

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, 12 JULY 2016
at 6.30 PM**

**Terry Buss
Chief Executive Officer**

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

Leave of Absence

Cr Dua

4. DISCLOSURE STATEMENTS

Committee Members are required to:

1. Consider Section 73 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 75 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 8 March 2016 be confirmed as a true and correct record.

6. COMMUNICATIONS BY THE CHAIRPERSON

7. REPORTS OF THE CHIEF EXECUTIVE OFFICER

7.1 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) 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

The changes proposed to this Policy are extensive. As a result both the current version (**Attachment 1**) and the draft version (**Attachment 2**) have been attached. The aim of this review was to ensure a simplified Policy with clear responsibilities for Elected Members regarding their records management requirements.

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 Purpose of Policy is evident throughout document

Conclusion

The revised *Council Policy - Elected Member Records Management* 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 – Elected Members Records Management Policy



**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

City of West Torrens – Elected Members Records Management Policy

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.

City of West Torrens – Elected Members Records Management Policy

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.

City of West Torrens – Elected Members Records Management Policy

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

City of West Torrens – Elected Members Records Management Policy

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.

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:
- 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.

Draft

7.2 Elected Member - Recognition of Service Policy Review

Brief

The *Council Policy - Elected Member - Recognition of Service* 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 - Recognition of Service* 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 - Recognition of Service*.

Introduction

The *Council Policy - Elected Member - Recognition of Service* (Policy) has been subject to a scheduled review to ensure that it is consistent with current practice (**Attachment 1**) 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'.

The key changes proposed include:

- Minor amendments to formatting and to the template;
- Minor wording clarifications;
- Clear and simple purpose to ensure Policy is well defined;
- Slight amendments to ensure current practice is appropriately reflected; and
- Removal of unnecessary Policy Statements.

Conclusion

The revised *Council Policy - Elected Member - Recognition of Service* 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 - Recognition of Service

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City of West Torrens Council Policy - Elected Member - Recognition of Service

COUNCIL POLICY - Elected Member - Recognition of Service

1. Preamble

- 1.1 The Local Government Association (LGA) provides certificates for the recognition of service to Elected Members through a 'Merit, Service and Recognition Awards Program'.
- 1.2 The City of West Torrens (CWT) also recognises the service of Elected Members through local arrangements outlined in this policy.

2. Purpose

- 2.1 This policy provides for the suitable recognition of an Elected Member at the achievement of service milestones and at the completion of their service.

~~2.2 This policy provides for appropriate recognition by the CWT of 25 years of service for Elected Members.~~

3. Scope

- 3.1 This policy applies to Elected Members.
- 3.2 This policy does not apply to Independent Members of Council Committees or the Development Assessment Panel.

4. Definitions

~~4.1 Service~~

~~4.1.1 4.1~~ **City of West Torrens Service** refers to the period of time during which the Elected Member has served as a representative on the Council of the CWT and/or the former Town of Thebarton.

~~4.1.2 4.2~~ **LGA Service** refers to the period of time during which the Elected Member has served as a representative on any council within South Australia.

~~4.1.3 4.3~~ **LGA Combined Service** refers to the period of time during which the Elected Member has served on any council as an Elected Member and as a member of staff with any council within South Australia.

5. Policy Statement

5.1 City of West Torrens Recognition of Service

- 5.1.1 On the completion of service by an Elected Member, CWT will show its appreciation through a certificate of service presented at a Council meeting.
- 5.1.2 On the completion of service by a Mayor, Council will show its appreciation by adding the Mayor's name to the relevant service board.

City of West Torrens Council Policy - Elected Member - Recognition of Service

5.1.3 On the achievement of 10 years of service by an Elected Member, Council will show its appreciation by presenting the member with a CWT Civic Award.

5.1.4 On the achievement of 25 years of service by an Elected Member, Council will show its appreciation by:

- presenting the Elected Member with a ~~plaque~~ certificate of service;
- providing a luncheon hosted by the Mayor and the Chief Executive Officer; and
- adding the Elected Member's name to the '25 Years of Service Board'

In addition, Elected Members with 25 years of Service may choose to accept either:

- a) a ~~watch, clock or item of jewellery~~ gift to the value of \$750; or
- b) a \$750 donation to a charity of their choice; or
- c) a combination of points a) and b) to the value of \$750.

5.2 LGA Recognition of Service

5.2.1 On the achievement of 10 years of service as an Elected Member, an Elected Member is eligible to receive a Local Government Service Award through the LGA 'Merit, Service and Recognition Awards Program'.

5.2.1.1 The award is also available at 5 year intervals thereafter.

5.2.1.2 The ~~CWT Administration~~ Office of the CEO and Mayor will notify the LGA of the service milestones.

5.2.2 On the achievement of 20 years of combined service, an Elected Member is eligible to receive a Local Government Certificate of Service Award through the LGA 'Merit, Service and Recognition Awards Program.'

~~5.2.2.1 The award is also available at 5 year intervals thereafter.~~

5.2.2.2 It is the responsibility of the Elected Member to notify CWT Administration when they have reached a combined service milestone. The CWT Administration will then contact the LGA on their behalf.

7.3 Order Making Policy Review

Brief

The *Council Policy - Order Making* has been subject to a 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 the revised *Council Policy - Order Making* be approved for public consultation.

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.

Discussion

The *Council Policy - Order Making* (Policy) has been reviewed to ensure that it is consistent with the provisions of the *Local Government Act 1999* and current practice (**Attachment 1**). Due to the significant nature of the amendments to this policy, track changes have not been used to reduce confusion so both the reviewed and current Policy (**Attachment 2**) are attached.

The key changes to this Policy are:

- Clearer Introduction, Purpose and Scope statements to ensure that ambiguity is removed from the intent of the Policy;
- Removal of unnecessary definitions;
- 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 *Local Government (Accountability and Governance) Amendment Act 2015* (Amendment Act) received assent on 17 November 2015 and commenced on 31 March 2016. The Amendment Act amends several provisions of the *Local Government Act 1999* which in turn affect the content and focus of various policies of the CWT, including this Policy. The Amendment Act repealed section 299 of the *Local Government Act 1999* relating to vegetation clearance. This means that councils no longer have the power or the obligation to require a landowner to remove or cut back vegetation at the request of an adjoining owner, where the vegetation is encroaching onto the adjoining land. It now becomes a civil matter between the two affected parties as neighbours can rely on the common law rights to cut back or remove overhanging vegetation. As a result of the Amendment Act, reference to the relevant section and vegetation clearance has also been removed to reflect the new legislative landscape.

Minor typographical and formatting amendments have also been made to the Policy.

Pursuant to s259 of the Act, 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). Therefore, it is proposed that public consultation be undertaken for a four week period, between 25 July 2016 and 19 August 2016, to provide a reasonable opportunity for interested persons to consider the content before providing a response.

A report detailing the outcome of the consultation will be presented to the 13 September 2016 meeting of the Corporate Planning, Policy and Performance Prescribed General Committee for its consideration and recommendation to Council.

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 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.

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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.

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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: Unsignificantly 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.
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 a fence is required to prevent the escape of animals. 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.
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.	A person is using a caravan or vehicle as a place of habitation in circumstances that <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:
<p>Section 217: Owner of Infrastructure installed on a road</p> <p>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.</p>	<p>Where the infrastructure is found to be in such a condition that it:</p> <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. 	<p>The owner, lessee or licensee of the infrastructure or equipment.</p>	

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Current

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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.

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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

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- 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.

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- 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.

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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.

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- 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: Unightly 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.
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:
<p>Section 254: Animals that may cause a nuisance or hazard</p> <p>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>			
<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>	<p>The owner or occupier of the land or any person apparently engaged in promoting or conducting an activity.</p>	<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>	
<p>Section 254: Inappropriate use of vehicle</p> <p>To refrain from using a caravan or vehicle as a place of habitation.</p>			
<p>A person is using a caravan or vehicle as a place of habitation in circumstances that</p> <ol 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. 	<p>The owner or occupier of the land or a person apparently occupying the caravan or vehicle.</p>	<p>A person living in a caravan on a block not supplied with toilet facilities.</p>	

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; • 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 if 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.	
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.

7.4 Graffiti Management Policy Review

Brief

The *Council Policy - Graffiti 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 - Graffiti 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 - Graffiti Management*.

Introduction

The *Council Policy - Graffiti Management* (Policy) has been subject to a scheduled review to ensure that it is consistent with current practice (**Attachment 1**) 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'.

The key changes proposed include:

- Minor amendments to formatting and to the template;
- Minor wording clarifications;
- Revised preamble to ensure Policy is clear and precise;
- Clear and simple purpose to ensure Policy is well defined;
- Slight amendment to graffiti removal and communication timeframes to better reflect current business practices; and
- Removal of unnecessary Policy Statements.

Conclusion

The revised *Council Policy - Graffiti Management* 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 - Graffiti Management

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Draft

City of West Torrens Council Policy - Graffiti Management

COUNCIL POLICY- Graffiti Management

1 Preamble

- ~~1.1 This policy defines Council's role in reducing the incidence and visibility of graffiti and minimising the financial, social, environmental and economic impact of graffiti within the City of West Torrens.~~
- ~~1.2 The Council's objective is to remove graffiti as promptly as possible where Council has control over the affected property; and to seek and encourage removal of graffiti where other persons or agencies are responsible for the damaged property.~~
- 1.1 Graffiti is a criminal offence against property that costs councils and public agencies in South Australia many millions of dollars annually to repair. The City of West Torrens (CWT) is committed to the apprehension and prosecution of offenders. The CWT will cooperate with any lawful request of the South Australian Police in order to assist the reduction in incidence of this crime.
- ~~1.23~~ 1.23 The ~~City of West Torrens (CWT)~~CWT seeks to minimise the incidence of graffiti on both public and private property.

2 Purpose

- 2.1 To define Council's role in the coordination of graffiti removal and prevention.
- ~~2.2 To remove graffiti as quickly as possible as a deterrent.~~
- ~~2.3 To remove graffiti using environmentally sustainable methods to minimise harm to the environment.~~
- ~~2.4 To involve the local community as partners in reducing graffiti.~~

3 Scope

- 3.1 This policy applies to public and private property within the ~~City of West Torrens~~CWT.

4. Definitions

- 4.1 Graffiti means any inscription, word, figure or design that is marked, etched, scratched, drawn, sprayed, painted, pasted or applied to public or private property without the permission of the property owner.

5. Policy Statement

- 5.1 Council may exercise the powers provided to it under the *Graffiti Control Act 2001* ~~(the Act)~~ to remove graffiti on public and private property when the graffiti is visible from a public place.
- 5.2 Council Officers will ~~maintain surveillance of~~monitor the council area to locate ~~and report~~ graffiti.
- 5.3 Graffiti deemed by Council to be offensive will be removed from public and private property in the ~~City of West Torrens~~CWT; subject to the requirements of the ~~Graffiti Control Act 2001~~Act, whereby Council:

City of West Torrens Council Policy - Graffiti Management

- | 5.3.1 Will remove graffiti from Council-owned buildings within ~~two~~ one business day of notification when feasible.
- | 5.3.2 Will provide written notice within 10 business days of an intention to remove graffiti to affected property owners or occupiers; and
- 5.3.3 Will consult with the owner or occupier regarding the work to be carried out;
- 5.3.4 Will not carry out the works if the owner or occupier objects unless the graffiti is deemed offensive in which instance Council may exercise powers under other legislation;
- 5.3.5 May approach the owner or occupier of properties that are the subject of frequent graffiti to provide a 'standing' authorisation for the removal of graffiti to streamline the removal timelines;
- 5.3.6 Will carry out the works expeditiously with least disturbance to the owner or occupier as practicable; and
- | 5.3.7 Will carry out the works to a reasonable standard with reasonable care.
- 5.4 The removal of graffiti by Council may be conducted by an employee of the Council or by another person duly authorised by the Council for the purpose.
- | 5.5 Council may will proactively pursue opportunities to treat surfaces with anti-graffiti coatings when there is a reasonable belief there will be a strong deterrent effect.
- 5.6 Council will consider design and planning aspects that may deter graffiti whenever opportunities arise through deliberations of development in the City or in its own property maintenance. Such measures may include screen planting on prominent locations, installation of night lighting and security lighting.
- | 5.7 Proposals to place murals on appropriate sites will be considered by Council individually on their merits.
- | 5.8 Council Officers may will maintain liaison ~~liaise~~ with schools, other councils, police and other relevant agencies in order to keep abreast of current 'tag registers', approaches to offenders and any other aspects of the issue which may inform this Council's practices, or to which the ~~City of West Torrens~~ CWT can contribute.
- | ~~5.9 Graffiti is a criminal offence against property that costs councils and public agencies in South Australia many millions of dollars annually to repair. The City of West Torrens is committed to the apprehension and prosecution of offenders. Council The CWT will cooperate with any lawful request of the South Australian Police, which may include permitting access to a tag register, CCTV footage, etc in order to assist the reduction in incidence of this crime.~~

7.5 Libraries Policy Review

Brief

The *Council Policy - Libraries* 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 - Libraries* 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 - Libraries*.

Introduction

The *Council Policy - Libraries* (Policy), first approved in 2007 (**Attachment 1**), 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

The most significant change to this Policy is the shift in focus from a Conditions of Use document to an operational Policy to effectively guide the function of the City of West Torrens Library Service.

Given the number of amendments to this Policy track changes have not been used. The reviewed Policy has been attached (**Attachment 2**) along with the current Policy (**Attachment 1**).

The key changes proposed include:

- Amendments to formatting and to the template to reflect current style;
- Removal of outdated position titles;
- Clearer and meaningful preamble, purpose and scope sections; and
- Membership, borrowing and collections provisions to provide for effective library management.
- Inclusion of the rationale for the use of CCTV in the Hamra Centre.

Conclusion

The revised *Council Policy - Libraries* 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

Libraries Policy	
Classification	Council Policy
First Issued/Approved:	19 July 2005
Amended:	15 May 2007
Next Review Due:	2012
Applicable Legislation:	Copyright Act
Relevant Policies:	N/A
Related Executive Standards:	Information Technology
Responsible Manager:	Manager Library Services
Confirmed by General Manager:	General Manager Community and Governance Date: 15 September 2006
Note:	Was Policy No. A.30/1

Current

City of West Torrens

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Current

City of West Torrens

LIBRARY POLICY

Purpose

The City of West Torrens provides library facilities for the benefit of the community. It has developed certain conditions of use to ensure that people do not interfere with the reasonable enjoyment of patrons to the City of West Torrens Libraries and that the library collections and facilities are securely protected.

Principles

Any person who can produce official proof of their South Australian residential address may become a member of the West Torrens Libraries.

Patrons will be advised of the *Library Conditions of Use* before signing the membership application form. The patron's signature will be taken as proof that they are aware of, understand and accept the *Library Conditions of Use* and will comply with them.

If a patron breaches the *Library Conditions of Use*, the City of West Torrens reserves the right to:

- remove that person from library premises; and/or
- restrict or ban access to library materials and facilities; or
- terminate membership of the library.

This Policy is applicable at the:

- The Hamra Centre – 1 Brooker Terrace, Hilton 5033
- Mobile Library.

Supplemented by:

- *Library conditions of use*
- *Loan period and material amount schedule*
- *Fees and charges schedule*
- *Statement on Freedom to Read*
- *Conditions of Use for Electronic Services*
- *Copyright Act 1969 (subsection 40 (2))*

City of West Torrens

LIBRARY CONDITIONS OF USE

1. Membership

- 1.1 Membership of the West Torrens Libraries is open to any resident of South Australia with official proof of residential address.
- 1.2 Temporary membership is granted to visitors to South Australia with official identification and provision of local address. Restrictions apply with Temporary membership. Details available on application to any West Torrens Library.
- 1.3 A person under the age of 18 who wishes to become a member of the library must have a registration form signed by a parent or guardian, with official proof of residential address, who agrees to be responsible for all items borrowed and any fees incurred.
- 1.4 Independent Living – Under 18. A person under the age of 18 years who is able to show, by producing documentation such as an electricity bill, rates notice or similar, that he or she lives independently of a parent or guardian may join as an adult member.
- 1.5 Members are required to advise staff as soon as possible of any change in membership details or the loss of a West Torrens Libraries card.

