapshots do not represent the amount of public open space in council areas.**

The snapshot was created via a desk-based study using the "iTree Canopy" software which enables an estimate of green cover for a given area to be made. It uses aerial photography as a base layer and then randomly generates sample points across a defined study area and zooms in to each one so that the user can then classify the ground cover types, such as a tree, shrub, grass or hard surface. The study area for the City of West Torrens' snapshots included all the land within the City boundary, including public and private land, and land within the Adelaide Airport precinct.

The results of the *Vision 2020* snapshots show changes in **green cover** within the City of West Torrens as outlined in the table below:

Vision 2020 snapshot - City of West Torrens area:

KEY STATISTICS	2013	2016	change
Tree Canopy Cover	14.2%	10.3%	3.9% Loss
Shrub Cover	3.7%	3.4%	0.3% Loss
Grass Cover	31.5%	31.3%	0.2% Loss
Hard Surface	50.6%	55%	4.4% Increase

On behalf of the City of West Torrens, the University of SA (UniSA) repeated the snapshot assessment, using the same methodology as used for the *Vision 2020* snapshots. The UniSA assessment showed slightly different results than the Report.

The UniSA snapshot indicated:

- less tree canopy had been lost (when compared with the *Vision 2020* data);
- a slight increase in shrub and grass cover (*Vision 2020* data indicated a decrease);
- a smaller increase in hard surface coverage (when compared with *Vision 2020* data).

UniSA snapshot - City of West Torrens area:

KEY STATISTICS	2013	UniSA/ CWT assessment 2016	change
Tree canopy	14.2%	11.9%	2.3% loss
Shrub	3.7%	4.3%	0.6% increase
Bare earth/ grass	31.5%	31.6%	0.1% increase
Impervious surface/ Hard surface	50.6%	52.2%	1.6% increase

For the purpose of disambiguation, the Report and the UniSA study both focused on key greening elements of West Torrens. These could be located in private properties, streets, or parks, etc. It did not specifically analyse the City's public open space network.

Also, it should be noted that public open space may take many forms including paved piazzas and plazas, and not all public open spaces are green spaces.

Notwithstanding this, any reduction in the City's public open space network in general will reduce the opportunity for council to implement greening. Also, as most of the land within the council boundary is held in private ownership, and a significant parcel is taken up by the Adelaide Airport precinct, Council's role in maintaining and increasing green cover is predominantly limited to the public realm.

Additional Findings

The Administration has used information from the *Vision 2020* report to quantify the amount of green cover in the City of West Torrens by converting the *percentage* of green cover to *hectares*.

The calculations reflect the area of green cover (i.e. areas of trees, shrubs and grass) in 2013 compared to 2016, as well as in terms of hectares per capita.

Results indicate the total amount of green space in the City of West Torrens was:

- 1834 hectares in 2013
- 1670 hectares in 2016

This represents a **reduction** of 164 hectares of green cover over this time period. Furthermore the amount of *hard surfaces* **increased** by 160 hectares over this time.

This information is also summarised in the following table:

KEY STATISTICS	2013		2016		change	
	% cover	ha	% cover	ha	% cover	ha
Tree Canopy Cover	14.2%	527	10.3%	380	3.9% Loss	-147
Shrub Cover	3.7%	137	3.4%	130	0.3% Loss	-7
Grass Cover	31.5%	1170	31.3%	1160	0.2% Loss	-10
Hard Surface	50.6%	1880	55%	2004	4.4% Increase	160

In terms of green space (in hectares) per capita:

- In 2013 there was 0.031 hectares (310 m²) of green space per person
- In 2016 there was 0.028 hectares (280 m²) of green space per person.

This suggests a **reduction** of 0.003 hectares or 30 m² of green cover per person over this time period.

This information is also summarised in the following table:

	2013	2016	Change (ha)
Population	*57500	**59000	
Total green cover (ha)	1834	1670	-164
Green cover per capita (ha)	0.031	0.028	-0.003

(*source: Council's Annual Report 2012/13; ** source Council's Community Plan 2017)

Open Space

In terms of open space, the City of West Torrens has approximately 170 hectares of community land classified 'open space'. This area represents approximately 0.0028 hectares (2.8 m²) per person (based on a current population of 59,000).

The Administration is about to embark on a review of the Open Space and Public Place Plan. Opportunities to expand the provision of open space and improve the quality of existing open space will be explored through this review. The Administration is also seeking opportunities to increase the greening of the urban area through other programs and projects.

Q1. What factors have caused this decrease?

Preliminary results of another study undertaken by UniSA (on behalf of City of West Torrens) indicate that green cover in the **private** realm is reducing at a faster rate than the rate green cover is decreasing in the **public** realm.

