



## **Council Meeting Agenda**

**Tuesday, 7 February 2006 at 7.00 pm  
Council Chamber, 401 Greenhill Road, Tusmore**

Members: Her Worship the Mayor, Wendy Greiner  
Councillors Bills, Collins, Davey, Gilbert, Harris, Hillier, Jacobsen, Morley,  
Obst, Ward, Wickham and Wilkins

**1. Opening Prayer**

**2. Apologies**

**3. Confirmation of Minutes**

Recommendation

That the minutes of the meeting of Council held on 31 January 2006 be taken as read and confirmed.

**4. Reports of Delegates/Working Parties**

**5. Questions (without debate) on notice**

**6. Deputations**

**7. Petitions and Memorials**

**8. Consideration of Motions of Which Notice has been Given**

**9. Consent Agenda**

The Council operates on the basis of a Consent Agenda.

Every item on the Agenda carries with it a recommendation by the relevant member of Council's staff.

At the commencement of each meeting the Mayor or Chairperson will have the agenda items read aloud. Any member may withdraw any item for any reason.

The items that are not withdrawn will be put as one resolution at the commencement of the meeting, the rationale being that all members present are in accord with the recommendation contained in the Agenda papers in the public gallery.

Those items that have been withdrawn will be addressed individually.

The purpose of this procedure is to give the Council more time to discuss those items where there is not unanimity of opinion.

**10. Reports of Officers**

**11. Correspondence**

**11.1 Letter from the Chairman of the Burnside Environment Advisory Committee re Proposal for Greenwaste Depot**

**p 5**

Recommendation

That the correspondence be received.

**12. Adjournment of Council for the Meeting of the Strategic Planning & Environment Committee and the Finance & Administration Committee**

Recommendation

That the Meeting be adjourned for the Meetings of the:

- Strategic Planning & Environment Committee; and
- Finance & Administration Committee

**13. Resumption of Council**

Recommendation

That the Meeting be resumed.

---

**14. Adoption of Committee Reports**

Recommendation

**1. Strategic Planning & Environment Committee**

That the Report on the Strategic Planning & Environment Committee meeting held on 7 February 2006 be received and the recommendations contained therein be adopted.

**2. Finance & Administration Committee**

That the Report on the Finance & Administration Committee meeting held on 7 February 2006 be received and the recommendations contained therein be adopted.  
releas

**15. Other Business**

1. Items which must be dealt with as a matter of urgency.
2. Matters of special interest which Members wish to draw to the attention of the Chamber.
3. Application for Leave of Absence.

**16. Questions (without debate) of Which Notice has not been Given****17. Consideration of Motions of Which Notice has not been Given****18. Confidential Items****18.1 Review of Confidential Items****p 7**

Minutes, report and attachments A, B & C released from confidential orders but attachment D remains confidential until 30/4/11 (27/1/10 C7777).  
Confidential orders to continue subject to annual review of individual items 4/4/11 A/CEO.

1. That Council, having formed the view that the principle that meetings of the Council should be conducted in a place open to the public is outweighed by the need to keep the information and/or discussion of the next item of business relating to Council's Register of Confidential Items confidential, hereby order pursuant to Section 90(2) of the Local Government Act, 1999 that:

the public be excluded from the meeting in order to consider in confidence, the next item; and

the grounds for exclusion be recorded as:

- (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);

- (b) information the disclosure of which :
  - i. could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the Council; and
  - ii. would, on balance, be contrary to the public interest
- (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which:
  - i. could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
  - ii. would, on balance, be contrary to the public interest;
- (g) matters that must be considered in confidence in order to ensure that the Council does not breach any law, any duty of confidence, or other legal obligation or duty;
- (h) legal advice;
- (i) information relating to actual litigation, or litigation that the Council or Council Committee believes on reasonable grounds will take place, involving the Council or an employee of the Council;
- (k) tenders for the supply of goods, the provision of services or the carrying out of works; and
- (m) information relating to a proposed amendment to a Development Plan under the Development Act 1993 before a Plan Amendment Report relating to the amendment is released for public consultation under that Act.