2. Behaviour in the Library

- 2.1 Library facilities, materials and equipment must not be manipulated, altered or damaged in any way by Library patrons.
- 2.2 Patrons of West Torrens Libraries must at all times act in a manner that shows consideration for other patrons and staff. Inappropriate behaviour, such as verbal abuse, sexual or other harassment, aggression, anger, intimidation, rowdiness or assault, displayed by any patron towards another patron or Library staff will not be tolerated.
- 2.3 Library staff may ask any patron to leave the premises if inappropriate behaviour is displayed. If this request is not complied with, Library staff may call the police for assistance in removing the particular individual.
- 2.4 Where there is ongoing inappropriate behaviour, the Manager Library Services will issue a warning letter to the person, or his or her parent/guardian, advising that if the behaviour continues, that person may be restricted or banned from accessing the Library and/or his or her membership terminated.
- 2.5 Adults/Parents/Guardians are responsible for the behaviour of any children under the age of 18 years, in their care, while in the Library and should consider the comfort, safety and needs of other Library patrons.
- 2.6 Adults/Parents/Guardians are responsible for supervising the use

City of West Torrens

of public computers by such children/dependents and for ensuring that they do not access inappropriate material found on the Internet, or in other materials provided by the Library. The City of West Torrens and Library Services are not responsible in any way for any inappropriate material accessed by any child under the age of 18 years.

- 2.7 The Library/Library staff are not responsible for any children left unattended in the Library.
- 2.8 A Library patron may be denied access to a particular service or to particular materials if their behaviour is inappropriate or unlawful.
- 2.9 A person shall not enter into or remain in the Library premises while intoxicated or so much under the influence of alcohol or a drug so as to be visibly affected by it.

3. Bags in the Library

- 3.1 Patrons of the Library are allowed to bring bags into the Library. However, It is a condition of entry to the Library that bags may be required to be presented for inspection.
- 3.2 Patrons are welcome to leave bags or other belongings behind the customer service counter, but Library staff are unable to take responsibility for personal items and valuables.

4. Borrowing

- 4.1 A patron shall accept full responsibility for Library materials borrowed in their name, return them by the due dates, and pay any charges incurred as highlighted within the Fees and Charges Schedule. The responsibility lies with the parent/guardian if the borrower is under 18 years of age.
- 4.2 Any materials borrowed may be recalled at short notice and the loan period of any material may be restricted.
- 4.3 In making materials available, the West Torrens Libraries follow the Statement on Freedom to Read issued by the Australian Library and Information Association and conform to Federal and State censorship decisions. Beyond these provisions, parents and guardians are held responsible for monitoring their children's access to the Libraries' resources.

5. Food and Drink

Food and drink should not be consumed in the Library except in designated areas when it is purchased from Library vending machines, or when provided as part of a Library program.

6. Animals in the Library

With the exception of guide, disability and hearing dogs, animals may not be brought into the Library except on designated occasions.

City of West Torrens

7. Personal Property

- 7.1 The Library accepts no responsibility for any damage to patrons' own equipment while using Library materials including, but not limited to, compact discs, DVDs, CD-ROMs, videos, cassettes or computer discs.
- 7.2 The Library does not take any responsibility for the safety and security of personal belongings left in the Library by patrons. Patrons bringing personal belongings into the Library do so at their own risk.
- 7.3 Any item that is found by Library staff will be retained until collected by the owner. If the item contains contact details, Library staff will attempt to contact the owner and inform him or her that the item has been found.
- 7.4 Any unclaimed items will be disposed of after 1 month.

8. Mobile Telephones

Mobile telephones may be used in West Torrens Libraries. Patrons are encouraged to either switch off their phones or adjust them to silent whilst in the Library.

9. Electronic Services

- 9.1 The City of West Torrens Libraries provide computers and other electronic equipment for use by patrons for a variety of purposes. Patrons are requested to comply with any specific conditions of use for such equipment and to not tamper with computer security or change established settings.
- 9.2 Some activities are unlawful and, therefore, PROHIBITED. These activities include, but are not limited to:
- gaining access to any material which is pornographic, offensive or objectionable;
 - engaging in any conduct which offends Federal, State, or Local Council laws and regulations;
 - embarrassing or harassing (sexually or otherwise) another person;
 - engaging in any communication which contains a defamatory message – including reading and then forwarding a message of which you are not the author;
 - sending or forwarding any material which is abusive, discriminatory, obscene or otherwise illegal.

10. Copyright

When borrowing, using, photocopying or downloading information from the Library collection, patrons must comply with the Copyright Act 1968 (Cth), which encompasses literary, dramatic, musical or artistic works on paper, disk, tape or any other medium including any electronic form of material.

City of West Torrens

11. Breach Of Library Conditions Of Use

- 11.1 The Library Conditions of Use must be strictly adhered to. If a Library staff member has reasonable cause to suspect that a person has committed a breach of the Library Conditions of Use, the staff member may direct that person to leave the Library for a period of up to 24 hours or restrict access to other services.
- 11.2 If the Manager Library Services has reasonable cause to suspect a person has committed a breach of the Library Conditions of Use then that person may be banned from the Library for a period of up to one month.
- 11.3 Patrons must obey the lawful directions from the Library staff.
- 11.4 In the event of any serious breach of the Library Conditions of Use, the Library reserves the right to terminate a patron's membership of the West Torrens Libraries and to maintain that restriction at the Library's absolute discretion.
- 11.5 A person who commits a breach of the Library Conditions of Use may be subject to prosecution if that action also constitutes a breach of any law.

Current

ATTACHMENT 2

CITY OF WEST TORRENS



Council Policy: Libraries

Classification:	Council Policy
First Issued:	19 July 2005
Dates of Review:	2007, 2016
Version Number:	3
Next Review Due:	2021
DW Doc set ID:	306068
Applicable Legislation:	<u>Copyright Act 1968 (Cth)</u> <u>Broadcasting Services Act 1992 (Cth)</u> <u>Children's Protection Act 1993 (SA)</u>
Related Policies or Corporate Documents:	<u>Information Technology and Its Use Policy</u> <u>Found Property Policy</u> <u>South Australian Public Library Network (SAPLN) Fair Use Policy</u> <u>SAPLN Library Management System (LMS) Policy & Operations Guide</u> <u>SAPLN Privacy of Customer Information</u> <u>Library Conditions of Use and Conditions of Use for Electronic Services</u> <u>Loan period and material amount schedule</u> <u>Fees and charges schedule</u> <u>Statement on free access to information</u>
Associated Forms:	
Note:	Was Policy No. A30/1
Responsible Manager:	Manager Community Services
Confirmed by General Manager:	General Manager Business and Community Services Date 22 April 2016
Approved by Executive:	Date 3 May 2016
Endorsed by Council	Date

City of West Torrens Council Policy - Libraries

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Draft

City of West Torrens Council Policy - Libraries

COUNCIL POLICY - Libraries

1. Preamble

- 1.1 The City of West Torrens (CWT) provides library facilities for the benefit of the community.

2. Purpose

- 2.1 This policy (Policy) provides information on the responsibilities of all users of the CWT Library Service (Library Service) to ensure:

- users understand the conditions of use
- matters are dealt with in a fair, consistent and transparent fashion
- people do not interfere with the reasonable enjoyment of users
- library collections and facilities are securely protected.

3. Scope

- 3.1 This Policy is applicable to all users of the services and facilities provided by the CWT Library Service, including customers, employees, volunteers and contractors.

- 3.2 The CWT Library Service includes:

- The Hamra Centre, including outreach services
- Mobile Library.

4. Definitions

- 4.1 **CWT Library Service** refers to a public service of resources and facilities provided by CWT to users of the Hamra Centre including outreach services and the Mobile Library.

- 4.2 **User** refers to a person(s) who uses the services, assets and facilities provided by the CWT Library Service, including customers, employees, volunteers and contractors.

- 4.3 **Hardship** refers to a situation when a user is unable, because of illness, unemployment or other reasonable cause, to pay their fines or fees when due for payment. It can be of limited or long term duration and essentially involves an inability of the user to pay fines, rather than an unwillingness to do so.

5. Policy Statement

5.1 Conditions of Use

- 5.1.1 Users will be provided with a copy of the *Library Conditions of Use* at the time of joining.

- 5.1.1.a The user's signature will be taken as proof that they are aware of, understand, accept and comply with the *Library Conditions of Use*. The *Library Conditions of Use* also apply to 'One Card' members who have joined at another South Australian public

City of West Torrens Council Policy - Libraries

library but use the services and facilities of the CWT Library Service.

- 5.1.2 If a user's behaviour is deemed by the CWT to be contrary to the *Library Conditions of Use*, the user will be advised and provided with a copy.
- 5.1.3 The Library will update the *Library Conditions of Use* and the *Conditions of Use for Electronic and Online Services*, as required, and will make it available to users of the service both in hard copy and on the City of West Torrens website.
- 5.1.4 If the CWT has reasonable grounds to suspect that a user has breached one or more of the following in any way:
- a. *Library Conditions of Use*;
 - b. Loan period and material amount schedule;
 - c. Fees and charges schedule;
 - d. *Statement on Freedom to Read*;
 - e. *Conditions of Use for Electronic Services*;
 - f. *SAPLN Fair Use Policy*;
 - g. *SAPLN LMS Policy & Operations Guide*;
 - h. *Copyright Act 1968* (Cth);
 - i. *Children's Protection Act 1993* (SA);

then the CWT reserves the right, without notice, to:

- a. remove that person from CWT library premises; and/or
- b. restrict or ban physical access to CWT library materials and facilities for a period of up to one month and subsequently up to 3 months; or
- c. seek approval from Public Library Services (PLS) to bar access to the use of any public library service in South Australia, either temporarily or permanently.

5.2 Membership

5.2.1 General

5.2.1.1 Membership of the Library Service is open to any resident of South Australia with proof of residential address which is recognised by the SA Public Library Network (SAPLN). Any person who has an operational SAPLN One Card membership may use the service under the terms of the 'One Card' network.

5.2.1.2 Membership expires if no items have been borrowed for three years.

5.2.2 Over 18s Membership

5.2.1.1 The following recognised identification must be provided to be eligible for library membership:

- 5.2.1.1a First preference - one piece of unique and current identification with photo ID (usually a driver's licence or proof of age card) including name, current address and birthdate.

5.2.1.1b Second preference - one piece of current identification with photo ID including name and birthdate such as a passport or student id card together with one piece of current identification showing name and current address such as current council rates bill, current bank statement or current utilities bills.

a. If no photo ID is available – Medicare card/health card, pensioner card, credit card etc. with name together with one piece of current identification showing name and current address i.e. current council rates bill, current bank statement or current utilities bills.

b. Identification can also be verified through registration with an educational institution e.g. school.

5.2.3 Under 18s Membership

5.2.3.1 A person under the age of 18 who wishes to become a member of the library and/or use the internet enabled devices must provide:

- a. a registration form signed by a parent or guardian, with official proof of residential address as per clause 5.2.2, who agrees to be responsible for all items borrowed and any fees incurred; or
- b. show a valid Centrelink card or documentation e.g. tenancy agreement, electricity bill, rates notice or similar in their name, demonstrating independent living arrangements; or
- c. have a social welfare agency representative attend to assist them in applying for membership OR associated documentation from their case worker on department letterhead demonstrating independent living arrangements.

5.2.4 Temporary Membership

5.2.4.1 If there is insufficient documentation to meet the minimum requirements, a temporary membership may be assigned

5.2.4.2 Temporary membership may be granted to any visitor to South Australia with official identification and provision of a South Australian address such as a current council rates bill, current bank statement or current utilities bills. Restrictions to the number of items allowed to be borrowed apply to temporary membership.

5.3 Lost or Damaged Cards

5.3.1 In the case of lost or damaged cards a fee, as per the Fees and Charges Schedule, will be charged for the second or subsequent cards.

5.3.2 Personal records will be kept confidential and not be disclosed other than when they are required by law.

5.4 Borrowing

5.4.1 All users are required to show a SAPLN One Card library membership card to borrow, renew or request items. Identification, such as a valid drivers licence, and proof of age must be provided if requested.

City of West Torrens Council Policy - Libraries

- 5.4.2 The CWT reserves the right to raise a debt for any loss or damage to an item. The Library has the authority to negotiate different repayment arrangements dependent on the age and value of the item, and the circumstances of its loss. A debt collection service may be used to recover items if deemed appropriate by the CWT.
- 5.4.3 Outstanding fines, fees or items may result in the restriction or limitation of borrowing and membership privileges. Records of members who owe fines and fees are retained until resolved or are cancelled at the direction of the CWT.
- 5.4.4 Fees may be reduced or waived by the Chief Executive Officer pursuant to the *Local Government Act 1999*.
- 5.5 Wi-Fi Access**
- 5.5.1 All users may use the free WI-FI network and the public internet computers.
- 5.6 Security and Found Items**
- 5.6.1 Closed Circuit Television (CCTV) is used to monitor and record public areas in the Hamra Centre building/Library and Auditorium for crime minimisation and security purposes. This footage may be viewed by the CWT and provided to external authorities when necessary or when required by law.
- 5.6.2 Any item of personal property that is found by the CWT will be dealt with according to the *Found Property Policy*.
- 5.7 Community Information**
- 5.7.1 Only community information authorised by CWT will be displayed.
- 5.7.2 Any unauthorised materials will be removed without notice.
- 5.8 Collections Management**
- 5.8.1 New material will be purchased monthly through local and online suppliers using CWT funds and materials grant funds the Public Library Services purchasing system and made available to users.

7.6 Council Suppers Policy Review

Brief

The *Council Policy - Council Suppers* 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 - Council Suppers* 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 - Council Suppers*.

Introduction

The *Council Policy - Council Suppers* (Policy) has been subject to a scheduled review to ensure that it is consistent with current practice (**Attachment 1**) and is presented to the Corporate Planning, Policy and Performance Prescribed General Committee for its consideration and recommendation to Council.

Discussion

Proposed changes to the Policy are shown as 'track changes' to highlight the changes proposed.

The key changes proposed include:

- Minor amendments to formatting and to the template;
- Minor wording clarifications;
- Inclusion of a Responsible Officer definition; and
- Removal of repeated clauses.

Conclusion

The revised *Council Policy - Council Suppers* 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 - Council Suppers

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Draft

City of West Torrens Council Policy - Council Suppers

COUNCIL POLICY - Council Suppers

1. Preamble

- 1.1 ~~Light~~ A light supper and refreshments are made available to Council Elected members and staff following the conclusion of a Council meeting.

2. Purpose

- 2.1 The purpose of this policy is to provide guidelines for Council holding suppers ~~held after~~ afollowing the conclusion of a Council meeting.

3. Scope

- 3.1 This policy applies to Elected Members, independent members ~~of a Council of a Council~~ Committee, ~~a~~ Development Assessment Panel (DAP) members and staff when attending Council suppers.

4. Definitions

- 4.1 Council supper(s) refers to the provision of food and light refreshments following the conclusion of a Council, Council Committee or DAP meeting.

- 4.2 Responsible Officer refers to the Mayor, CEO or member of the Executive.

5. Policy Statement

- 5.1 Council suppers may be held after the close of a Council, Council Committee or DAP meeting.

- 5.1.1 Elected Members, independent members of ~~Council~~, Council Committees, ~~or~~ the DAP and staff may attend the Council supper.

- ~~5.1.2 Members of the public who attend the Council meeting may attend the Council supper at the explicit invitation of the Mayor or Chief Executive Officer.~~

- 5.1.32 Members of the public, invited guests who attend a Council, Council Committee or DAP meeting may attend the Council supper at the explicit invitation of a responsible officer.