Research has not focused on the causes of the decreasing in green cover. However, there appears to be strong correlation with the increase in infill development that has occurred over the past decade as a result of urban renewal and densification targets in the State Government's 30 Year Plan for Greater Adelaide.

When combined with the increase in site coverage, the footprint of homes on smaller allotments and a trend away from large backyards, has created an environment where an increasing number of trees have been cleared to make way for more densely packed houses on private property. Additionally, dwellings with greater site coverage minimise the potential to plant replacement trees due to lack of remaining space.

Protections for trees in the development assessment process are minimal, and development tends to be given priority at the expense of trees in both the private and public realm. Furthermore, the form of development can influence requirements to clear street trees to establish additional driveways and infrastructure along streets, particularly where frontage width is reduced as a result of subdivision.

Planning mechanisms such as the Minister's Residential Development Code seek to progress development with minimal assessment. This means applications can be assessed by private certifiers without any trigger for referrals to Council's assets department relating to Council's street trees. This is further exacerbated by applicants not including such infrastructure detail on plans submitted with their applications.

Damage and fatalities caused by trees has understandably created risk aversion in the community (and councils) which has led to many trees being removed before they potentially drop limbs and/or cause property damage (via the extension of roots under house footings, etc.).

Part of the reluctance to protect trees may be in-part due to minimal awareness of the dollar value of the benefits of trees. If councils recorded trees as assets and the investment in trees was identified, then the value of the benefits of trees could be calculated in a dollar value, which may reframe community attitude to trees and result in fewer trees being removed.

Q2. What are the potential impacts to our community?

The loss of green cover can affect our community and natural environment in a number of ways:

- Trees, shrubs and grass play an important role in cooling our urban areas by providing shade and creating a cool micro-climate, i.e. they act as a natural air conditioner. A loss of these greening elements and the cooling benefits they provide can result in the build-up of heat (urban heat island effect) which can make communities more vulnerable to the effects of hot weather.
- The rise in air temperatures can increase the use of air conditioning and power usage which can be an added financial burden on households and also releases more carbon into the atmosphere.
- The loss of green space and resulting higher air temperatures can increase the mortality rate for vulnerable people and affect the community's overall liveability, particularly during heatwaves.
- Green cover plays a role in removing dust and other pollutants from the air and therefore losing green cover can have a detrimental effect on air quality and the local amenity.
- The loss of green cover can result in soil erosion, particularly along waterways, leading to detrimental impacts on aquatic life.
- The loss of green cover affects local biodiversity through the loss of wildlife habitat.
- Green space is considered to provide mental health and physical benefits for people, and offers opportunities for people to connect with each other and to nature. The loss of green space can reduce these benefits and reduce the quality of life.
- Research has also shown that the presence of trees (a particular type of green cover) increases the value of property, therefore a reduction in trees in the environment could cause property values in the area to fall. This may lead to flow on effects to individual household budgets as property-owning households may have reduced access to finance.

Q3. What is West Torrens doing to address this issue?

Most of the land within West Torrens is dedicated to private development, some commercial and retail land uses, and a significant area is dedicated to the Adelaide Airport and associated uses.

It could be argued that any reduction in the amount of Council's public open space would reduce Council's opportunity to increase green cover (green space) in the public realm.

In the Private realm

Council has limited influence on the greening of areas within the private realm outside of the community awareness programs i.e. Council's annual Native Plant Giveaway Program which provides the community with 5,000 seedlings which include a variety of native trees, shrubs, grasses and flowering plants free of charge. The Program aims to improve the greening and sustainability of private gardens across the City.

However, through the *Development Act 1993* there are some requirements to protect significant and protected trees which are administered through the development assessment process.

Council also provides opportunity for greening of private properties by prescribing in its Development Plan a minimum area and dimension for private open space, dependent on the site area or dwelling type. However, while it is intended this space is used for greening, the reality is that paving and other hard surfaces **do not** require development approval, so there is no way of enforcing that this area is in fact used for green space.

In the Public realm

Council has greater ability to influence greening within the **public** realm. Council's public open space comprises about 6% of the total area of the City which includes its buildings, and public open spaces (parks, reserves, ovals, River Torrens Linear Park and the Westside Bikeway, as well as about 300 km of road reserve and streetscape.

Projected population growth and infill urban development will increase demands on existing open space. Changing patterns of urban development, increased housing densities and smaller private backyards means that public places such as squares, malls streets and laneways, where people move through and gather, will be of as much importance as public open space. Increasing the greening of urban areas and ensuring equitable access to public open space will be priorities for council in order to ensure the quality of the urban form is not eroded.

There is a renewed focus on developing open space corridors and linkages between individual sites. Council's Community Plan commits to developing a network of open spaces and identifying opportunities to enhance equitable access to open space. Similarly, Council's *Open Space and Public Place Plan* includes strategies aimed at enhancing existing spaces to maximise greening opportunities and linkages, such as transforming existing drainage corridors into linear trails.