**19. Closure**

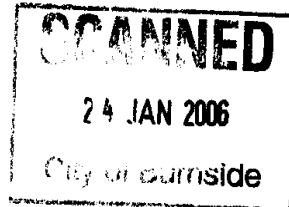
---

---

# **BURNSIDE ENVIRONMENT ADVISORY COMMITTEE**

23 January 2006

Mr. John Hanlon, CEO,  
Burnside City Council.



Dear John,

### **Local Greenwaste Depot**

I should be grateful if you would pass onto Council the following proposal,

‘That Council consider the provision of more greenwaste options for Burnside residents’,  
as passed at the most recent BEAC meeting (24 November 2005).

Some points in consideration of this proposal, as discussed by BEAC, include:

- Burnside is rightly renowned for its “leafy” character, both private and public.
- Burnside residents with large gardens and many trees and shrubs produce throughout the year considerably more greenwaste (clippings and prunings in particular) than can be adequately handled by the regular monthly greenwaste collection.
- A local site for the collection, mulching, possible in-vessel composting and subsequent distribution of such material back to residents could be a valuable addition to Burnside’s environmental profile.
- A number of possible sites could be considered for some or all of these activities – a drop-off site would be the minimum requirement.
- This is basically a suggestion to replace the old Chambers Gully greenwaste/compost site.

BEAC looks to provide further advice to Council on this matter if requested.

Yours sincerely,

John R. Sabine, Ph.D.  
Chairman.

Minutes, report and attachments A, B & C released from confidential orders but attachment D remains confidential until 30/4/11 (27/1/10 C7777). Confidential orders to continue subject to annual review of individual items 4/4/11 A/CEO.

**Item No.** : 18.1  
**Date** : 7 February 2006  
**To** : Council Members  
**From** : General Manager Corporate and Community Services  
**Subject** : Review of Confidential Items  
**Attachments** : Attachment A - Schedule A: items for release  
Attachment B – Schedule B: minutes only to be released  
Attachment C – Schedule C: remain confidential  
Attachment D – Detailed resolutions  
**Strategic Goal** : The Organisation

---

### Purpose

To review all items on Council's Register of Confidential Items in accordance with Section 91(9) of the Local Government Act 1999.

### Recommendation

1. That the Report be received.
  2. That the Minutes and Reports relating to the items listed in Schedule A be released from the confidential orders previously made by Council.
  3. That only the Minutes associated with the items in Schedule B be released from the confidential orders previously made by Council.
  4. That the Reports associated with the items in Schedule B remain confidential for a further period of 12 months, on the grounds previously identified for those items.
  5. That the Minutes and Reports relating to the items listed in Schedule C remain confidential for a further 12 months, on the grounds previously identified for those items.
  6. That, subject to the orders above, an order be made under the provisions of Section 91(7) of the Local Government Act, 1999, as amended, that the Report and accompanying documents having been dealt with on a confidential basis under Part 3 of Chapter 6 of the Act, should be kept confidential on the grounds previously identified for a period of twelve (12) months.
  7. That an order be made under the provisions of Section 91 (7) of the Local Government Act, 1999, as amended, that the minutes relating to discussion of this item be kept confidential on the grounds previously identified for a period of twelve (12) months.
-

## REVIEW OF CONFIDENTIAL ITEMS

### Background

1. The Council has maintained a Register of Confidential Items since 1997. The Register contains a list of all resolutions where the Council has determined an item to remain confidential for a period of time (previously under Section 64 of the Local Government Act 1934 and now under Section 91 of the Local Government Act 1999).
2. Section 91(9) of the Local Government Act 1999 requires the Council to specify the duration of the order or the circumstances in which the confidentiality order will cease to apply, or a period after which the order must be reviewed. For any order which operates for a period exceeding 12 months, it must be reviewed at least once in every year.
3. The Council has not previously reviewed its confidentiality orders. The purpose of this Report is for Council to consider all expired and current confidential items to determine whether the items (in whole or in part) should remain confidential. Items which are currently confidential and have not expired are also included to bring their dates for expiry into line with an annual review of confidential items. The next review will be due in February 2007.