- 5.2 Council suppers will be held in the Mayor's Reception room adjacent to the Council Chamber or the George Robertson room, unless otherwise determined.

- 5.3 Council suppers will cease 60 minutes after the completion of a Council, Council Committee or DAP meeting.

- 5.4 A member of the Executive team must be present until the close of a Council meeting supper to ensure that attendees have safely exited the building and that the appropriate security measures have been activated.

- 5.5 The evacuation procedure announced during the Council, Council Committee or DAP meeting applies during ~~the thea~~ Council supper.

7.7 Provision of Council Gifts Policy Review

Brief

The *Council Policy - Provision of Council Gifts* has been subject to an unscheduled 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 - Provision of Council Gifts* 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 - Provision of Council Gifts*.

Introduction

The *Council Policy - Provision of Council Gifts* (Policy) was approved by Council in July 2015 and has been subject to an unscheduled review to ensure that it is consistent with current practice (**Attachment 1**) and is presented to the Corporate Planning, Policy and Performance Prescribed General Committee for its consideration and recommendation to Council.

Discussion

Proposed changes to the Policy are shown as 'track changes' to highlight the changes proposed.

The key changes proposed include:

- Amendment to the Policy Scope to ensure residents celebrating 100th birthdays and 50th and 60th wedding anniversaries are captured.
- Restructure of policy statements to ensure clarity.
- Providing that the CEO is responsible for purchasing civic gifts rather than the Mayor which is currently the case.

Conclusion

The revised *Council Policy - Provision of Council Gifts* has been subject to an unscheduled 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:
Provision of Council Gifts**

Classification:	Council Policy
First Issued:	7 March 2000
Dates of Review:	2 September 2008, 21 July 2015, February 2016
Next Review Due	24 July 2020 2021
Version Number:	34
DW Doc set ID:	305936
Applicable Legislation:	
Related Policies or Corporate Documents:	Procurement Policy
Associated Forms:	
Note:	
Responsible Manager:	Deputy Chief Executive Officer Chief Executive Officer
Confirmed by General Manager:	Deputy Chief Executive Officer Date July 2015
Approved by Executive:	Date July 2015
Endorsed by Council	Date 21 July 2015

City of West Torrens Council Policy – Provision of Council Gifts

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Draft

City of West Torrens Council Policy – Provision of Council Gifts

Council Policy - Provision of Council Gifts

1. Preamble

- 1.1 Gifts serve to promote the City of West Torrens (CWT), and are given as a gesture of goodwill and friendship, or in recognition of cooperation on joint projects.

2. Purpose

- 2.1 This policy provides Council with a consistent process to procure and present gifts as gestures of goodwill and friendship and/or in recognition of cooperation on joint projects.

3. Scope

- ~~3.1~~ This policy applies to all gifts presented by Council, or by the Mayor on behalf of the Council, to:

- ~~a.~~ Dignitaries;
- ~~b.~~ Visitors;
- ~~c.~~ Guests;
- ~~d.~~ Senior staff of organisations
- e. Residents celebrating their 100th birthday when Council is notified of this event
- a-f. Residents celebrating their 50th and/or 60th wedding anniversaries when Council is notified of these events.-

- ~~3-4.2~~ This policy does not apply to items provided by the City of West Torrens to promote the organisation and/or its services.

4. Definitions

- 4.1 Nil.

5. Policy Statement

- 5.1 Council's suite of gifts comprises:

- Corporate gifts;
- Civic gifts;
- Celebratory gifts.

~~Council makes available a selection of items which may be given as gifts to dignitaries, visitors, guests, and senior staff of organisations.~~

- 5.2 ~~Recipients may be individuals or organisations from the Council area, other parts of Australia, or overseas.~~

- 5.3 ~~The request and intended use of materials which comprise gifts must be submitted in writing to the Chief Executive Officer (CEO) or Mayor for authorisation.~~

Comment [PK1]: Moved up from clause 5.5 with celebratory gifts added

City of West Torrens Council Policy – Provision of Council Gifts

5.4 The process for selecting items will be in accordance with ~~Council's the Council Policy - Purchasing, Tendering and Sale and Disposal of Assets Policy-Procurement and the Administration Policy - Procurement~~

5.5 ~~Council's suite of gifts comprises:~~
~~Corporate gifts~~
~~Civic gifts~~

Comment [PK2]: Moved to 5.1

5.6 Corporate Gifts

5.6.1 ~~Recipients may be individuals or organisations from the Council area, other parts of Australia, or overseas.~~

~~5.6.2~~ Preference will be given to gifts which are of Australian design and manufacture. The items should include the Council's Corporate Logo.

5.6.2 Corporate gift items held in stock must be recorded in an Inventory and securely stored, with access only by nominated persons who have been authorised by the CEO. The Inventory records the description of the item, quantity purchased, quantity in stock, quantity to be issued, name of recipient, reason for gift, date of presentation, name of person who authorised gift, and any other information as may be required for accountability purposes.

5.7 Civic Gifts

5.7.1 Civic gifts are only purchased for specific formal occasions when there is an expectation that Council will provide a gift of a quality expected of a Civic entity.

~~5.7.2~~ ~~Recipients may be individuals or organisations from the Council area, other parts of Australia, or overseas.~~

~~5.7.23~~ Items purchased and presented as Civic Gifts should be made in Australia and show the Council Coat of Arms.

~~5.7.34~~ The Mayor is authorised by Council to purchase a Civic Gift, up to the value of \$1,000, in collaboration with the CEO (or Deputy CEO) for the occasion.

~~5.7.45~~ A report is to be provided to each Civic Committee meeting detailing the purchase of any Civic Gift since its previous meeting.

~~5.8~~ ~~Celebratory Gifts~~

~~5.8.1~~ ~~Celebratory Gifts will be presented to those residents who are celebrating their 100th birthday as well as significant wedding anniversaries, such as 50th, 60th and 70th, if Council has been notified of the event.~~

~~5.8.2~~ ~~Celebratory gifts will take the form of a bouquet and/or gift hamper.~~

~~5.8.3~~ ~~The Chief Executive Officer is authorised to determine and purchase the appropriate gift to be proffered in these circumstances and the Mayor is authorised to present such gift on behalf of Council.~~

7.8 Underdale and Torrensville Urban Employment Zone Development Plan Amendment Statement of Intent

Brief

This report presents a draft revised Statement of Intent for the Underdale and Torrensville Residential/Industry Interface Development Plan Amendment (DPA) as requested by the Minister for Planning.

RECOMMENDATION(S)

The Committee recommends to Council that the Statement of Intent (SOI) is endorsed and submitted to the Minister for Planning for formal agreement to initiate a Development Plan Amendment, subject to any minor changes of an editorial or technical nature.

Introduction

In September 2014 Council submitted a Statement of Intent (SOI) to undertake a Development Plan Amendment (DPA) related to the Underdale and Torrensville Residential/Industry Interface for the consideration of the Minister for Planning.

On 14 April 2015 the Council received correspondence from the Minister for Planning which expressed 'in principle' support for a DPA for the subject area, but stated that after careful consideration he had decided not to support the Council's SOI in its current form.

Instead, the Minister for Planning requested further strategic investigations be undertaken to refine the scope of the SOI and demonstrate it is not at variance with the State Planning Strategy.

The further investigations required by the Minister were:

- Analysis of the employment generation provided by this industrial zone and how this sits with employment lands across the Council area;
- Consultation with current land owners and occupiers within the subject area to understand the current operations (such as hours of operation and noise impacts), siting and locational requirements (EPA buffers and licence conditions) and future plans;
- The preparation of the Master plan that considers the above investigations and identifies spatially suitable sites for medium density housing and other uses; and
- In preparing a Master plan, to identify possible locations where the River Torrens Linear Park could be expanded.

In his correspondence the Minister also suggested that Council consider adopting the Urban Employment Zone module (from the South Australian Planning Policy Library) in the subject area.

Urban and Regional Planning Solutions (URPS) and SGS Economics and Planning (SGS) were commissioned in October 2015 to undertake the further investigations requested by the Minister for Planning, including an analysis of existing available employment data and a survey of local businesses and residents.

The URPS/SGS report and the results of a Wilford Avenue consultation workshop were presented to the Corporate Planning, Policy and Performance Committee on 8 March 2016.

Following the findings of the URPS/SGS report, further research was considered necessary and Jones Lang LaSalle (JLL) was commissioned to prepare the Underdale and Torrensville Industry Zone Economic and Land Use Analysis Report.

The JLL report was presented to the Council on 7 June 2016, which resolved as follows:

That the Committee recommend to Council that:

- 1. The Underdale and Torrensville Industry Zone Economic and Land Use Analysis Report by Jones Lang LaSalle be received;*
- 2. A revised Underdale and Torrensville Residential/Industry Interface DPA Statement of Intent be prepared which considers rezoning the South West Precinct, defined in Figure 1, of the Underdale and Torrensville Industry Zone to Urban Employment Zone and removing the non-complying status for low density residential development in existing residential areas;*
- 3. The findings of the research and consultation undertaken in the Underdale and Torrensville Industry Zone be considered in the Employment Development Plan Amendment, including considering 101 Hardys Road, Underdale to be rezoned to allow residential uses.*

In order to proceed with this recommendation, the Administration has prepared an amended Statement of Intent (SOI) to initiate a Development Plan Amendment (DPA) to rezone of part of Underdale and Torrensville Industry Zone to Urban Employment Zone.

The draft SOI is provided under **Attachment 1**.

Discussion

South West Precinct

The South West Precinct is identified in Figure 1 and is the proposed DPA study area to be rezoned to Urban Employment Zone. The remaining part of the Industry Zone in Torrensville, north of Ashwin Parade would retain its current zoning as Industry.

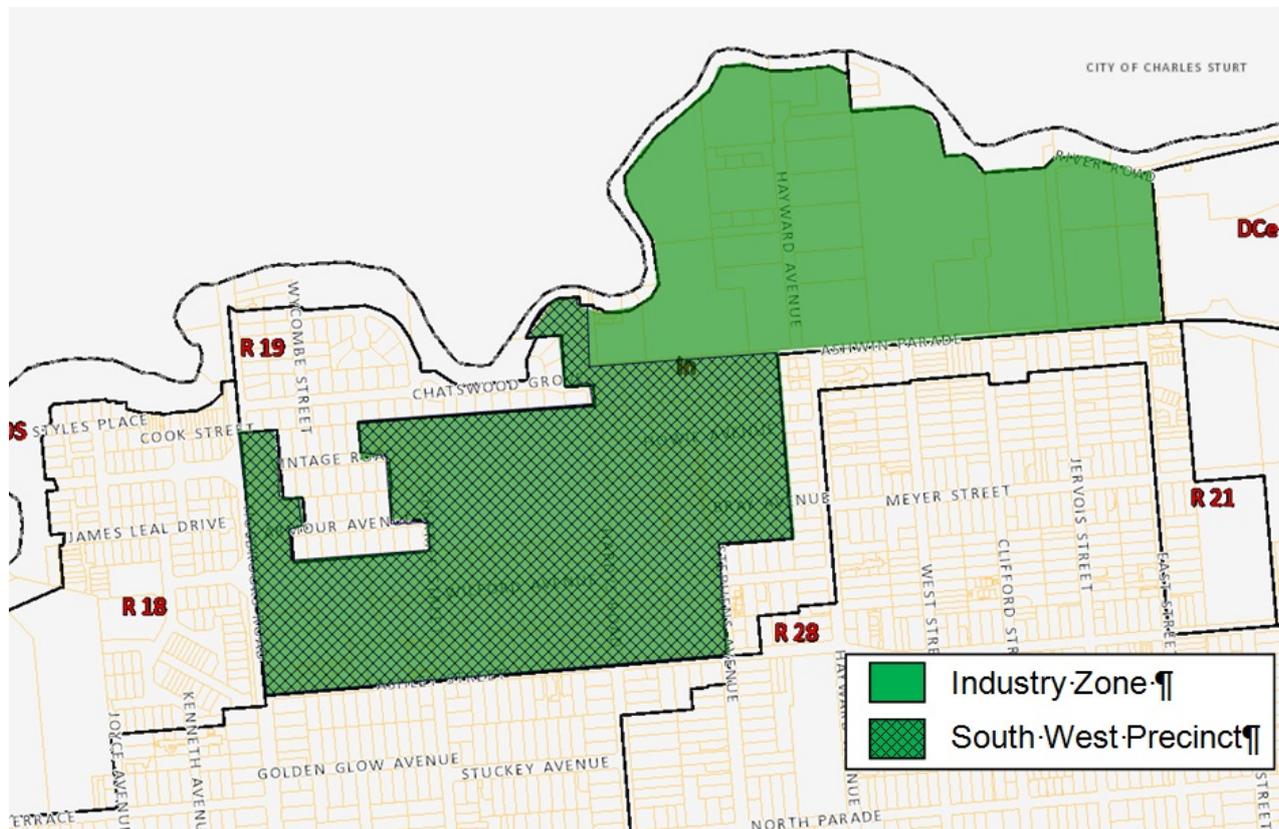


Figure 1: South West Precinct, Underdale and Torrensville Industry Zone

The Council has previously identified a long term vision for the Underdale and Torrensville industrial area to be redeveloped for medium density residential activities.

The proposed Urban Employment rezoning is the first stage in a multi staged approach to transition the area to medium density residential in a way that enables established businesses to continue operations while allows for a range of compatible businesses uses and providing exemptions for compatible residential uses.

In addition to the proposed DPA, there are a number of other initiatives that Council can undertake to guide the transition towards medium density housing over the next 5 years, including:

- Identifying key criteria characterising catalyst sites and identify potential catalyst sites;
- Ensuring that existing development is in accordance with statutory approvals;
- Establishing a local business vision and brand to attract compatible SMEs to the area; and
- Investing in high quality public infrastructure in the area to encourage private businesses to similarly invest in their area.

These actions would support a high quality and long term transition of the South West Precinct to medium density residential development.

SOI and DPA Process

An SOI is the first stage in the DPA process and is a formal agreement with the Minister regarding the matters to be considered and the processes to be undertaken when changing the Development Plan. The Minister may approve, refuse or require changes to an SOI.

Once the Minister agrees to the SOI detailed investigations may commence, followed by agency, stakeholder and community engagement.

On 26 May 2016, the City of West Torrens received a letter from the Chief Executive of the Department of Planning, Transport and Infrastructure advising that due to the implementation of the Planning, Development and Infrastructure Act 2016 that *"the Department will work with local councils to finalise Development Plan Amendments (DPA's) that are in the system and to identify priorities moving forward ... Support for any new Statement of Intent will be limited to those that facilitate strategic outcomes and job creation."*

The amended SOI is a revised version of a previously submitted SOI and therefore can be considered to be in the system already, rather than deemed to be a new SOI. It responds to the further investigations which were requested by the Minister, and also adopts the Planning Minister's suggestion to consider use of the Urban Employment Zone from the South Australian Planning Policy Library.

The SOI attempts to balance economic development outcomes with the needs of existing and future residents through including consideration of a non-complying exemption for low density residential development in areas of existing residential development, including Wilford Avenue, Vintage Road and Armour Avenue.

It also includes reference to enabling expansion of and increased access to the River Torrens Linear Park through future subdivision and development.

Conclusion

Following Council's resolution to prepare a revised SOI for the DPA to rezone the South West Precinct in the Underdale and Torrensville Industry Zone, the Administration has drafted an amended SOI for the Committee's consideration, and, subject to the Committee's feedback, recommendation to Council.

Once it has been endorsed by Council, the SOI will be forwarded to the Minister for Planning for consideration as a Council-initiated Development Plan Amendment proposal.

ATTACHMENT 1



West Torrens Council Development Plan

**Underdale/Torrensville Urban Employment Zone
Development Plan Amendment**

(previously titled Underdale & Torrensville Residential/Industry
Interface Development Plan Amendment)

by the

West Torrens Council

July 2016

Pursuant to section 25 (1) of the *Development Act 1993* this Statement of
Intent forms the agreed basis for the preparation of the proposed
Development Plan Amendment.