Council also runs community awareness programs and activities to green its **public** open spaces, such as the Arbor Day planting activity in which approximately 4,000 native trees, shrubs and grasses are planted in areas such as along the River Torrens.

Examples of other programs and initiatives that seek to increase the greening of the urban area in the public realm, or inform areas in need of increased green cover, are listed below:

- Ongoing planting and maintenance of trees and landscaping in parks, streets and other public open spaces. Each year approximately 1,500 new trees are planted, and approximately \$1 million is spent on tree maintenance and replacement.
- Water sensitive urban design, such as establishing rain gardens along street verges. The Administration recently secured EPA funding to establish a new rain garden and to develop an interpretive trail to showcase the benefits of rain gardens across the City. This rain garden and surrounding landscaping will help maximise greening opportunities as part of redeveloping a carpark.
- Urban heat mapping to identify areas of heat and prioritise cooling strategies, such as planting of trees, vegetation, and water sensitive urban design, etc.
- 'Tree tagging' activities in local parks and reserves to highlight the value of trees to the community. This involves hanging a tag to a tree outlining its many values. This is to highlight the value of trees to the community.
- Staff are now trained in using 'iTree' software, enabling them to track changes in green cover across the City.
- Secured EPA funding to establish a new rain garden and to develop an interpretive trail to showcase the benefits of rain gardens across the council area to the wider community.
- Native Plant Giveaway Program and Arbour Day to facilitate the greening of the City through planting native vegetation.

- Finalising the Tree Strategy for Council approval which includes initiatives aimed at increasing the amount of trees retained and/or planted in private properties.
- Considering establishing additional green infrastructure across the City, such as rooftop gardens, green walls and rain gardens as part of developing our Urban Design Framework.
- Considering establishing a tree canopy target, similar to efforts of other councils to highlight the importance of tree protection and to maximise the benefits of trees.

New approaches to open space and green cover

At the land division stage, the Development Act and Regulations require the provision of public open space (up to 12.5% of the development area), which, in theory, creates opportunities for additional public open space and therefore increased opportunity for council to green our urban area. However, this process is somewhat problematic in that this mechanism only relates to land division. So in circumstances where a multi-dwelling development occurs (without land division) there is no trigger for the open space to be required.

Often in the case of smaller infill development (e.g. one allotment converted into two allotments) it is not feasible for the 'contribution' land to be provided within the development and in such cases, and when developers elect to, they may pay a financial contribution instead of providing land within the development. Funds are directed to a central pool of funding administered by the Department of Planning Transport and Infrastructure. In order to receive the equivalent funds, Council must compete for funds from the open space and public place fund.

Fortunately, Council has been successful in gaining project funds from this funding source, most recently for the Open Space for Higher Densities Structure Plan Project. This project has been undertaken in collaboration with consultants with part-funding by DPTI's Open Space and Places for People fund. Through this project the Administration sought to identify areas of highest need where additional land acquisition may need to be pursued and innovative approaches to open space and urban greening can be retro-fitted alongside the increasing urban densities.

The Administration is about to embark on a review of its Open Space and Public Place Plan. Priorities for the next plan will be addressing impacts of urban densification to ensure West Torrens' liveability, amenity and connectivity are not eroded. It will also seek opportunities to improve the quality and accessibility of open spaces, and improve the walkability and greening of our urban environment.

14 QUESTIONS WITHOUT NOTICE

Questions were asked and responses provided by the Administration.

15 MOTIONS WITH NOTICE**15.1 Request for State Funding West Beach Road Upgrade**

Cr Steven Rypp declared a perceived conflict of interest in this item as he is an employee of Christopher Pyne's MP Office and participated in the discussion and vote.

RESOLUTION

Moved: Cr Arthur Mangos

Seconded: Cr Garth Palmer

That Council seek the support of the City of Charles Sturt and Adelaide Shores to jointly approach the Minister for Transport requesting the State Government to match funding provided by the Commonwealth Government for the upgrade of West Beach Road as funding for the upgrade is currently only being provided by Commonwealth and Local governments.

CARRIED

Cr Rypp voted in favour of the motion moved by Cr Mangos and seconded by Cr Palmer.

15.2 Urban Corridor changes to Protect Glandore Character Area 24

This item was considered following Item 9 - Deputations.

16 MOTIONS WITHOUT NOTICE**16.1 CCTV Security Trailer Design Competition**

Moved: Cr Kym McKay

Seconded: Cr Steven Rypp

That:

1. Council approve a competition to provide our community CCTV Security trailer with a character name and a "Community Safety Statement" that will be painted / screened onto the trailer.
2. The competition is open to all public and private primary school students in the City of West Torrens and that a prize value of \$1200 be approved to purchase 2 iPads for prizes.