### Discussion

4. The Register has been reviewed by the Administration and recommendations for release or disclosure have been made in the attached Schedules.
5. **Schedule A** contains those items considered now warrant full release (minutes and reports) because of the length of time that has elapsed or because a matter is concluded.
6. **Schedule B** contains those items where it is considered that Minutes only can be released, usually where the subject matter is no longer sensitive (or Council's decisions is known), but the report contains legal advice or other confidential material.
7. **Schedule C** contains those items where maintenance of full confidentiality is considered warranted (generally because the subject matter is ongoing).
8. Due to the confidential nature of the matters contained in this report, it is recommended that Council consider this item in confidence, and to make an order keeping this Report confidential for a period of twelve months.

### Summary

9. The Council is periodically required to review matters the subject of a confidentiality order. A number of items on Council's current Register are covered by expired confidentiality orders or are in need of review.
-

## SCHEDULE A – RELEASE

## Attachment A

Ref	Date	Resolution	Description	Comment
1a	2/09/1997 1/09/1998 15/09/1998	C4245 C4560 C4574	Members' Registration of Interest	This relates to the previous Council and is now around 7 years old
2a	20/01/1998	C4358	Members' Returns	This relates to the previous Council and is now around 7 years old
3a	7/05/1998  16/06/1998	C4439 C4440 C4441 C4442 C4443 C4502 C4493	Organisational Review	This was the review undertaken in 1998 and sufficient time has elapsed for release
4a	1/12/1998  8/12/1998  16/07/2002	C4631 C4632 C4649 C4650 C5891 C5892 C5893	Property purchase - 1 Glen Street	The land was purchased and developed, the matter is concluded
5a	8/12/1998  16/02/1999  17/08/1999  5/10/1999  19/10/1999  12/12/2000	C4647 C4648 C4679 C4680 C4812 C4813 C4852 C4853 C4864 C4865 S1372	Draft General PAR	This relates to a PAR from 1998, the matter is concluded
6a	3/08/1999  17/08/1999	C4796 C4798 C4814 C4815	Property Purchase - 39 May Terrace	The land was purchased, the matter is concluded
7a	7/12/1999	C4918 C4920 C4921 C4922 C4923 C4924 C4926	CEO's Performance Appraisal	This relates to the previous Council and CEO, sufficient time has elapsed for release
8a	15/08/2000	C5137 C5138 C5139 C5140	DA 15 Zenith Ave	The matter (planning appeal) is concluded
9a	5/12/2000	C5236 C5238	Council land - 4 Whittington St	The matter is concluded
10a	12/12/2000  3/04/2001	C5250 C5251 C5351 C5352	Barking dog complaint - 4 Kings Ave	This related to a barking dog complaint, the matter is concluded

Ref	Date	Resolution	Description	Comment
11a	6/02/2001  4/09/2001  3/12/2002	C5281 C5282 C5283 C5284 C5531 C5532 C5533 C6011 C6012 C6013 C6014	Property purchase - Stonyfell Tank Site	This relates to the Council's consideration of purchasing this site from SA Water, the matter is concluded
12a	6/02/2001  3/04/2001  17/07/2001  16/04/2002	C5286 C5287 C5349 C5350 C5482 C5483 C5769 C5770	Property purchase - Transport SA land abutting Freeway	This relates to the Council's purchase of various parcels of land from TSA abutting the South Eastern Freeway, the matter is concluded
13a	5/06/2001	C5437 C5438	Telstra lease for Glynburn Rd	This relates to the lease between Council and Telstra for the telecommunications facility at the Depot, the lease is now in place and is registered on the Certificate of Title (and is now public)
14a	7/08/2001	C5501 C5502	Future Strategic direction of East Waste	Given length of time, no longer sensitive and can be released
15a	21/08/2001	C5520 C5521	Adshel bus shelter contract	Report only - this relates to the agreement between the Council and Adshel that is now in place, sufficient time has elapsed for release
16a	17/04/2001  6/11/2001	C5365 C5366 C5593 C5594	Auldana Drainage Reserve	Report only - relates to Council encroachment, now concluded
17a	6/11/2001	C5596	Northern Alliance Inc	Report only - this involved Council's consideration of waste disposal issues involving this group, now concluded
18a	7/05/2002	C5772	Credit Card facilities	This related to Council's consideration allowing additional credit cards to be used by ratepayers to pay rates, now concluded
19a	16/07/2002	C5891 C5894 C5895	Property purchases discussion paper	A general discussion paper concerning potential property purchases from this time