Terry Buss
CHIEF EXECUTIVE OFFICER

Date:

John Rau
MINISTER FOR PLANNING

Date:

REVISED DRAFT

Underdale/Torrensville Urban Employment Zone Development Plan Amendment
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REVISED DRAFT

Underdale/Torrensville Urban Employment Zone Development Plan Amendment
1 Introduction

1. Introduction

1.1 Statement of Intent

Pursuant to section 25(1) of the Development Act 1993 (the Act) the City of West Torrens has reached agreement with the Minister on this Statement of Intent (SOI) prepared by the Council in accordance with the Development Regulations 2008 (the Regulations).

The SOI details the scope, relevant strategic / policy considerations, nature of investigations to be carried out, the consultation process and timeframes to be followed in preparing the DPA.

A Statement of Intent was submitted to the Minister for Planning on 15 September 2014 for the Underdale and Torrensville Residential/Industry Interface Development Plan Amendment. On 10 April 2015, the Minister wrote to the Council that "while in principle I support a DPA being prepared for the subject area, I consider that further strategic investigation needs to occur to refine the scope of the SOI prior to my agreement". On this basis the Council has submitted this revised SOI.

1.2 Chief Executive Statement

The Chief Executive Officer of the Council confirms the following:

- The proposed DPA will assist in implementing the Planning Strategy.
- The proposed DPA has been endorsed by Council.
- All procedures, documentation and mapping will accord with relevant statutory requirements of the Act and Regulations.
- Sufficient Council resources will be devoted to completing the DPA within the agreed timeframe. Council acknowledges that the Minister can lapse the DPA if key timeframes are not met by Council pursuant to section 25(19) of the Act.
- Council may use the outcome of investigations and other information produced by external sources which will be reviewed by a qualified, independent professional advisor (pursuant to section 25(4) of the Act).

1.2.1 Council Contact Person

The key Council contact person who will be responsible for managing the DPA process and who will receive all official documents relating to the DPA is:

Hannah Bateman

Policy Planner

Phone: 8416 6321

Email: hbateman@wtcc.sa.gov.au

Underdale/Torrensville Urban Employment Zone Development Plan Amendment
2 Scope of the Proposed DPA

2. Scope of the Proposed DPA

2.1 Need for the Amendment

2.1.1 Rationale

As the City of West Torrens continues to grow in population size and popularity as a destination to live, work and play, land use conflicts arising between residential and industrial land uses are increasing. Demand for residential property is strong, particularly in areas close to the CBD, public transport and Linear Park. Businesses, particularly those located in the Industry Zone, increasingly see their operational capacity limited due to expectations of amenity from residential populations living within Industry Zones or at the zone interfaces. Residents report experiencing a range of negative impacts largely relating to air quality, noise, traffic or parking issues.

The 2008 West Torrens Strategic Directions Report was the culmination of extensive research on the future of land use planning and development in the City of West Torrens. The report included a concept plan which identified the existing Industry Zone areas within Underdale and Torrensville as an area for future medium density residential development. This was supported by a 2008 landholder petition seeking part of the Underdale and Torrensville Industry Zone to be rezoned as Residential Zone.

The *West Torrens Residential and Industrial Interface Study* prepared by Connor Holmes on behalf of Council, was presented to Council in October 2013. The Study represents Council's investigation of the issues and presented initial investigations and recommendations about how to better address ongoing and increasing conflict being experienced at the interface of residential and industrial areas. A total of 13 recommendations were made in this report. The recommendations relate to strategic and policy measures as well as administrative initiatives that can be undertaken as part of addressing planning and development located at the interface locations within the City.

Connor Holmes noted that the existing Industry Zone areas within Underdale and Torrensville were 'schematically' identified by Council in its 2008 Development Plan Review as possible locations for future medium density residential development. The Study also noted that there are some initial indicators that this location, in particular the industrial area of Underdale, should be considered a priority for alternative land use and zoning opportunities.

A key recommendation from the report was "*Consider re-zoning parts of Underdale's Industry Zone to Residential and/or Mixed Use*" (page 62). Characteristics of this location which make it a priority area worthy of consideration for alternative land uses include:

- highly accessible, inner urban location within 4.5km of the centre of Adelaide city;
- desirable amenity features derived from the adjoining River Torrens Linear Park;
- the high value of the land which may make any necessary decontamination of former contaminated industrial sites still financially viable;
- the existence of streets within the Industry Zone, which are primarily residential streets;

Underdale/Torrensville Urban Employment Zone Development Plan Amendment
2. Scope of the Proposed DPA

- the existence of isolated pockets of residential properties which are bookended by the Industry Zone and suffer associated amenity impacts;
- the diverse nature of existing non-residential activities within the area which include research and development activities, logistics and other uses not typically identified as 'industrial' in nature; and
- existing low amenity environments along some of the industrial/residential interface boundaries.

On 15 September 2014, the Council submitted the Underdale and Torrensville Residential/Industry Interface Development Plan Amendment Statement of Intent for the Minister for Planning's approval. The SOI sought to rezone the Industry Zone in Underdale and Torrensville for mixed use/residential use.

On 10 April 2015, the Minister for Planning wrote to the Council advising that "while in principle I support a DPA, for the subject area, I consider that further strategic investigations needs to occur to refine the scope of the SOI prior to my agreement". The Minister for Planning requested the following investigations:

- *Analysis of the employment generation provided by this industrial zone and how this sites with employment lands across the Council area.*
- *Consultation with current land owners and occupiers within the subject area to understand the current operations (such as hours of operation and noise impacts), siting and locational requirements (EPA buffers and licence conditions) and future plans.*
- *The preparation of the Master plan that considers the above investigations and identifies spatially suitable sites for medium density housing and other uses.*
- *In preparing a Master plan, I ask that Council identify possible locations where the River Torrens Linear Park could be expanded.*

In response to the Minister's request, the City of West Torrens undertook the following research:

- commissioned Urban and Regional Planning Solutions (URPS) in association with SGS Economics to analyse employment generation within the Underdale/Torrensville Industry Zone and consult with current landowners and occupiers;
- completed a comprehensive land use and employment survey of all properties in the Underdale/Torrensville Industry Zone;
- commissioned Jones Lang LaSalle (JLL) to analyse the results of the land use and employment survey in the South West Precinct of the Underdale/Torrensville Industry Zone in the context of the West Torrens local economy; and
- further consultation with landholders and residents, including a workshop with residents and landholders in Wilford Avenue, Underdale.

Through this research, it was identified that the 'South West Precinct' had a more diverse range of land uses, varied land division pattern and a perception of lower employment generation rate than the area north of Ashwin Parade. This warranted further investigation.

Underdale/Torrensville Urban Employment Zone Development Plan Amendment
2 Scope of the Proposed DPA

A land use and employment survey was therefore undertaken to understand the current situation in the South West Precinct area. The February 2016 survey identified 86 businesses and organisations within the South West Precinct of the Underdale/Torrensville Industry Zone.

The survey provided evidence that employment in the Underdale/Torrensville Industry Zone was distributed across the whole zone, with 1,515 employees in the South West Precinct out of a total 2,724 employees in Underdale/Torrensville Industry Zone overall (CWT 2016). The manufacturing sector also accounted for 26.7% employment within the South West Precinct; this is above the council-wide rate of 14.6% of employment (CWT 2016; ABS 2011). Furthermore, most respondent businesses expressed expectations that they would continue operating at the same premises over the next five years.

A number of non-business land uses were also identified within the South West Precinct, including 3 vacant land sites, 18 vacant premises and 21 residences (primarily in Wilford Avenue and Ashley Street) (CWT 2016). The JLL report considered that the vacancy rate was reflective of the broader Adelaide economy, not a sign of economic failure of the area (JLL 2016).

The Underdale/Torrensville Industry Zone, including the South West Precinct, operates as a functioning employment hub for industrial and related business in the inner western suburbs. In considering the future development of the Underdale and Torrensville Industry Zone, the following characteristics of the area are particularly relevant:

- a functional area of employment generation and stable business location;
- a number of large sites containing businesses have indicated intentions to stay in the area and continue to operate (not indicating any intentions to relocate);
- pockets of residential development have grown up alongside industry creating a situation where existing landowners are unable to redevelop their properties for residential purposes despite residential scale allotments;
- a number of small businesses that generate some environmental nuisances (traffic, car parking, noise and /or odour issues) cause conflicts with existing residential activities; and
- the area does not meet the Metropolitan Adelaide Industrial Land Study (MAILS) Prime Industrial Land criteria.

Within a wider context, there is a trend of declining employment within the industrial and manufacturing sectors, and their long term decline is forecast in West Torrens, as well as the broader metropolitan area. However, counterbalancing this, there is a continued demand for smaller business and industrial premises in the inner western suburban industrial areas, which are characterised by highly valued access to the CBD, markets, customers, main roads and the airport.

Given the outcomes of these further investigations, rezoning for mixed use/residential land uses as was proposed in the 2014 Statement of Intent is not expected to result in the best long-term development outcome in this area, and in the short term may even result in increased land use conflicts with existing development.

This revised SOI therefore seeks to set in motion a transition towards the longer-term vision for medium density housing in the South West Precinct area via a staged approach.

Underdale/Torrensville Urban Employment Zone Development Plan Amendment
2. Scope of the Proposed DPA

The first step is to enable a wider range of low-impact businesses and commercial enterprises within the Industry Zone in the Underdale/Torrensville South West Precinct through rezoning this area to Urban Employment Zone, as is sought through this Development Plan Amendment.

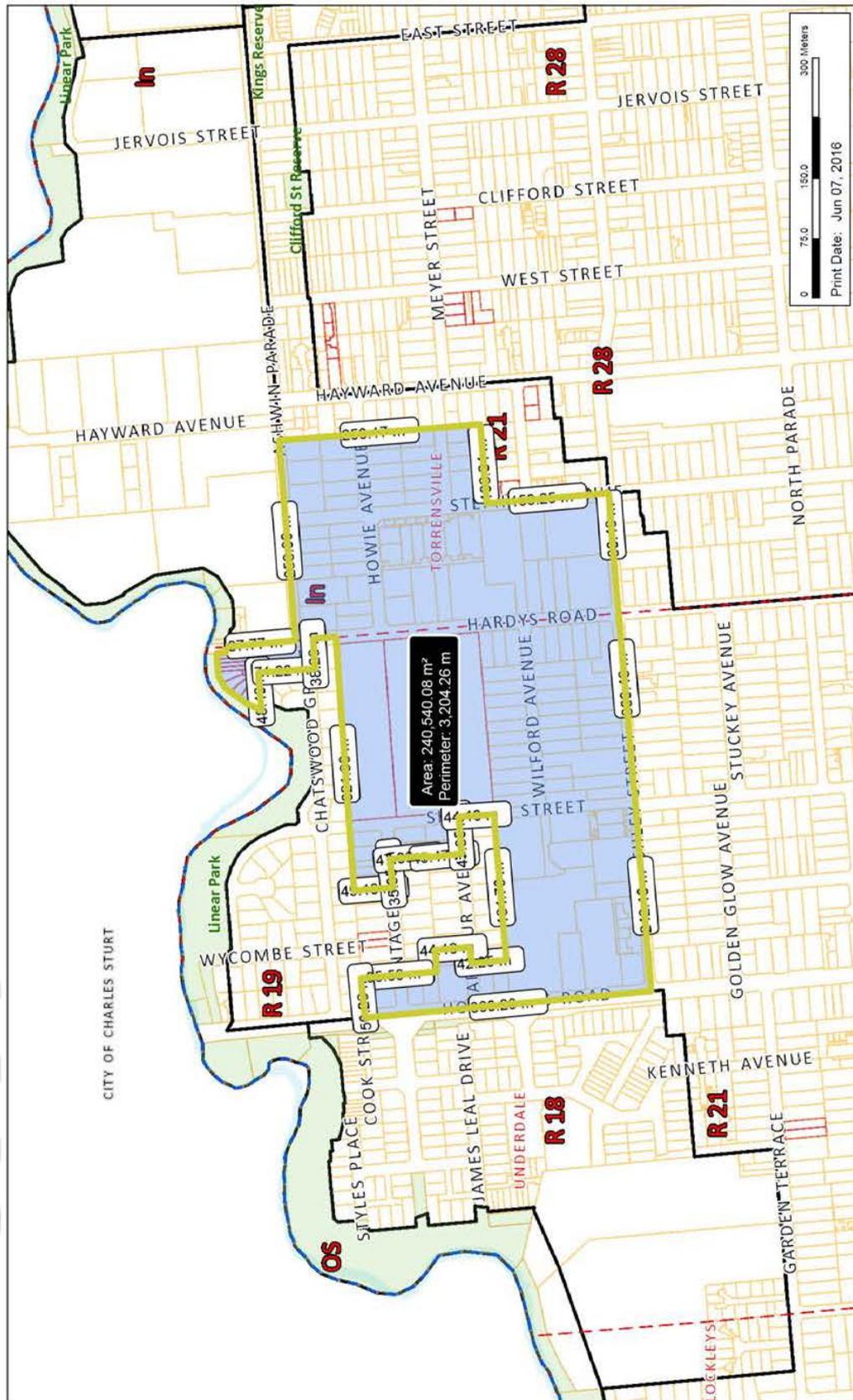
Further steps in a staged approach will be consideration of:

- Reducing the presence of incompatible land uses in the area to reduce the incidence of land use conflict by ensuring compliance and possible facilitation of relocating incompatible businesses to a more suitable area;
- Identifying and actively attracting the types of businesses that are envisaged in the area by promoting the benefits of the location and characteristics of the area; and
- Identifying potential major catalyst sites for redevelopment and promotion of coordinated precinct planning to enable mixed use or residential development of the area at a precinct level.

2.1.2 Affected Area

The area known as the 'South West Precinct' of the Underdale/Torrensville Industry Zone affected by the proposed DPA is shown on the map over page.

**Underdale/Torrensville Urban Employment Zone Development Plan Amendment
2 Scope of the Proposed DPA**



Underdale/Torrensville Urban Employment Zone Development Plan Amendment
2. Scope of the Proposed DPA

2.1.3 Potential Issues

Potential issues associated with the proposed amendment that will require investigation and clarification include:

- Accommodating appropriate land uses to generate a greater diversity of employment opportunities and encourage business development and growth of low-impact activities that are compatible with future residential development;
- Balancing the preservation and viability of Council's inner west employment generating land for future employment opportunities against the amenity of the residential interface and demand for non-industrial land uses;
- Balancing the needs of current and future employment generating land uses including large single site uses;
- Enabling redevelopment of historical residential development (including Wilford Avenue) to enable new low density residential development;
- Enabling the expansion of, and increased access to, the River Torrens Linear Park through future development and land division;
- Management of existing and potential land use conflict and interface issues between different land uses within the Zone and also with the adjoining Residential Zone interface, including environmental nuisances such as noise, light pollution, air pollution, traffic and car parking; and
- Implications of this rezoning for the remaining Torrensville Industry Zone north of Ashwin Parade (such as residential encroachment into recommended EPA separation/.