1 - iPad to the winning student

1 - iPad to the school

CARRIED

16.2 Development Approval at Albion Avenue, Glandore

Moved: Cr Michael Farnden

Seconded: Cr John Woodward

That Council write to the Minister for Planning, (cc Member for Ashford),

1. Expressing concern of the land division and approval of three 2 storey detached houses at 56, 58 and 60 Albion Avenue, Glandore, without regard for the requirements of the land division and design guidelines in the Glandore Character Area 24, under the Renewing our Streets and Suburbs Stimulus Program.
2. Requests that any future approvals under the Renewing our Streets and Suburbs Stimulus Program give consideration for local development plan guidelines, and consults with Council; and
3. That the letter be accompanied with the physical illustrations of the type of structures allowed in Councils development plan for the Glandore Character Area 24.

8.34pm Cr McKay left the meeting.

8.35pm Cr McKay returned to the meeting.

CARRIED

17 REPORTS OF THE CHIEF EXECUTIVE OFFICER

17.1 City of West Torrens' Annual Report 2016-17

This report presented the 2016-17 City of West Torrens Annual Report, excluding the 2016-17 Annual Financial Statements.

RECOMMENDATION

It is recommended to Council that:

1. It approves the 2016-17 City of West Torrens Annual Report, excluding the 2016-17 Annual Financial Statements and the Western Region Waste Management Authority 2016-17 Annual Report, pursuant to the requirements of s31 (1) of the *Local Government Act, 1999*.
2. The Chief Executive Officer be delegated authority to, prior to the publication of the City of West Torrens' 2016-17 Annual Report:
 - a) make minor changes of a technical or editorial nature if required; and
 - b) include the City of West Torrens' 2016-17 Annual Financial Statements following their adoption by Council (presented at the 7 November meeting); and
 - c) include the Western Region Waste Management Authority 2016-17 Annual Report once it has been received by Council.

RESOLUTION

Moved: Cr Garth Palmer

Seconded: Cr Kym McKay

That the recommendation be adopted.

CARRIED

17.2 Regional Subsidiary Charter - Brown Hill and Keswick Creeks Stormwater Authority

The purpose of this report was to seek Council endorsement for the draft Charter of the proposed Regional Subsidiary (to be known as the Brown Hill and Keswick Creeks Stormwater Authority), in line with similar reports being considered by the other Brown Hill Keswick Creek Stormwater Management Plan Constituent Councils. If approved, to seek approval for the Chief Executive Officer to submit the draft Charter to the Minister for Local Government for Ministerial approval and Gazettal.

RECOMMENDATION

It is recommended to Council that:

1. That Council receives the draft Charter attached to the agenda report for this item of business, noting that the same report and attachment is also being presented to each of the other proposed Constituent Councils.
2. That Council approves the draft Charter, as presented upon recommendation from the Project Steering Group and approves it as the constitutional document of the proposed Regional Subsidiary.
3. That Council, in conjunction with the other proposed Constituent Councils, makes application to the Minister to establish the Regional Subsidiary as a separate body corporate in accordance with section 43 of and Schedule 2 (Parts 2 and 3) to the *Local Government Act 1999* ('the Act').
4. That Council provides all necessary approvals and, as required, delegations to the Regional Subsidiary to exercise the powers, functions and responsibilities set out in its Charter as recognised and approved by Council in providing its approval to the Charter.
5. That the Chief Executive Officer is authorised to:
 - a) ensure that the application to the Minister to establish the Regional Subsidiary is in a form acceptable to the Minister and accompanied by the information required by the Minister;
 - b) liaise with the Minister's office and the other proposed Constituent Councils for the purpose of making any necessary amendments to the draft Charter (which are not material in nature) for the purpose of satisfying any requirements of the Minister; and
 - c) co-ordinate with the Chief Executive Officers of the other proposed Constituent Councils to ensure publication of a copy of the Charter in the Gazette in conjunction with the Minister's notice of approval to the establishment of the Regional Subsidiary.
6. That Council notes that the Stormwater Management Authority has set 28 February 2018 as the date by which the Regional Subsidiary is to be established.

RESOLUTION

Moved: Cr John Woodward

Seconded: Cr Michael Farnden

That Item 17.2 be deferred to the next meeting of Council on 21 November 2017.

CARRIED

17.3 Ombudsman Investigation Final Report - Mayor Trainer

This report presented the final report of the South Australian Ombudsman's investigation into the conduct of Mayor Trainer at the 4 April 2017 meeting of Council.