Underdale/Torrensville Urban Employment Zone Development Plan Amendment
3. Strategic and Policy Considerations

3. Strategic and Policy Considerations

3.1 The Planning Strategy

3.1.1 Targets

The DPA will support the relevant volume of the Planning Strategy, The 30 Year Plan for Greater Adelaide, by implementing the following targets:

Target	How the target will be implemented:
Employment distribution	
<p>A Provide for 282,000 additional jobs during the next 30 years. The regional distribution of additional jobs is:</p> <ul style="list-style-type: none"> • 50,000 in the City of Adelaide • 6500 in Eastern Adelaide • 40,500 in Western Adelaide • 79,000 in Northern Adelaide • 43,000 in Southern Adelaide • 38,500 in the Barossa • 13,000 in the Adelaide Hills and Murray Bridge • 11,500 in the Fleurieu. 	<p>The DPA will consider the state strategic targets identified in the 30-Year Plan for Greater Adelaide and ensure policy alignment to support existing and enable new employment opportunities in Western Adelaide, specifically in the South West Precinct in Underdale and Torrensville.</p>
<p>B Distribute jobs across Greater Adelaide as:</p> <ul style="list-style-type: none"> • 94,000 in transit-oriented developments and transit corridors • 15,000 in key regeneration areas and in activity centres that are outside corridors • 44,500 in growth areas • 128,500 broadly distributed across the region. 	<p>The DPA will investigate appropriate policies that provide more flexibility to enable new employment generation opportunities within the South West Precinct in Underdale and Torrensville.</p>
<p>D Plan for net growth of at least 2 million square metres of extra employment floor space.</p>	<p>The DPA will investigate appropriate policies that provide opportunities for new and wide ranging types of employment floor space to be developed in the South West Precinct in Underdale and Torrensville, including enabling additional floor space through multi-storey development.</p>
Manufacturing	
<p>I Plan for 52,400 additional manufacturing jobs in Greater Adelaide.</p>	<p>The DPA will investigate appropriate policies that will continue to allow opportunities for new manufacturing jobs to be developed in the South West Precinct in Underdale and Torrensville.</p>

Underdale/Torrensville Urban Employment Zone Development Plan Amendment
 3. Strategic and Policy Considerations

<p>J Protect 2580 hectares of employment land for manufacturing purposes.</p>	<p>The DPA will retain the current Industry Zone as Urban Employment Zone which will continue to enable appropriate manufacturing development in the South West Precinct in Underdale and Torrensville. The DPA will also retain the part of the Industry Zone in Torrensville north of Ashwin Parade as Industry Zone to continue to enable a wide range of industrial development.</p>
<p>Greenways</p>	
<p>G Develop and enhance waterway linear parks as open-space greenways and biodiversity corridors along the fixed-line public transport corridors and the River Torrens, Gawler River, Little Para River, Dry Creek, Sturt River, Pedlar Creek, Onkaparinga River, Port Willunga Creek, Christies Creek and Field River by 2036.</p>	<p>The DPA will investigate appropriate policies to enable expansion of and improved access to the River Torrens Linear Park through future development and land division adjoining the Linear Park.</p>

REVISED DRAFT

Underdale/Torrensville Urban Employment Zone Development Plan Amendment
3. Strategic and Policy Considerations

3.3.2 Policies

The DPA will support the relevant volume of the Planning Strategy, The 30 Year Plan for Greater Adelaide, by implementing the following policies:

Policy	How the policy will be implemented:
Overall spatial distribution	
2 Locate the majority of Greater Adelaide’s urban growth within existing built-up areas through increases in density in strategic locations.	The DPA will support the urban renewal and development of increased densities where appropriate in the South West Precinct in Underdale and Torrensville.
Employment distribution	
7 Focus business clusters around key transport infrastructure such as road, air, rail and sea terminals, particularly intermodal facilities to maximise the economic benefits of export infrastructure.	Underdale and Torrensville is strategically located within the inner western suburbs with good access to clients, markets, the CBD and key transport infrastructure including South Road and the Adelaide Airport. The DPA will enable the retention and development of businesses in this area.
Employment distribution	
9 Review and update the Housing and Employment Land Supply Program regularly in line with forecast changes to industry sectors and the sectors’ land-use requirements in relation to volume, location, and necessary separations and buffers.	The DPA is informed by report reports by URPS and JLL which have analysed existing businesses within the Underdale and Torrensville area and analysed future industry and development trends. The Underdale and Torrensville Industry Zone, including the South West Precinct, continues to be a functional and viable employment generating area. Proposed efforts to promote the Underdale and Torrensville area for high quality, low-impact employment generating development will aim to manage land use conflicts with existing residential development.
Manufacturing	
22 Designate specific employment lands for manufacturing purposes and protect their long-term use.	The Underdale and Torrensville Industry Zone currently enables industrial development, however the zone is surrounded by sensitive land uses, namely the River Torrens Linear Park and Residential Zone. There are current issues with the Residential Zone interface, including air pollution, noise pollution, light pollution and car parking/traffic management. While many business activities occur with no interface conflicts, some industrial uses are unable to contain their impacts within their site, and as a result impact their residential neighbours.

Underdale/Torrensville Urban Employment Zone Development Plan Amendment
3.Strategic and Policy Considerations

	<p>This DPA will enable the continuation and development of business activities that have minimal impact on adjacent residential uses. This will ensure a high amenity and long term future for the business activities and nearby residential areas.</p>
<p>23 Ensure planning controls are flexible enough to adapt to new industry structures.</p>	<p>The DPA will allow a broader range of employment generating land uses and will better manage conflicts with neighbouring residential areas. The DPA will better enable business activities demanded in inner suburban employment zones.</p>
<p>24 Locate major manufacturing hubs near key freight and transport corridors.</p>	<p>The land use and employment survey identified that existing businesses in the Underdale and Torrensville Industry Zone valued good access to clients, markets, the CBD and key transport infrastructure (CWT 2016). The area is close to South Road and has good access to the Adelaide Airport.</p> <p>The DPA will continue to enable manufacturing in the South West Precinct and will not distract from the continued operation of the retained Torrensville Industry Zone north of Ashwin Parade.</p>
<p>25 Create sufficient buffer activities and design guidelines to prevent manufacturing lands being lost to encroachment by residential activities and to prevent land use conflicts between residential and manufacturing activities.</p>	<p>The DPA proposes to introduce the Urban Employment Zone to reduce conflict with existing (and longstanding) residential areas. The DPA will retain Industry Zone in Torrensville, north of Ashwin Parade, where there is greater separation distance from residences.</p>
<p>26 Maintain manufacturing industry clusters at:</p> <ul style="list-style-type: none"> • Greater Edinburgh Parks— automotive • Tonsley Park (former Mitsubishi site)— clean technology • Kingsford—light industry • Wingfield—cast metals, waste resource recovery • Thebarton—biotechnology/ advanced technology. 	<p>The DPA is not within an identified manufacturing industry cluster however it does not conflict with this policy.</p>
<p>Climate Change - Adaption</p>	
<p>14 Encourage commercial and industrial developers to include green buffers and shady areas in their developments, to make workplaces more liveable.</p>	<p>The DPA will consider opportunities for development to include green buffers and shady areas, particularly in association with increasing access to the River Torrens Linear Park and buffering adjacent residential land uses.</p>

Underdale/Torrensville Urban Employment Zone Development Plan Amendment
3. Strategic and Policy Considerations

3.2 Council Policies

3.2.1 Council's Strategic Directions (Section 30) Report

Council's *Vision 2025* Strategic Direction Report (2008) painted a picture of the City of West Torrens in the year 2025. The proposed 2025 structure plan within the report identified the existing Underdale and Torrensville industrial area as medium residential density. The structure plan also looked to achieve a number of outcomes, including:

- *Promote higher residential densities in proximity to activity centres.*
- *Promote residential development in suburbs abutting the River Torrens.*
- *Identify, protect and enhance the amenity of established residential areas.*
- *Promote opportunities for affordable housing.*
- *Ensure the establishment of appropriate buffers between industry and sensitive uses (including residential).*
- *Promote and consolidate industrial activities in close proximity to the Adelaide Airport.*

The 2014 Strategic Direction Report builds on the work undertaken in the 2008 *Vision 2025* Strategic Direction Report and includes the following priorities for the City of West Torrens:

- *The need to anticipate and cater for future increased demand for new and affordable residential housing and higher and better use of land.*
- *To implement innovative measure and regulatory controls to manage interface issues where residential land and less sensitive land uses such as industrial land, abut each other.*
- *Ensure continued provision and access to quality open space, catering for a range of active and passive recreational uses, including Linear Park.*
- *Support the key employment sectors already within the City which include manufacturing, transport, retail and health care and social assistance.*
- *Recognise and encourage the changed nature of business operations, with an increasing trend towards working from home, supported by constantly evolving technologies.*
- *The protection of key employment zones, which includes industrial precincts and activities.*

The 2014 Strategic Direction Report identifies an Employment DPA as a high priority for the City of West Torrens to "provide an appropriate range of employment options in the City of West Torrens, both now and in the future" (CWT 2014). The City of West Torrens is in the preliminary stages of researching an Employment DPA.

3.2.2 Towards 2025 Community Plan

The proposed DPA will be consistent with directions in Council's *Towards 2025* Community Plan.

The Community Plan acknowledges that the City of West Torrens has a number of areas where residential land abuts industrial land uses. This often results in traffic, noise, light spill, parking, odour and other amenity issues for residents. With limited opportunities for expansion and pressure from

Underdale/Torrensville Urban Employment Zone Development Plan Amendment
3.Strategic and Policy Considerations

neighbouring communities to relocate away from homes and schools, there is a trend for local industry to move from 'dirty' heavy manufacturing towards 'cleaner' industries such as biotech facilities, warehousing, logistics and distribution.

The *Towards 2025* Community Plan contains the following relevant strategies and indicators:

Long term strategy

- *Promote retail, commercial and industrial activity that is compatible with neighbouring land uses.*

Five year strategies

- *Minimise conflicts between industry and sensitive uses such as residential, through location, planning, design and operations.*
- *Support a range of developments by providing and advocating for quality infrastructure and appropriately zoned land.*

Success Indicators

- *Increase in private greened space*
- *Increase in development of mixed use developments.*
- *Decrease in the number of industrial noise and odour complaints from residents.*

Long term strategy

- *Encourage new and existing development to incorporate environmentally sustainable designs and practices.*

Five year strategies

- *Provide developers with direction and advice on environmentally sustainable designs and practices.*
- *Review Council's Development Plan policies so that they reflect environmentally sustainable development principles.*

Success Indicators

- *Increase in the number of developments incorporating environmentally sustainable designs and practices.*

Long term strategy

- *Facilitate equitable access to open spaces.*

Five year strategies

Underdale/Torrensville Urban Employment Zone Development Plan Amendment
3. Strategic and Policy Considerations

- *Identify opportunities to increase and enhance open space provision to achieve active, vibrant and connected communities.*

Success Indicators

- *Area of open space is greater than, or equal to, Adelaide western region average.*
- *Implementation of Council's Open Space and Public Place Plan.*

Long term strategy

- *Support the development and growth of local business and jobs.*

Five year strategies

- *Review Council's Development Plan policies to optimise employment opportunities consistent with other land uses and community needs.*

Success Indicators

- *Increased business investment in the local area.*

3.2.3 Infrastructure Planning

The proposed amendment will be consistent with current infrastructure planning (both social and physical) as it responds to the 30 Year Plan for Greater Adelaide and targets growth and infill development in close proximity to facilities and services.

The DPA also responds to state planning system changes (SAPPL and Residential Code).

3.2.4 Other Policies and Local Issues

The City of West Torrens Development Plan

As part of investigations for this DPA, the West Torrens Development Plan Industry Zone in relation to the South West Precinct in Underdale and Torrensville would be examined. Additional policies considering interfaces between land uses and access to the River Torrens Linear Park will also be specifically considered. This DPA will be consistent with the following policies in the General Section of the Development Plan:

- Advertisements
- Design and Appearance
- Energy Efficiency
- Hazards
- Industrial Development

Underdale/Torrensville Urban Employment Zone Development Plan Amendment
3.Strategic and Policy Considerations

- Infrastructure
- Interface between Land Uses
- Land Division
- Landscaping, Fences and Walls
- Metropolitan Open Space System
- Natural Resources
- Open Space and Recreation
- Orderly and Sustainable Development
- Residential Development
- Siting and Visibility
- Transportation and Access
- Waste

While the DPA is unlikely to propose substantial changes to these policies there may be inclusion of local additions to provide clarity, improve development outcomes and support the broader premise of the DPA.

No Concept Plans or Heritage Places are currently identified for the DPA area.

Development Plan Amendments

The City of West Torrens is currently undertaking background research for a planned Employment DPA to review the employment zones within the council area.

Development Plans of adjoining areas

The South West Precinct of the Underdale and Torrensville Industry Zone is close to the boundary of the City of Charles Sturt. The River Torrens Linear Park forms the boundary of the two Council areas and in this area the City of West Torrens identifies the Open Space Zone and the City of Charles Sturt the Metropolitan Open Space System Zone. On the northern side of the Linear Park, the City of Charles Sturt is zoned Residential.

Schedule 4 of the Regulations

This DPA does not impact on existing designated areas for the purposes of Schedule 4. Policy will continue to refer to the Development Regulations 2008 in relation to complying development.

3.3 Minister's Policies

Underdale/Torrensville Urban Employment Zone Development Plan Amendment
3. Strategic and Policy Considerations

3.3.1 Planning Policy Library

The DPA will draw on the following Planning Policy Library modules:

- Advertisements
- Bulk Handling and Storage Facilities
- Design and Appearance
- Hazards
- Industrial Development
- Interface between land uses
- Land division
- Residential Development
- Transportation and Access
- Urban Employment Zone

Council will also update the Development Plan to the latest version of the Planning Policy Library (if relevant).

Based on recent research and consultation, it is anticipated that the DPA will involve the introduction of local additions or variation to the Planning Policy Library, including:

- Non complying exemption for low density residential development in areas of existing residential development, including Wilford Avenue, Vintage Road and Armour Avenue.
- Enable expansion of and increased access to the River Torrens Linear Park through future subdivision and development.

If further investigations identify that further local variations are required in the policy amendment, justification will be provided in the DPA.

3.3.2 Existing Ministerial Policies (Section 25(5), 26 and Section 29)

No Ministerial policies introduced through section 25(5), 26 or 29 of the Act will be amended by this DPA.

Any amendment to these policies will be justified in the DPA and Council confirms that the policies will only be changed in a way that ensures consistency with the Planning Strategy.

3.3.3 Ministerial DPAs

The policies of this DPA will be consistent with and not contradict the policies proposed in any Ministerial DPAs.

Underdale/Torrensville Urban Employment Zone Development Plan Amendment
4 Investigations and Consultation

4. Investigations and Consultation

4.1 Investigations

4.1.1 Investigations Previously Undertaken

Investigations previously undertaken (prior to the preparation of this SOI) that will inform this DPA include the following:

- Underdale & Torrensville Industry Zone Economic and Land Use Analysis – Jones Lang LaSalle, May 2016
- Additional landowner and resident consultation - January-March 2016
- Underdale and Torrensville Residential/Industrial Interface DPA Investigations – Urban and Regional Planning Solutions, November 2015
- Vision 2025: Strategy Directions Report – City of West Torrens, March 2015
- Towards 2025 Community Plan – City of West Torrens, September 2014
- Residential and Industry Land Use Interface Study – Connor Holmes, September 2013
- Vision 2025: Strategy Directions Report – City of West Torrens, September 2008
- City of West Torrens Vision 2025 Technical Review Report – City of West Torrens, July 2008
- The future of West Torrens 2025: Section 30 Development Plan Review Issues Paper – City of West Torrens, September 2006
- Section 30 Review of Development Plan: Industrial, Commercial and Employment Trends Issues and Options – Connor Holmes, February 2006
- Section 30 Review of Development Plan: Residential Demand, Trends, Issues and Options – Connor Holmes, February 2006

4.1.2 Investigations Initiated to Inform this DPA

Additional investigations (including those arising from issues not addressed in the Planning Policy Modules) to inform this DPA will include the following:

- Consideration of the application of the Urban Employment Zone Module from the South Australian Planning Policy Library version 6
- Consideration of a potential Desired Character Statement for the South West Precinct in Underdale and Torrensville to address desired land uses, innovative building re-use, built form, finishes, management of land use interface and conflicts, existing residential land uses, traffic movements and access

Underdale/Torrensville Urban Employment Zone Development Plan Amendment
4. *Investigations and Consultation*

- Investigate appropriate methods to limit land use interface conflicts caused by new development in the South West Precinct
- Investigate appropriate Development Plan provisions to enable the development of a wider range of high amenity/low-impact business activity within the South West Precinct
- Investigate appropriate methods of managing existing residential areas within the South West Precinct to allow for ongoing development and redevelopment
- Investigate the potential for expansion of, or increased access, to the River Torrens Linear Park in association with future development

The City of West Torrens is also currently undertaking research and investigations on the City of West Torrens employment lands which may provide supplementary information to this DPA.

4.2 Consultation

The following key stakeholders will be consulted during the investigations stage for input into the proposed DPA:

- State Government Authorities including:
 - Department of Planning, Transport and Infrastructure
 - Environment Protection Authority
 - Department of State Development
 - SafeWork SA

The following agencies, State Members of Parliament, interested parties, individuals and Councils will be consulted during the consultation stage of the DPA:

- Businesses and residents (tenants and owners) immediately potentially affected by or adjacent to the proposed DPA area
- Elected Members
- Council staff eg. Development Planning, Environmental Health, Compliance, Assets, Community and Environmental Planning.
- Adjacent local authorities (City of Charles Sturt, Adelaide City Council, City of Marion, City of Holdfast Bay) and the Western Alliance for Economic Development (an inter-council initiative)
- State Government Authorities including:
 - Department of Planning, Transport and Infrastructure
 - Environment Protection Authority
 - SA Health

Underdale/Torrensville Urban Employment Zone Development Plan Amendment
4 Investigations and Consultation

- Department of State Development
- SafeWork SA
- Department of the Premier and Cabinet
- State and Federal Members of Parliament with part of their electorate in the draft DPA area.

Consultation with the public will be undertaken in accordance with the requirements of the Act and Regulations. This will include:

- A notice in the Government Gazette.
- A notice in *Messenger Weekly Times* and *Messenger Guardian*.
- The scheduling of a Public Meeting at which any interested person may appear to make representations on the proposed amendment.
- Copies of the draft DPA will be made available at the Council Civic Centre
- Information posted on the City of West Torrens website and social media accounts outlining the objectives of the draft DPA and information on how to make a submission
- Explanatory Brochure and Fact Sheets to elaborate and explain proposals
- Notices to the owners or occupiers of any land that is subject to, or adjacent to, the affected area of the proposed amendment.

Underdale/Torrensville Urban Employment Zone Development Plan Amendment
5 Proposed DPA Process

5. Proposed DPA Process

5.1 DPA Process

Council intends to **undertake the following DPA process** (check box):

Process A

Agencies will be consulted on a draft version of the DPA for a period of 6 weeks. A copy of the DPA, and copies and a summary of agency submissions, will then be sent to the Minister for approval to release the DPA for public consultation.

Process B1 (with consultation approval)

A copy of the DPA will be sent to the Minister for approval to release it for concurrent agency and public consultation (not more than 8 weeks for agency comment and not less than 8 weeks for public comment).

Process B2 (consultation approval not required)

A copy of the DPA will be released for concurrent agency and public consultation (not more than 8 weeks for agency comment and not less than 8 weeks for public comment).

Process C

A copy of the DPA will be released for concurrent agency and public consultation (not more than 4 weeks for agency comment and not less than 4 weeks for public comment). Landowners and occupiers identified in the SOI will receive direct notification of the DPA.

5.1.1 Rationale

Council is looking to progress the DPA based on the Urban Employment Zone Module from the South Australian Planning Policy Library version 6, while recognising there is likely to be significant stakeholder interest. For this reason Process B1 is considered the most appropriate.

Underdale/Torrensville Urban Employment Zone Development Plan Amendment
6 Professional Advice and Document Production

6. Professional Advice and Document Production

6.1 Professional Advice

The professional advice required will be provided by:

- Hannah Bateman, Policy Planner, Strategic Planning

City of West Torrens

8416 6333

hbateman@wtcc.sa.gov.au

This person satisfies the professional advice requirements of the Act and Regulations and will provide advice to the council prior to the preparation of the DPA. This person is not considered to have a conflict of interest or perceived conflict of interest in the DPA.

6.2 Document Production

The DPA (including the structure, amendment instructions and mapping) will be prepared in accordance with the Technical Guide to Development Plan Amendments issued by the Department for Planning, Transport and Infrastructure (the Department) and any templates, except as mutually agreed.

To ensure certainty as to the correct version of the DPA, the DPA will contain a date in the footer (eg version 15 December 2014). The footer will be located on every page of the DPA, including the proposed amendments (including mapping).

The Chief Executive Officer of the council will ensure that the policies implement the Planning Strategy, all procedures have been completed within the statutory requirements, and that mapping is correct prior to issuing a certificate in accordance with the Act. If this is not the case, the council will take responsibility for the DPA until the matter has been resolved.

6.3 Mapping

Council will obtain electronic copies of all the affected maps and/or figures from the Department prior to the commencement of mapping amendments to ensure all mapping is amended based on current map bases.

Amendments to maps will be provided in the required format to the Planning Division of the Department. Mapping amendments for this DPA will be undertaken by:

- Steffen Helgerod, GIS Coordinator

Underdale/Torrensville Urban Employment Zone Development Plan Amendment
6. Professional Advice and Document Production

City of West Torrens

8416 6333

shelgerod@wtcc.sa.gov.au

REVISED DRAFT

Underdale/Torrensville Urban Employment Zone Development Plan Amendment
7. Proposed DPA Timetable

7. Proposed DPA Timetable

Process B1 (with consultation approval) Timetable

The following timetable is proposed for this DPA based on the selected process. Council will take steps to update this timetable if it appears at any stage that Council will require an extension to complete a task.

Steps	Responsibility	Agreed Timeframe from Minister's Approval
Development Plan Amendment (DPA)		
Investigations conducted; DPA prepared	Council	14 weeks SOI agreement – DPA commences consultation
Agency and public consultation concludes	Council	8 weeks
Summary of Consultation and Proposed Amendment (SCPA)		
Public Meeting held; submissions summarised; DPA amended in accordance with Council's assessment of submissions; SCPA prepared and lodged with the Department	Council	12 weeks Public consultation closes – SCPA lodged with the Department
SCPA assessed and report on DPA prepared for Minister	Department	7 weeks
Minister considers report on DPA and makes decision	Minister	4 weeks
Approved amendment gazetted	Department	2 weeks

Following Ministerial approval of the proposed amendment, it is forwarded to the Environment, Resources and Development Committee of Parliament for review.

7.9 Annual Service Plans 4th Quarter 2015/16 Progress Update

Brief

This report presents the 4th quarter review of the 2015/16 annual service plans and progress in the delivery of Council's Community Plan.

RECOMMENDATION(S)

The Committee recommends to Council that the:

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.

Introduction

The Annual Service Plans 4th Quarter Progress Report (**Attachment 1**) outlines progress in implementing the *Towards 2025* Community Plan.

Discussion

This progress report provides updates on the delivery of actions from the 2015/16 annual service plans that implement the Community Plan aspirations outlined in figure 1.

Figure 1 Community Plan Aspirations



Below is an explanation of the reporting format:

Pie Charts

The pie charts graphically illustrate how the City of West Torrens as a whole, and each individual department, is progressing with the delivery of the actions from the departmental service plans.

Action Status

The status of the actions presented in the quarterly report may be 'monitor' or 'off-track'. On-track and completed actions are not presented in the report.

'Monitor' means the action has not progressed to the point that the relevant department manager had planned, but it is within 70-90% of the quarterly target.

When the status of an action is listed as 'monitor', the attached quarterly report shows a yellow traffic light () in the right hand column.

'Off-track' means the action has not progressed to the point that the relevant department manager had planned and has reached less than 70% of the quarterly target.

When the status of an action is off-track, the attached quarterly report shows a red traffic light () in the right hand column.

An explanation of why a particular action has off-track or monitor status is contained within the *Annual Service Plans 4th Quarter Progress Report*.

Note: Where an action has had previous approval by the Committee for extension of the completion date, and appears in the *Annual Service Plans 4th Quarter Progress Report* with a status of off track or monitor, then the original completion date appears in red and strike-through text with the new completion date below.

Report

The service plans show:

- 91.6% of actions are on-track/completed;
- 3.7% of actions have a monitor status; and
- 4.7% of actions have an off-track status.

NB: due to rounding effects the total may be less than or greater than 100%

Nine actions have been reported as 'off track', which represents 4.7% of the total number of actions. These relate to:

- Investigating development of a Heritage Conservation Grants scheme;
- Implementing Community Services' Cultural Development Program;
- Upgrading to Microsoft Office 2013;
- Reviewing and implementing identified improvements in the debt collection process;
- Reviewing and streamlining the Thebarton Hub booking system;
- Undertaking Lockleys Oval Redevelopment (Stage 1);
- Undertaking Stage 3 fire safety upgrades at the Thebarton Theatre;
- Installing new pedestrian solar lighting along the Anna Meares shared pathway; and
- Upgrading of pedestrian lighting to LED along the Westside Bikeway, including new lighting for the dog park facility.

Seven actions have been reported as needing to be monitored, which represents 3.7% per cent of the total number of actions. These relate to:

- Reviewing the Local Heritage Register and develop draft Heritage Places DPA;
- Replacing the end-of-life NEC PABX and associated telephony;
- Completing the Stormwater Catchment Management Plan;
- Establishing water-sensitive urban design landscaping along James Congdon Dr;
- Deliver Council's approved stormwater capital works, including Lockleys Area Catchment stage 2, Maria St Thebarton and Rankine Rd Torrensville stage 2;
- Undertaking construction of a roundabout at George and Dew Streets Thebarton intersection; and
- Undertaking Disability Discrimination Act (DDA) works and fire compliance upgrades at WA Satterley Hall (Lockleys Oval).

Delays in implementation of these actions have been attributed to a number of factors including; staff resources, awaiting completion of other projects, waiting on State Government, consultants or other project partners/stakeholders and more extensive work required than originally planned.

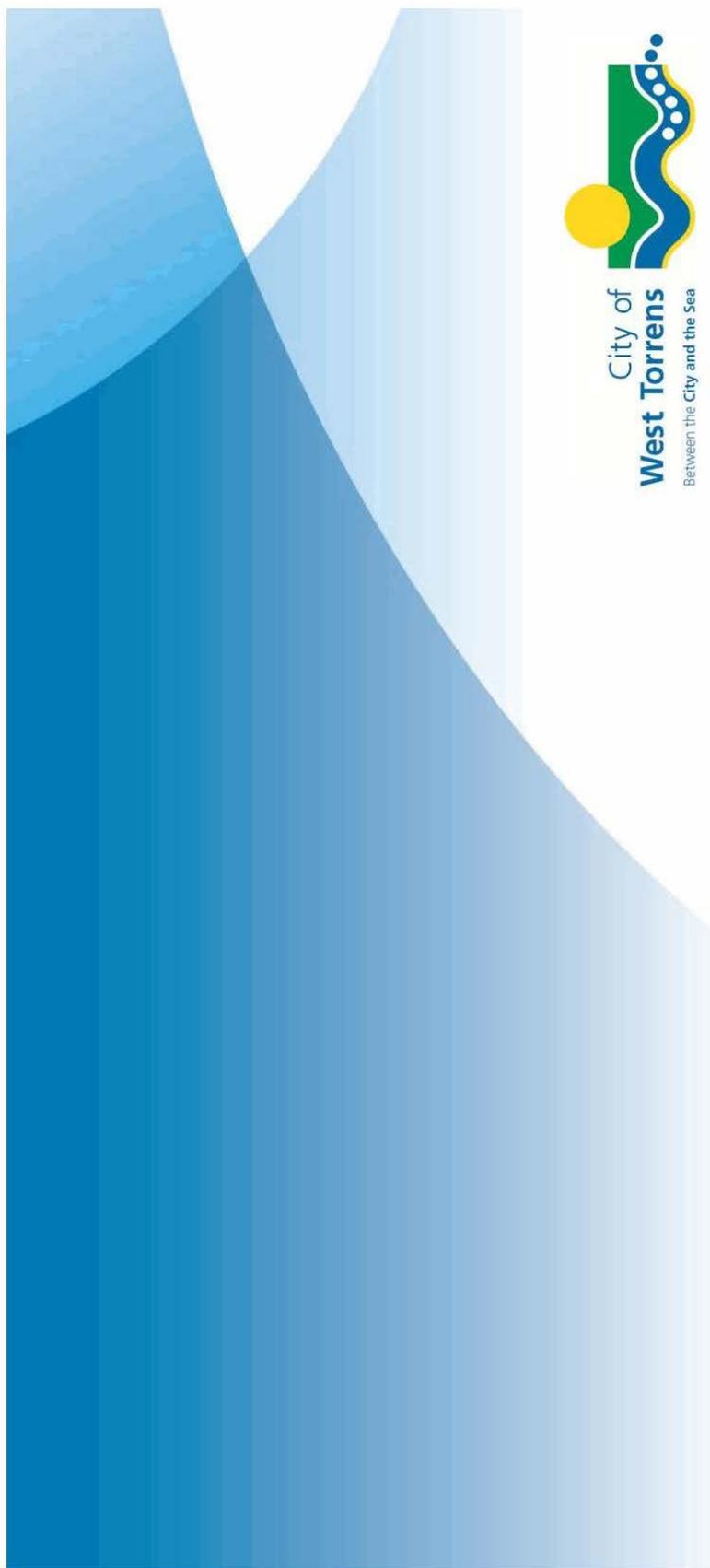
Approval is therefore requested to defer completion of the above 16 actions to the relevant 2016/17 Departmental Service Plans, as detailed in the attached report.

Conclusion

The Annual Service Plans 4th Quarter Progress Report outlines the organisation's progress in implementing Council's *Towards 2025 Community Plan*.

Nine actions have been reported as off track and seven actions have been reported as requiring monitoring, with subsequent requests to defer these actions to the 2016/17 financial year.