RECOMMENDATION(S)

It is recommended to Council that:

1. In accordance with Clause 3 of the *Code of Conduct for Council Members* it receives the South Australian Ombudsman's final report, including his findings and recommendation, following his investigation into 'Whether Mayor Trainer failed to declare a material conflict of interest as required by section 74 of the Local Government Act 1999 in breach of clause 3.13 of the Code of Conduct for Council Members' at the Council meeting on 4 April 2017.
2. In accordance with the recommendation of the SA Ombudsman, made pursuant to section 263B(1)(b) of the *Local Government Act, 1999*, Council requires Mayor Trainer to issue an apology to Council for his error by Friday 10 November 2017 in order for the required report back to the SA Ombudsman to be made by 11 January 2018.
3. Council authorises the Chief Executive Officer to provide a report to the South Australian Ombudsman by 11 January 2018 on what steps have been taken to give effect to the recommendation contained in his report at **Attachment 1**, including:
 - (a) Details of the actions that have been commenced or completed;
 - (b) Relevant dates of the actions taken to implement the recommendation; and
 - (c) In the event no action is taken, reason(s) for this inaction.

RESOLUTION

Moved: Cr John Woodward

Seconded: Cr Arthur Mangos

That the recommendation be adopted.

CARRIED

Mayor Trainer issued an apology to Council for his error in accordance with the resolution.

17.4 Financial Statements - Year Ended 30 June 2017

This report presented the audited financial statements of the Council for the year ended 30 June 2017.

RECOMMENDATION

It is recommended to Council that the Chief Executive Officer and Principal Member be authorised to certify the annual financial statements for 2016/17 in their final form pursuant to the requirements of Regulation 14(g) of the *Local Government (Financial Management) Regulations 2011*.

RESOLUTION

Moved: Cr Garth Palmer
Seconded: Cr Graham Nitschke

That the recommendation be adopted.

CARRIED

17.5 Mendelson Foundation - Financial Statements Year Ended 30 June 2017

This report presented the audited financial statements of the Mendelson Foundation for the year ended 30 June 2017.

RECOMMENDATION

It is recommended to Council that the audited financial statements of the Mendelson Foundation for the year ended 30 June 2017 be received.

RESOLUTION

Moved: Cr Rosalie Haese
Seconded: Cr Megan Hill

That the recommendation be adopted.

CARRIED

17.6 Budget versus Actual - Year Ended 30 June 2017

This report reviewed the budget for the year ended 30 June 2017 pursuant to the requirements of Regulation 10 of the *Local Government (Financial Management) Regulations 2011*.

RECOMMENDATION

It is recommended to Council that the report on the budget for the year ended 30 June 2017, made pursuant to the requirements of Regulation 10 of the *Local Government (Financial Management) Regulations 2011*, be received.

RESOLUTION

Moved: Cr Garth Palmer
Seconded: Cr Arthur Mangos

That the recommendation be adopted.

CARRIED

18 LOCAL GOVERNMENT BUSINESS

18.1 Local Government Circulars

This report provided a detailed listing of current items under review by the Local Government Association.

RECOMMENDATION(S)

It is recommended to Council that the Local Government Circulars report be received.

RESOLUTION

Moved: Cr Steven Rypp
Seconded: Cr Arthur Mangos

That the recommendation be adopted.

CARRIED

19 MEMBER'S BOOKSHELF

- 2016 - 17 Annual Report of the Energy and Water Ombudsman (SA) Limited
- City of West Torrens Audit Completion Report - Year ended 30 June 2017

RECOMMENDATION

That the additions to Members' bookshelf be noted.

RESOLUTION

Moved: Cr Simon Tsiaparis
Seconded: Cr Graham Nitschke

That the recommendation be adopted.

CARRIED

20 CORRESPONDENCE

Cr Steven Rypp declared a perceived conflict of interest in correspondence Item 20.3 Rate Capping as he is a Liberal Party candidate for the Seat of Lee in the 2018 State Election, but as the items were for information purposes only he participated in the discussion and vote.

20.1 Lions 201 C1 District Convention 2017 - Letter of Thanks

Correspondence was received from the Lions 201 C1 District Convention, providing Council with a certificate of appreciation and a letter of thanks for supporting the Lions 201 C1 District Convention held on 6 - 8 October 2017.

20.2 Fund My Neighbourhood - Letter of Thanks

Correspondence was received from the Premier of South Australia, Hon Jay Weatherill MP, expressing sincere thanks to Council for the support in assessing applications for the Fund My Neighbourhood program.

20.3 Rate Capping

Correspondence was received from the Member for Ashford, Hon Stephanie Key MP, acknowledging Council's letter dated 19 September 2017 in relation to Council's position on rate capping on local government.

20.4 Oakmont Crescent Reserve Redevelopment - Letter of Thanks

Correspondence was received from residents of Novar Gardens, Mr John and Mrs Julia Stone, commending Council on the redevelopment of the western end of Oakmont Crescent Reserve.