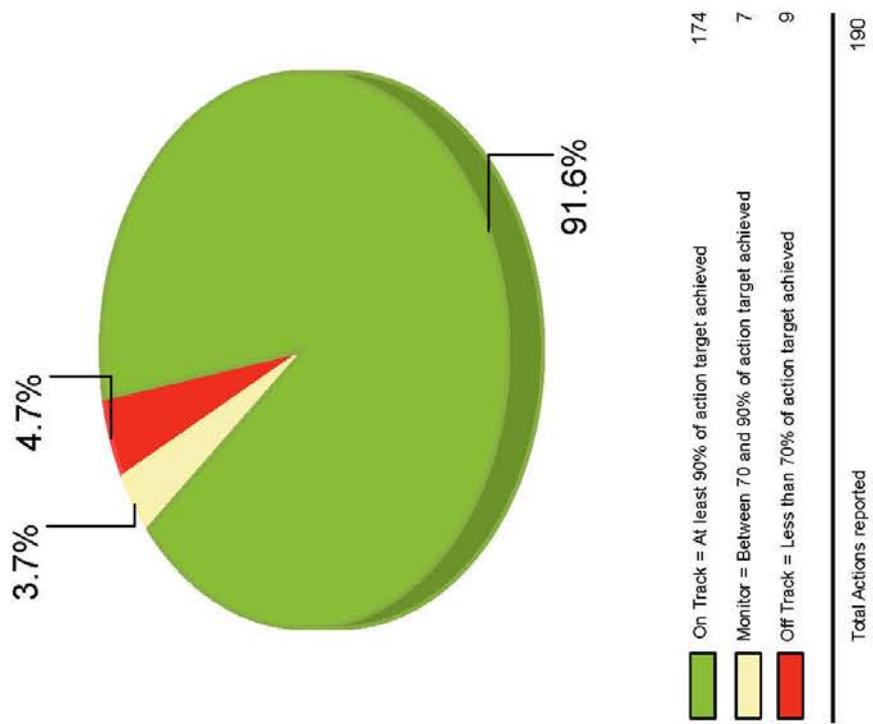
ATTACHMENT 1



Annual Service Plans 4th Quarter Progress Report 2015/16

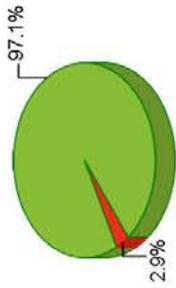
April - June 2016

City of West Torrens

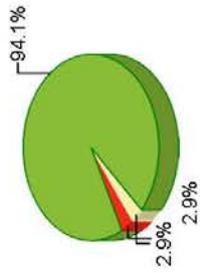


Business and Community Services Division

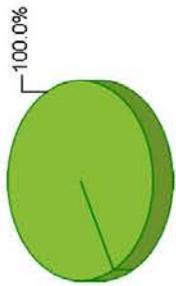
Community Services



City Strategy

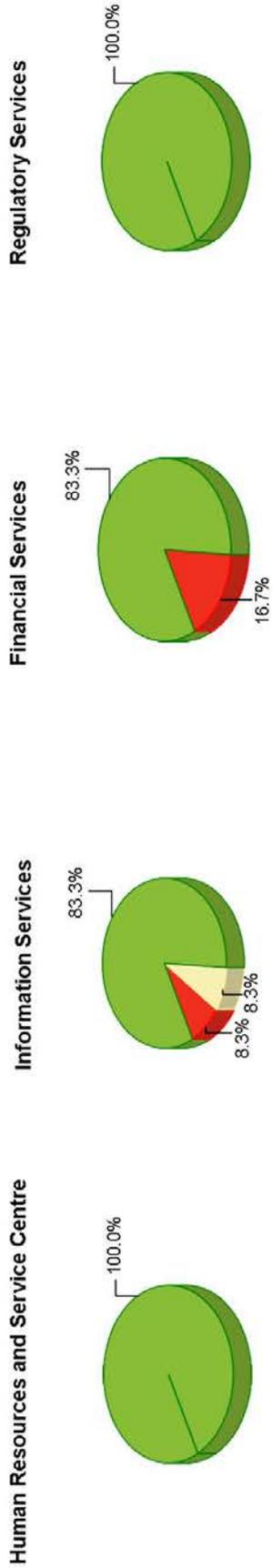


Business Services



On Track = At least 90% of action target achieved	78
Monitor = Between 70 and 90% of action target achieved	1
Off Track = Less than 70% of action target achieved	2
Total Actions reported	81

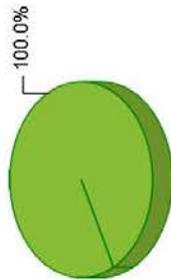
Corporate and Regulatory Services Division



On Track = At least 90% of action target achieved	49
Monitor = Between 70 and 90% of action target achieved	1
Off Track = Less than 70% of action target achieved	3
Total Actions reported	53

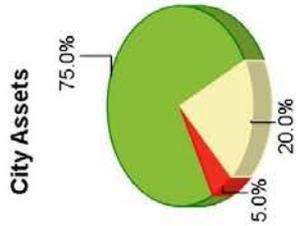
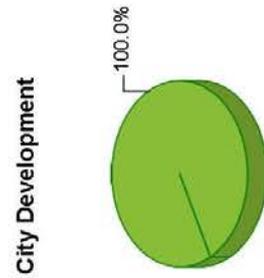
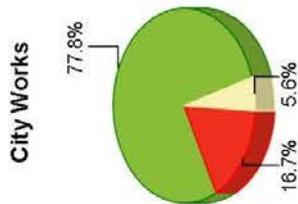
Office of the Mayor and CEO

Office of the Mayor and CEO



 On Track = At least 90% of action target achieved	5
 Monitor = Between 70 and 90% of action target achieved	-
 Off Track = Less than 70% of action target achieved	-
Total Actions reported	
	5

Urban Services Division



On Track = At least 90% of action target achieved	42
Monitor = Between 70 and 90% of action target achieved	5
Off Track = Less than 70% of action target achieved	4
Total Actions reported	51

ACTIONS WITH OFF-TRACK OR MONITOR STATUS

Business and Community Services Division

Aspiration: 1 A Community That Embraces Diversity

Long Term Strategy: 1.3 Foster a sense of identity and pride within the West Torrens community.
5 Year Strategy: 1.3.2 Create greater public awareness and appreciation of heritage sites, events and people of local significance.

ACTION	STATUS	% COMP.	TARGET	COMP. DATE	EXEC. COMMENTS	RESP. OFFICER	PROGRESS INDICATOR
1.3.2.1 Investigate development of a Heritage Conservation Grants scheme to support conservation of heritage properties.	In Progress	50%	100%	30/06/2016	This project has been delayed owing to a focus on priority development policy actions, including progressing the Underdale and Torrensville DPA. A consultant is currently being sought to investigate best practice examples of Heritage Conservation Grants schemes. It is requested that completion of this action be deferred to the 2016/17 financial year.	Team Leader Strategic Planning	 RED

ACTIONS WITH OFF-TRACK OR MONITOR STATUS

Aspiration: 7 A Well-Designed Built Environment

Long Term Strategy: 7.1 Facilitate residential development that meets the demographic and socio-economic needs and expectations of the community.
5 Year Strategy: 7.1.1 Promote a range of housing types and densities across the City, while conserving areas of high character value.

ACTION	STATUS	% COMP.	TARGET	COMP. DATE	EXEC. COMMENTS	RESP. OFFICER	PROGRESS INDICATOR
7.1.1.2 Review the Local Heritage Register and develop draft Heritage Places DPA.	In Progress	75%	100%	30/06/2016	The Local Heritage Register has been reviewed and updated to reflect changes that have occurred to date, however consideration of a draft Heritage Places DPA has been delayed as the State Government has not yet begun its planned body of work on heritage definitions. In May correspondence was received from the Minister for Planning indicating a commitment to review heritage frameworks as part of the PDI Act implementation, with initial consultation due to start mid-2016. Approval is therefore sought to defer completion of this action to 2016/17 Service Plan.	Team Leader Strategic Planning	 YELLOW

ACTIONS WITH OFF-TRACK OR MONITOR STATUS

Aspiration: 17 Leading governance and administration practices

Long Term Strategy: 17.1 Regularly review, update and adopt leading governance and administrative practices
5 Year Strategy: 17.1.9 Promote a culture where people are valued, respected and encouraged to reach their full potential.

ACTION	STATUS	% COMP.	TARGET	COMP. DATE	EXEC. COMMENTS	RESP. OFFICER	PROGRESS INDICATOR
17.1.9 Corporate - Cultural Development Program: Actively promote and support the department's engagement in cultural development programs, the FITCOR values and addressing opportunities identified in the employee survey.	In Progress	50%	100%	30/06/2016	Staff undertakes cultural development activities throughout the year. Staff organises and participates in special events (e.g. Christmas breakfast, Council Christmas functions). New Cultural Action Plan developed after staff discussion. Plan being implemented through a small working group made up of staff & Manager which has been delayed due to leave. This will be progressed in the new financial year.	Acting Manager Community Services	 RED

ACTIONS WITH OFF-TRACK OR MONITOR STATUS

Corporate and Regulatory Services Division

5 Year Strategy: 17.1.7 Provide information management systems that support organisational initiatives and enhance the delivery of services.

ACTION	STATUS	% COMP.	TARGET	COMP. DATE	EXEC. COMMENTS	RESP. OFFICER	PROGRESS INDICATOR
17.1.7.8 Replace the end-of-life NEC PABX and associated telephony.	In Progress	80%	100%	30/05/2016	Due diligence was conducted on the final two proposals, however implementation is pending subject to delivery of the components. Approval is therefore sought to defer completion of this project to the 2016/17 Service Plan.	Manager Information Services	 YELLOW
17.1.7.11 Upgrade to Microsoft Office 2013	In Progress	40%	100%	30/06/2016	Limited rollout has commenced but cannot be completed until the implementation of the Objective ECM is completed. Expected completion of this project is now 1st quarter of 2016/17. Approval is therefore sought to defer completion of this project to the 2016/17 Service Plan.	Manager Information Services	 RED

ACTIONS WITH OFF-TRACK OR MONITOR STATUS

5 Year Strategy: 17.1.10 Promote innovation and continuously improve all of Council's operations and activities.

ACTION	STATUS	% COMP.	TARGET	COMP. DATE	EXEC. COMMENTS	RESP. OFFICER	PROGRESS INDICATOR
17.1.10.8 Review and implement identified improvements in the debt collection process.	In Progress	50%	100%	30/06/2016	Initial improvements identified and implemented, with some improvements made, but project has been stalled due to the extended absence of the Debt Collection Officer. Project was recommenced in June 2016 with an expected completion date of Dec 2016. Approval is therefore sought to defer completion of this action to the 2016/17 Service Plan.	Manager Financial Services	
17.1.10.9 Review and streamline the Thebarton Hub booking system.	In Progress	50%	100%	31/12/2016 30/06/2016	Completion of this project was delayed due to issues in assigning a LEAN facilitator. Good progress was made, however completion is now not expected until September 2016. Approval is therefore sought to defer completion of this project to the 2016/17 Service Plan.	Manager Financial Services	

ACTIONS WITH OFF-TRACK OR MONITOR STATUS

Urban Services Division

Aspiration: 1 A Community That Embraces Diversity

Long Term Strategy: 1.2 Facilitate opportunities for people from diverse social backgrounds to come together.
5 Year Strategy: 1.2.2 Facilitate the use of community hubs as points of social, recreational and educational interaction.

ACTION	STATUS	% COMP.	TARGET	COMP. DATE	EXEC. COMMENTS	RESP. OFFICER	PROGRESS INDICATOR
1.2.2.1 Undertake Lockleys Oval Redevelopment (Stage 1)	In Progress	45%	100%	30/06/2016	Contract for the engagement of a architectural design services has been awarded. Delay with project is anticipated due to design changes required through community consultation. Budget has been allocated for construction in 2016/17. Approval is therefore sought to defer this action to the 2016/17 Service Plan.	Manager City Assets	 RED

Aspiration: 5 Reduction of Our Ecological Impact

Long Term Strategy: 5.2 Create a water-sensitive city.
5 Year Strategy: 5.2.1 Develop stormwater management plans for city catchments which take an integrated urban water cycle approach.

ACTION	STATUS	% COMP.	TARGET	COMP. DATE	EXEC. COMMENTS	RESP. OFFICER	PROGRESS INDICATOR
5.2.1.1 Complete the Stormwater Catchment Management Plan.	In Progress	85%	100%	30/06/2016	Sub-catchment studies to inform the Plan have been completed and a consultancy contract has only recently been awarded to develop the Stormwater Catchment Management Plan. Approval is therefore sought to defer completion of this action to the 2016/17 Service Plan.	Coordinator Engineering Services	 YELLOW

ACTIONS WITH OFF-TRACK OR MONITOR STATUS

Aspiration: 6 Enhanced Natural Environment

- Long Term Strategy:** 6.1 Create green streetscapes and open spaces.
5 Year Strategy: 6.1.3 Develop water-sensitive streetscapes and open spaces.

ACTION	STATUS	% COMP.	TARGET	COMP. DATE	EXEC. COMMENTS	RESP. OFFICER	PROGRESS INDICATOR
6.1.3.1 Establish water-sensitive urban design landscaping along James Congdon Dr (Urban Forest Integration).	In Progress	85%	100%	30/06/2016	Design and documentation is completed. Plants have been ordered and civil works have been scheduled. Delays in completing this project have occurred due to detection of soil contamination. Approval is therefore sought to defer completion of this action to the 2016/17 Service Plan.	Coordinator Engineering Services	 YELLOW

Aspiration: 9 Effective Stormwater Infrastructure

- Long Term Strategy:** 9.2 Minimise the risk of flooding to existing communities and future developments.
5 Year Strategy: 9.2.2 Provide infrastructure and ongoing maintenance appropriate for long-term stormwater and flood management.

ACTION	STATUS	% COMP.	TARGET	COMP. DATE	EXEC. COMMENTS	RESP. OFFICER	PROGRESS INDICATOR
9.2.2.1 Deliver Council's approved stormwater capital works, including Lockleys Area Catchment stage 2, Maria St Thebarton and Rankine Rd Torrensville stage 2.	In Progress	85%	100%	30/06/2016	Lockleys Area Catchment stage 2 (May Terrace) and Rankine Road drainage construction has commenced. Delay has occurred with the Maria Street drainage construction due to down stream underground drainage capacity. Currently undertaking further investigations. Approval is therefore sought to defer completion of the Maria Street drainage project component of this action to 2016/17 Service Plan.	Coordinator Engineering Services	 YELLOW

ACTIONS WITH OFF-TRACK OR MONITOR STATUS

Aspiration: 10 An Accessible and Reliable Transport Infrastructure

- Long Term Strategy:** 10.1 Facilitate the healthy, safe and effective movement of people through the City.
- 5 Year Strategy:** 10.1.1 Review and implement improved traffic management approaches to address traffic flows, speeds and local traffic issues.

ACTION	STATUS	% COMP.	TARGET	COMP. DATE	EXEC. COMMENTS	RESP. OFFICER	PROGRESS INDICATOR
10.1.1.3 Undertake construction of roundabout at George & Dew Streets Thebarton intersection.	In Progress	80%	100%	30/04/2016	Detailed design completed. Delay occurred due to lengthy negotiations with a property owner for the acquisition of land, however land acquisition will be shortly finalised. Construction is now rescheduled for early 2016/17. Approval is therefore sought for this action to be deferred to the 2016/17 Service Plan.	Traffic Engineer	 YELLOW

ACTIONS WITH OFF-TRACK OR MONITOR STATUS

Aspiration: 15 Proactive Asset Management

Long Term Strategy: 15.1 Ensure assets are utilised to their optimal capacity and maintained at acceptable standards.
5 Year Strategy: 15.1.1 Manage Council's assets with consideration to economic, social, cultural and environmental values.

ACTION	STATUS	% COMP.	TARGET	COMP. DATE	EXEC. COMMENTS	RESP.OFFICER	PROGRESS INDICATOR
15.1.1.11 Undertake Disability Discrimination Act (DDA) works and fire compliance upgrades at WA Satterley Hall (Lockleys Oval).	In Progress	85%	100%	31/12/2015 30/06/2016	Project is currently underway with approx. 85% completed. Due to the revised club scheduling arrangements (for sport events) - the project will not be completed until July 2016. Approval is therefore sought for completion of this project to be deferred to the 2016/17 Service Plan.	Manager City Works	
15.1.1.13 Undertake Stage 3 fire safety upgrades at the Thebarton Theatre.	In Progress	50%	100%	31/03/2016 30/06/2016	Stage 1 and 2 works are completed. A new procurement process is in underway for a combined Stage 3 and Stage 4. As additional funds will be required to complete the project, a report will be provided to Council. Approval is therefore sought for completion of this project to be deferred to the 2016/17 Service Plan.	Manager City Works	
15.1.1.15 Undertake the nominated project to install new pedestrian solar lighting along the Anna Meares shared pathway.	In Progress	40%	100%	30/06/2016	Design has been completed. Procurement process commenced in June 2016. Due to delays in undertaking the procurement process, works did not commence as scheduled. Approval is therefore sought for completion of this project to be deferred to the 2016/17 Service Plan, in conjunction with Stage 2 of the project. Stage 2 is budgeted for 2016/2017.	Manager City Works	

ACTIONS WITH OFF-TRACK OR MONITOR STATUS

<p>15.1.1.16 Undertake the upgrade of pedestrian lighting to LED along the Westside Bikeway, including new lighting for the dog park facility.</p>	<p>In Progress</p>	<p>40%</p>	<p>100%</p>	<p>30/06/2016</p>	<p>Design has been completed. Procurement process commenced in May and a contractor was awarded in late June. Works are scheduled to commence in first quarter of 2016/17. Approval is therefore sought for completion of stage 1 of this project to be deferred to the 2016/17 Service Plan. Stage 2 of the project will be undertaken into 2016/2017 with new budget funds.</p>	<p>Manager City Works</p>	 <p>RED</p>
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7.10 2016/17 Departmental Annual Service Plans Update

Brief

This report provides information on changes made to the approved 2016/17 Departmental Annual Service Plans as a result of budget changes.