20.5 Adelaide and Mount Lofty Ranges Natural Resources Management Board Minutes

Correspondence was received from the Adelaide and Mount Lofty Ranges Natural Resources Management Board regarding the minutes of the board meeting held on Thursday 24 August 2017.

20.6 Hard Waste Levy

Correspondence was received from the Acting Chief Executive of the Environment Protection Authority, Mr Peter Dolan, acknowledging Council's letter dated 3 August 2017 in relation to the hard waste levy.

RECOMMENDATION

That the correspondence be received.

RESOLUTION

Moved: Cr Simon Tsiaparis

Seconded: Cr Megan Hill

That the correspondence be received with exception of Item 20.6 Hard Waste Levy.

CARRIED

Cr Rypp voted in favour of the motion moved by Cr Tsiaparis and seconded by Cr Hill.

20.6 Hard Waste Levy

Correspondence was received from the Acting Chief Executive of the Environment Protection Authority, Mr Peter Dolan, acknowledging Council's letter dated 3 August 2017 in relation to the hard waste levy.

Discussion took place on the dollar figures provided in relation to the hard waste levy and the Administration committed to follow up on the value of surplus waste levies returned to Treasury and Finance in each of the last five (5) years.

RESOLUTION

Moved: Cr John Woodward

Seconded: Cr Arthur Mangos

That the correspondence be received.

CARRIED

21 CONFIDENTIAL

Nil

22 MEETING CLOSE

The Presiding Member declared the meeting closed at 9.04pm.

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1 MEETING OPENED

The Presiding Member declared the meeting open at 7.31pm.

2 PRESENT

Council Members:

Cr J Woodward (Presiding Member)

Mayor J Trainer

Councillors: R Haese, G Palmer, G Vlahos, K McKay, S Rypp, M Hill, A Mangos,
S Tsiaparis, G Nitschke, M Farnden

Officers:

Mr T Buss (Chief Executive Officer)

Ms P Koritsa (General Manager Business and Community Services)

Mr B Ross (General Manager Corporate and Regulatory)

Ms S Curran (Manager Strategy & Business)

Mr J Ielasi (Manager City Assets)

Mr D Ottanelli (Manager City Works)

3 APOLOGIES

Leave of Absence

Committee Members:

Cr Tony Polito

Cr George Demetriou

Apologies

Council Members:

Cr Cindy O'Rielley

Officers:

Mr A Catinari (General Manager Urban Services)

Lateness

Council Members:

Cr George Vlahos (7.40pm)

RECOMMENDATION

That the apologies be received.

COMMITTEE RESOLUTION

Moved: Cr Graham Nitschke

Seconded: Cr Steven Rypp

That the recommendation be adopted.

CARRIED

4 DISCLOSURE STATEMENTS

The following disclosures of interest were made:

Item	Type of Conflict	Elected Member
Urban Services Items 11.2 Request for Floodlighting - Novar Gardens Bowling Club & 11.3 Request for sub-licence - PHOS Netball Club, Glenlea Tennis Club	Perceived	Cr Megan Hill

5 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Urban Services Committee held on 3 October 2017 be confirmed as a true and correct record.

COMMITTEE RESOLUTION

Moved: Cr Arthur Mangos
Seconded: Cr Simon Tsiaparis

That the recommendation be adopted.

CARRIED

6 COMMUNICATION BY THE CHAIRPERSON

Nil

7 QUESTIONS WITH NOTICE

Nil

8 QUESTIONS WITHOUT NOTICE

Nil

9 MOTIONS WITH NOTICE

Nil

10 MOTIONS WITHOUT NOTICE

Nil

11 URBAN SERVICES DIVISION REPORTS

11.1 Packard/Allchurch Road Closures Update

This report updated Elected Members in regard to actions that have occurred relating to the proposed road closure (allotments) on each corner of the intersection of Allchurch Avenue and Packard Street at North Plympton.

RECOMMENDATION

The Committee recommends to Council that:

1. The submissions which have been received during (and after) the public consultation period from APA Group, Electranet and SA Power Networks relating to the proposed closure(s) of the road be noted.
2. In accordance with the *Roads (Opening and Closing) Act 1991* that, having regard to all submissions received during the public consultation period, Council resolves to proceed with the proposed closure of the road shown as Allotments A, B, C, D, E, F, G, H, I, J, K, L and M in Preliminary Plan 17/0043.
3. The allotments which are proposed to be created under the road closure process (namely those allotments described as Allotments A, B, C, D, E, F, G, H, I, J, K, L and M in Preliminary Plan 17/0043) be excluded from the classification of Community Land.
4. The Chief Executive Officer be authorised to appoint a real estate agent to offer the property for sale by auction and/or private treaty providing that the road(s) is closed.
5. The Mayor and Chief Executive Officer be authorised to sign the Final Plan and Road Process Order and any other documentation which may need to be executed under the Common Seal of Council.