RECOMMENDATION(S)

The Committee recommends to Council that this report be received.

Introduction

The Departmental Annual Service Plans sets priority actions which are linked to the delivery of the five-year strategies in Council's overarching *Towards 2025* Community Plan, as well as strategies in Council's suite of strategic management and corporate plans.

At its 17 May 2016 meeting, Council approved the 2016/17 Departmental Annual Service Plans (Plans) as follows:

Council 'endorses the 2016/17 departmental service plans, subject to any changes in the budget and any minor editorial and formatting changes'.

Changes made to the approved Plans, in accordance with this resolution, are detailed within this report for information.

Discussion

Additions to the draft 2016/17 Service Plan

1. At the conclusion of the 2016/17 budget process, including the required public consultation, one change was made regarding the funds allocated for the staged redevelopment of Weigall Oval.

Consequently, the following action has been added to the draft City Assets 2016/17 Service Plan:

"Undertake the construction of Stage 1 Weigall Oval redevelopment".

2. Given the recent planning reforms which have been introduced through the *Planning, Development and Infrastructure Act 2016*, which was assented on 21 April 2016 although not yet commenced, it is unlikely that Council will be required or able to undertake a Strategic Directions Report.

Therefore, an amendment has been made to the draft City Strategy 2016/17 Service Plan, namely the removal of the action:

"Review and update the Strategic Directions Report when required by proposed changes to the State Planning Strategy".

Deletion from the draft 2016/17 Service Plan

Through the quarterly progress reports provided to the Committee, service plan actions may be granted deferral to the following financial year when it becomes apparent that the action will be unable to be completed. This may be due to factors such as staff resourcing, complications with external stakeholders/partners or projects requiring further work than initially planned.

All the actions that were granted deferral by Council through quarterly reports to the CPPP Committee throughout 2015/16 have now been added in the relevant draft 2016/17 Departmental Service Plans. However, the following action, for which deferral was approved, has been deleted from the draft Community Services 2016/17 Service Plan because the State Government has not yet begun its planned body of work on heritage definitions. The Minister for Planning has recently written to Council indicating a commitment to review heritage frameworks as part of the Planning, Development and Infrastructure Act implementation so it is expected that this action will be considered in the future:

"In conjunction with City Strategy and Historical Societies develop and implement a plan for highlighting the heritage values (people and places) in the City of West Torrens, commencing with the Thebarton/Mile End precincts"

Delivery of the actions in the Annual Service Plans will continue to be monitored by the Committee through quarterly reports.

Conclusion

This report details three minor changes made to the approved 2016/17 Departmental Annual Service Plans, in accordance with Council's resolution, as a result of the budget process and consideration of government activities.

The 2016/17 Departmental Annual Service Plans took effect on 1 July 2016.

7.11 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 21 June 2016 is provided for Members information (**Attachment 1**), updates/comments are to 5 July 2016.

ATTACHMENT 1

Date	Meeting	Action title	Resolution / Action required	Action officer	GM	Actions taken
07/06/2016	Council	18.5 Underdale and Torrensville Industrial Zone Statement of Intent Update and Revised Approach	<p>McKay / Nitschke that:</p> <ol style="list-style-type: none"> The Underdale and Torrensville Industry Zone Economic and Land Use Analysis Report by Jones Lang LaSalle be received; A revised Underdale and Torrensville Residential/Industry Interface DPA Statement of Intent be prepared which considers rezoning the South West Precinct, defined in Figure 1, of the Underdale and Torrensville Industry Zone to Urban Employment Zone and removing the non-complying status for low density residential development in existing residential areas; The findings of the research and consultation undertaken in the Underdale and Torrensville Industry Zone be considered in the Employment Development Plan Amendment, including considering 101 Hardys Road, Underdale to be rezoned to allow residential uses. 	Suzy Stiles	Pauline Koritba	30/6/16: A revised Underdale and Torrensville DPA statement of Intent has been prepared and will be presented to the CPPP on 12 July 2016.
07/06/2016	Council	18.6 Proposed Development of Morphettville Racecourse (and surrounds)	<p>Demetriou / Hill that:</p> <ol style="list-style-type: none"> Council supports a Ministerial Development Plan Amendment funded by the developer as the preferred approach for facilitating the proposed development of land at the northern end of the Morphettville Racecourse site, on the proviso that the two Councils play an integral part in the DPA process to ensure the development is appropriately coordinated and that local issues and aspirations are appropriately considered in the master-planning and policy creation process. The Chief Executive Officer writes to the City of Marion confirming support for the proposed approach. The Chief Executive Officer writes to the Minister for Planning recommending that a Ministerial Development Plan Amendment is initiated to facilitate the proposed development of the SAJC owned land adjacent to the Morphettville Racecourse. 	Suzy Stiles	Pauline Koritba	30/6/16: The Chief Executive Officer has written to the City of Marion confirming support for the proposed approach, and a letter to the Minister has been drafted.
07/06/2016	Council	18.10 Australian Airports Association National Conference 2016	<p>Haeise / Rypp that:</p> <ol style="list-style-type: none"> Subject to their confirmation, Council approves the attendance of Cr/s Palmer, Vlahos and Mangos at the Australian Airports Association (AAA) National Conference being held from Monday 21 to Friday 25 November 2016 at the National Convention Centre, Canberra; Expenses be reimbursed in accordance with Council Policy; and Subject to their confirmation, Council approves the attendance of spouses/partners of attending Elected Members and further, consistent with Council Policy, that costs other than airfares, be met by Council. 		Terry Buss	EMs attending confirmed. Early bird registration ends 15 July 2016.
07/06/2016	Urban Services Prescribed Standing Committee	11.6 Remaining of Thebarton Neighbourhood House site	<p>Nitschke / Woodward that:</p> <ol style="list-style-type: none"> Pursuant to s219 of the Local Government Act 1999, the name of 10 Falcon Avenue, Mile End be changed to &quot;Falcon Reserve&quot;; and A commemorative plaque is installed explaining the significance of the name and its relevance to the location. 		Angelo Catinari	The Official Opening of the Falcon Reserve will be held on Monday 11 July 2016 in conjunction with the Community Services Little Day Out event. A commemorative plaque is currently being sourced and will be installed at a later date.
24/05/2016	Community Facilities Prescribed General Committee	7.1 Lockleys Oval and Apex Park Masterplans	<p>Haeise / Rypp that:</p> <ol style="list-style-type: none"> The report be noted. An internal Reference Group be established comprising the Presiding Member of this Committee, the applicable Ward Councillors and relevant Administrative staff to oversee the progress of these projects. 		Angelo Catinari	The first meeting of the Lockleys Oval & Apex Park Community Facilities Reference Group Meeting will be held on Tuesday 19 July 2016 prior to the Council Meeting. Membership of the Reference will comprise Cr McKay, Cr Rypp, Cr Haeise, Cr Palmer, GM Urban Services, Manager City Assets and Senior Property Assets Advisor.
17/05/2016	Council	17.3 Building Western Adelaide Update	<p>McKay / Palmer that:</p> <ol style="list-style-type: none"> The redesigned Building Western Adelaide strategy be endorsed, subject to any minor editorial changes. 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 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. 	Suzy Stiles	Pauline Koritba	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.

Date	Meeting Prescribed Committee	Action title	Resolution / Action required	Action officer	GM	Actions taken
03/05/2016	Urban Services Prescribed Committee	9.1 Light Rail Expansion	Mayor Trainer / Cr 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 AdelaideLINK 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 AdelaideLINK light rail network regarding funding and delivery options.		Terry Buss	In progress. CEO attending meetings.
19/04/2016	Council	15.1 Capital Budget for Community Facilities	Woodward / Dua that: 1. The \$6 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 \$5.5 million; 2. \$1 million be allocated to the redevelopment of Weipall 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	Bill Ross	The changes in items 1 and 2 are being picked up in the March budget review which is being presented to Council on 17 May 2016. Item 3 is on hold until an asset sale occurs.
15/03/2016	Council	16.1 Senior Citizens Services	Woodward / Rypp 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.	Sue Curran	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.
08/03/2016	Corporate Planning Policy and Performance Prescribed Committee	7.15 Policing of Parking Restrictions	McKay / O'Rielly 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.	Robyn Butterfield	Bill Ross	Recruitment for a Senior Administration Officer has been completed and an appointment has been made.
08/03/2016	Corporate Planning Policy and Performance Prescribed Committee	9.1 Free Visitor Vouchers for Parking	Hill / Haese that the Administration be authorised to provide up to eight booklets of twelve free visitor vouchers per calendar year to residents of Burt Avenue and Mallen Street Hilton for visitors to be exempt from parking time restrictions in these streets, subject to the following conditions: 1. The entitlement of eight booklets will be limited to one resident per household; 2. New residents after 1 January 2016 will not have an entitlement; and 3. The entitlement to free visitor parking vouchers will conclude at the end of the 2017 calendar year and prior to this the Administration will review parking arrangements in Burt Avenue and Mallen Street, Hilton and report back to Council on the findings of the review.	Robyn Butterfield	Bill Ross	Processes has been put in place to apply the issuance of permit booklets as per the action above
01/03/2016	Council	15.1 Natural Resource Management Levy Management Fee	McKay / Mingsos that the 2015/16 NRM levy management fee received be expended on the activities of the waste review working party and any amounts leftover be diverted into the Rainwater Tank Rebate Scheme.	Bill Ross	Bill Ross	Budget adjustment made in the September budget review. Spending to be reviewed at year end.
01/03/2016	Council	17.2 City of West Torrens Art Prize	Haese / Dua that Council approves the establishment of the City of West Torrens Art Prize and a further report be presented to Council on how the prize will be administered, subject to its approval in the final 2016/17 budget.	Sue Curran	Pauline Koritsa	Further report to be presented to Council in July 2016.
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.	Sue Curran	Pauline Koritsa	Proposal to be considered in the Summer Festival planning subject to budget approval.
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.	Sue Curran	Pauline Koritsa	Community grants, equipment grants, environmental grants and sponsorship to be reviewed prior to first round of 2016/17 funding.

Date	Meeting	Action title	Resolution / Action required	Action officer	GM	Actions taken
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.	Sue Curran	Pauline Kortska	30/05/2016 Transferred to Community Services for investigation.
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.	Robyn Butterfield	Bill Ross	Service Centre has been advised of Councils 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
08/12/2015	Council	15.1 Dops at Reedbeds Community Centre Park	Faese / Tsiparis that the Reedbeds Community Centre Park be determined a dog on-leash zone only.	Robyn Butterfield	Bill Ross	Submitted sign design to Depot for purchasing and installing at the park
08/12/2015	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 2021:8mvdash;2015, Acoustic—Aircraft noise intrusion—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, weights 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	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
08/12/2015	Strategy and Community Prescribed Standing Committee	11.1 Australia Day Awards: Nominations and Recommendations 2016	Faese / 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.	Sue Curran	Pauline Kortska	2015 award process Completed. One off certificates have been provided. Review will be referred to a future CPPP Committee meeting.
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 Crs 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	Bill Ross	GM Corporate and Regulatory and Manager Regulatory Services are the two staff representatives. The Working Party has met on three occasions, which includes visits to the Waste Transfer Station and Underdale/Wringfield. A trip to Mildura is planned. An extension of time beyond 30 June 2016 may be necessary.

Date	Meeting	Action title	Resolution / Action required	Action officer	GM	Actions taken
22/09/2015	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.	Sue Curran	Pauline Koritsa	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
25/08/2015	Civic Committee	7.2 Thebarton Community Centre - Signage and Public Artworks	Demerico / 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.	Sue Curran	Pauline Koritsa	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.
19/05/2015	Finance and Regulatory Prescribed Standing Committee	11.9 Hard Waste Collection	Mangos / 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.	Robyn Butterfield	Bill Ross	Brochures 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
05/05/2015	Council	17.1 Underdale & Torrensville Development Plan Amendment Update	Nitschke / McKay that: 1. The Administration write to the Minister acknowledging his concerns and advising of Council's proposed approach to undertake the required investigations for the Underdale and Torrensville Residential/ Industry Interface DPA Statement of Intent. 2. The investigations required by the Minister be undertaken and reported to Council. 3. Council consider the results of the investigations, and at that time determine whether to pursue the Underdale Torrensville DPA separately, or as part of an integrated council-wide Employment DPA. 4. Council identify possible locations where the River Torrens Linear Park could be expanded in the Underdale and Torrensville area.	Suzy Stiles	Pauline Koritsa	A letter was sent to the Minister acknowledging his concerns and advising of Council's proposed approach. A tender process has now been undertaken, and URPS Planning consultants have been engaged to undertake investigations required by the Minister to underpin the Underdale Torrensville DPA SOI, including a consultation survey sent to local businesses and residents in the area. An analysis of the consultant's report and recommendations will be presented to Council for decision by the end of the 2015 calendar year. 17/2/16: It was identified that further investigations were required in the South Western part of the industry zone at Underdale, and these are currently being conducted. A report will be put to the 8 March CPPP to provide an update on the investigations, and it is anticipated that the results will be reported to the CPPP in May, including options for progressing potential re-zoning in the area. 28/4/16: The further investigations have been conducted and a report will be presented to Council on 7 June 2016 which canvasses options for progressing the DPA. 30/6/16: On 7 June Council adopted an approach to preparing a revised SOI for the Underdale and Torrensville Urban Employment Zone DPA, a draft of which will be presented to the CPPP on 12 July 2016.
17/02/2015	Strategy and Community Prescribed Standing Committee	11.1 National Cool Cities Initiative	Mangos / Rypa that subject to the allocation of \$15,000 in the 2015/16 budget, the City of West Torrens participate in the National Cool Cities Initiative.	Suzy Stiles	Pauline Koritsa	As per Council's resolution, \$15,000 has been included in the 2015-16 budget for participation in the National Cool Cities Initiative. The research partners (University of NSW) have proposed to undertake the aerial mapping of Western Adelaide at the end of 2015 or early in 2016. 17/2/16: Uni NSW were not successful in gaining funding to undertake aerial mapping in South Australia. A report will be put to Council requesting that the \$15,000 be carried over till 2016/17 and staff be directed to work with Western Region partner councils in a collaborative project to map the Western region during the 2016/17 summer instead. 28/4/16: A report was received by Council on 19 April 2016 which presented a proposal to progress the mapping as a regional partnership through the Western Adelaide Urban Heat Island Mapping project in 2016/17. 30/6/16: A draft partnership agreement has been prepared and circulated to the Cities of Charles Sturt and Port Adelaide Enfield, and budget contributions have been committed by the partner councils.
01/11/2014	Council	15.2 Proposed Light Rail Link from the Adelaide CBD to the Airport	Mangos/Francis that the relevant State Government Minister be invited to address Council on the proposed light rail link from the Adelaide CBD to Adelaide Airport as recently promoted by Adelaide Airport with the release of their Airport Business District vision.	Terry Buss	Terry Buss	Letter sent to DPTI on 2 December 2014 requesting a briefing on the matter. To date, no briefing has been offered.

Date	Meeting	Action title	Resolution / Action required	Action officer	GM	Actions taken
16/09/2014	Council	15.3 Restoration of the Brickworks Kiln and Chimney	Mango/Sarris that the CEO be authorised to invest gate 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.
17/09/2013	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.	Suzy Stiles	Pauline Koritsa	<p>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.</p> <p>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.</p> <p>In-house investigations based on land rezoned 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.</p> <p>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.</p> <p>30/6/16: 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.</p>

8. OUTSTANDING REPORTS/ACTIONS

9. OTHER BUSINESS

10. NEXT MEETING

13 September 2016, 6.30pm in the Mayor's Reception Room.

11. MEETING CLOSE