COMMITTEE RESOLUTION

Moved: Cr Arthur Mangos
Seconded: Cr Simon Tsiaparis

That the recommendation be adopted.

AMENDMENT

Moved: Cr Michael Farnden
Seconded: Cr Megan Hill

1. The submissions which have been received during (and after) the public consultation period from APA Group, Electranet and SA Power Networks relating to the proposed closure(s) of the road be noted.
2. In accordance with the *Roads (Opening and Closing) Act 1991* that, having regard to all submissions received during the public consultation period, Council resolves to proceed with the proposed closure of the road shown as Allotments A, B, C, D, E, F, G, H, I, J, K, L and M in Preliminary Plan 17/0043.
3. The allotments which are proposed to be created under the road closure process (namely those allotments described as Allotments A, B, C, D, E, F, G, H, I, J, K, L and M in Preliminary Plan 17/0043) be excluded from the classification of Community Land.

4. The Mayor and Chief Executive Officer be authorised to sign the Final Plan and Road Process Order and any other documentation which may need to be executed under the Common Seal of Council.

The amendment was Put and Carried and on becoming the motion was **CARRIED**

11.2 Request for Floodlighting - Novar Gardens Bowling Club

Cr Megan Hill declared a perceived conflict of interest in this item as she has a close personal association with the club and participated in the discussion and vote.

The Novar Gardens Bowling Club wrote to Council seeking to erect four light poles to illuminate the petanque terrain which lies to the west of the Club's bowling greens within the Camden Oval Complex.

RECOMMENDATION

The Committee recommends to Council that:

1. Council provide its consent, as landlord, to the Novar Gardens Bowling Club to erect four (4) light poles to a height of 6.2 metres subject to the following conditions being satisfied and/or agreed:
 - a) The Lessee seeking and receiving appropriate development approval;
 - b) The Lessee meeting all costs associated with the supply and installation of the floodlighting infrastructure;
 - c) Prior to any works occurring, the Lessee providing plan(s) to Council indicating where any underground infrastructure is proposed to be located and, following the completion of any works, final plans indicating where any underground infrastructure has been laid, and copies of any Certificate(s) of Compliance;
 - d) The Lessee being responsible for rectifying any defects or issues that arise as a result of the installation or existence of the floodlighting infrastructure;
 - e) The Lessee providing and maintaining a secure cabinet (or similar) which restricts access to, and allows operation of the floodlighting controls by, approved personnel only;
 - f) The Lessee being responsible for meeting all operational and maintenance costs associated with the use of the floodlighting infrastructure;
 - g) The floodlighting being operated and extinguished by no later than 10.00pm on any day, except Good Friday and Christmas Day;
 - h) The Lessee being required to insure, or alternatively reimburse the cost of any premium of insurance paid by Council in relation to, the lighting infrastructure;
 - i) At the reasonable request of Council, the Lessee being required to seek, obtain and supply engineering advice from a suitably qualified engineer indicating that the light towers and/or associated infrastructure are structurally sound; and
 - j) Should the Council require, the Lessee being required to remove or relocate the floodlighting and associated infrastructure and reinstate the land to Council's satisfaction upon expiry or sooner determination of the licence agreement.

COMMITTEE RESOLUTION

Moved: Cr Arthur Mangos

Seconded: Cr Rosalie Haese

That the recommendation be adopted.

CARRIED

Cr Hill voted in favour of the motion moved by Cr Mangos and seconded by Cr Haese.

11.3 Request for sub-licence - PHOS Netball Club, Glenlea Tennis Club

Cr Megan Hill declared a perceived conflict of interest in this item as she has a close personal association with the club and participated in the discussion and vote.

This report advised Elected Members that Glenlea Tennis Club seeks to enter into a sub-licence arrangement with PHOS Netball Club for use of the courts and clubroom at Golflands Reserve.

RECOMMENDATION

The Committee recommends to Council that the PHOS Netball Club be advised that Council consents to its request to enter into a (sub) licence agreement with the Glenlea Tennis Club of the premises the Netball Club holds under licence from Council at Golflands Reserve until 28 February 2018.

COMMITTEE RESOLUTION

Moved: Cr Arthur Mangos

Seconded: Cr Garth Palmer

That the recommendation be adopted.

CARRIED

Cr Hill voted in favour of the motion moved by Cr Mangos and seconded by Cr Palmer.

11.4 West Beach Skate Park and Patawalonga Creek Land Custodianship

This report advised Elected Members of discussions that have occurred with representatives of the Department of Environment, Water and Natural Resources (DEWNR) and Adelaide Shores in regard to land that lies on the northern side of, and within, the Patawalonga Lake at Glenelg North.

RECOMMENDATION(S)

The Committee recommends to Council that the Department of Environment, Water and Natural Resources (DEWNR) be advised that:

1. Council consents to relinquishing its custodianship over Allotment 18 in Deposited Plan 48522 (as comprised in Crown Record Volume 5523 Folio 946).
2. Council does not consent to the transfer of custodianship of the allotments described as Section 1572 Hundred of Noarlunga as comprised in Crown Record Volume 5316 Folio 916 and Section 677 Hundred of Adelaide as comprised in Crown Record Volume 5316 Folio 917 to it from the City of Holdfast Bay.
3. Council contends that custodianship of that portion of Section 1514 Hundred of Noarlunga as comprised in Crown Record Volume 5757 Folio 791 which lies within the Patawalonga Lake water body should vest with DEWNR or similar body and not Council.

COMMITTEE RESOLUTION

Moved: Cr Garth Palmer
Seconded: Cr Rosalie Haese

That the recommendation be adopted.

CARRIED

11.5 Urban Services Activities Report

The purpose of this report was to provide Elected Members' with information on activities within the Urban Services Division.

RECOMMENDATION

The Committee recommends to Council that the Activities Report be received.

7.39pm Cr Arthur Mangos left the meeting.

COMMITTEE RESOLUTION

Moved: Cr Steven Rypp
Seconded: Cr Simon Tsiaparis

That the recommendation be adopted.

7.40pm Cr Arthur Mangos returned to the meeting.

7.40pm Cr George Vlahos entered the meeting.

CARRIED

12 MEETING CLOSE

The Presiding Member declared the meeting closed at 7.54pm.

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1 MEETING OPENED

The Presiding Member declared the meeting open at 7.55pm.

2 PRESENT

Council Members:

Cr G Palmer (Presiding Member)

Mayor J Trainer

Councillors: R Haese, G Vlahos, K McKay, S Rypp, M Hill, A Mangos, S Tsiaparis, G Nitschke, M Farnden, J Woodward

Officers:

Mr T Buss (Chief Executive Officer)

Ms P Koritsa (General Manager Business and Community Services)

Mr B Ross (General Manager Corporate and Regulatory)

Ms S Curran (Manager Strategy & Business)

Mr J Ielasi (Manager City Assets)

Mr D Ottanelli (Manager City Works)

3 APOLOGIES

Leave of Absence

Committee Members:

Cr George Demetriou

Cr Tony Polito

Apologies

Council Members:

Cr Cindy O'Rielley

Officers:

Mr A Catinari (General Manager Urban Services)

RECOMMENDATION

That the apologies be received.

COMMITTEE RESOLUTION

Moved: Cr Arthur Mangos

Seconded: Cr Graham Nitschke

That the recommendation be adopted.

CARRIED

4 DISCLOSURE STATEMENTS

Nil

5 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Governance Committee held on 3 October 2017 be confirmed as a true and correct record.

COMMITTEE RESOLUTION

Moved: Cr Kym McKay

Seconded: Cr Simon Tsiaparis

That the recommendation be adopted.

CARRIED

6 COMMUNICATION BY THE CHAIRPERSON

Nil

7 QUESTIONS WITH NOTICE

Nil

8 QUESTIONS WITHOUT NOTICE

Question asked and response provided by the Administration.

9 MOTIONS WITH NOTICE

Nil

10 MOTIONS WITHOUT NOTICE

Nil

11 GOVERNANCE REPORTS

11.1 South Australian Planning Reform Implementation Progress Report - October 2017

This report presented the October 2017 update on the status of the implementation of the South Australian Planning Reform, including the transition from the *Development Act 1993* to the *Planning, Development and Infrastructure Act 2016 (Act)*, and the implementation of associated legislation and statutory planning documents.

RECOMMENDATION

The Committee recommends to Council that the South Australian Planning Reform Implementation Progress Report - October 2017 be received.

COMMITTEE RESOLUTION

Moved: Cr Megan Hill
Seconded: Cr Graham Nitschke

That the recommendation be adopted.

CARRIED

11.2 Legislative Progress Report - October 2017

This report provided an update on the status of proposed legislative changes affecting local government either dealt with in Parliament, by the Local Government Association or contained in the Government Gazette during the preceding month.

RECOMMENDATION

The Committee recommends to Council that the 'Legislative Progress Report - October 2017' be received.

COMMITTEE RESOLUTION

Moved: Cr Graham Nitschke
Seconded: Cr Kym McKay

That the recommendation be adopted.

CARRIED

12 MEETING CLOSE

The Presiding Member declared the meeting closed at 8.02pm.