<b>Ref</b>	<b>Date</b>	<b>Resolution</b>	<b>Description</b>	<b>Comment</b>
20a	18/02/2003	C6062 C6063 C6064	Depot upgrade	The matter is concluded
21a	18/02/2003	C6065 C6066	Property purchase - Hills Face land	The matter is concluded
22a	21/10/2003	C6237 C6238 C6239	CEO Salary Review	Sufficient time elapsed for release
23a	7/10/2003  9/12/2003  16/12/2003	C6225 C6226 C6227 C6265 C6266 C6269 C6280 C6281	Local Heritage PAR No 2 Local Heritage PAR No 2	PAR now incorporated into Development Plan, concluded
24a	21/10/2003	C6235 C6236	Wastecare SA Business Plan	The matter is concluded
25a	16/11/2004  15/02/2005	C6484 C6485 C6518 C6519	Swimming Centre upgrade	The matter is concluded

**SCHEDULE B – MINUTES ONLY TO BE RELEASED****Attachment B**

<b>Ref</b>	<b>Date</b>	<b>Resolution</b>	<b>Description</b>	<b>Comment</b>
1b	17/07/2001	C5484 C5485	Legal Action - 60 Coach Road	Matter concluded, but report contains legal advice
2b	18/09/2001	C5551 C5552 C5553	Legal Advice - 36 Wyfield St, Wattle Park	Matter concluded, but report contains legal advice
3b	17/04/2001	C5367 C5368 C5369	2 Devereux Road – planning appeal	Matter concluded, but report contains legal advice
4b	2/07/2002	C5865 C5866 C5867	DA 180/1169/01 - legal advice	Matter concluded, but report contains legal advice
5b	16/09/2003  7/10/2003	C6208 C6209 C6210 C6223 C6224	1 Bayview Crescent, Beaumont	Matter concluded, but report contains legal advice
6b	18/03/2003  16/09/2003	C6088 C6089 C6212 C6213	CEO's Performance Appraisal	Report only confidential
7b	15/07/2003	C6173 C6174	Property purchase - Catholic Church land, Glenunga	No longer sensitive, able to be released – no report associated with resolutions
8b	15/06/2004	C6387 C6392 C6393	East Waste Authority	Matter concluded, but report contains legal advice
9b	19/07/2005	C6604 C6605	496 Portrush Rd, St Georges	Matter concluded, but report contains legal advice

**SCHEDULE C – REMAIN CONFIDENTIAL****Attachment C**

Ref	Date	Resolution	Description	Comment
1c	19/05/1998  20/07/1999	C4459 C4462 C4463 C4464 C4465 C4786 C4787	Simpson Park - Heinrich litigation	Remain confidential as matter ongoing
2c	3/08/1999	C4799 C4800 C4802	Legal Action against Councillor	Concerns legal advice
3c	7/03/2000	C4985 C4986 C4988	Legal Action against Schultz	Report only, contains legal advice
4c	2/05/2000  6/06/2000	C5021 C5022 C5071 C5072	Legal Advice - 524a Kensington Rd	Report only, contains legal advice
5c	16/04/2002  4/05/2004	C5765 C5768 C6355 C6356	Significant Tree PAR	Remain confidential as matter ongoing
6c	7/07/1998	C4504 C4505	Beaumont House	Remain confidential – confidential matter is part of legal advice only
7c	18/06/2002  2/07/2002  9/07/2002  16/07/2002  23/07/2002  6/08/2002	C5848 C5849 C5850 C5851 C5868 C5871 C5873 C5879 C5880 C5896 C5898 C5900 C5901 C5902 C5903 C5918	CEO Appointment	Remain confidential – current – originally confidential indefinitely
8c	2/07/2002	C5874 C5875 C5878	CEO Contract	Remain confidential – current – originally confidential indefinitely
9c	21/01/2003  18/03/2003  6/07/2004	C6042 C6043 C6085 C6086 C6087 C6406 C6407	2A Woodley Road, Glen Osmond	Ongoing - remain confidential
10c	18/03/2003 1/04/2003  7/06/2005	C6091 C6098 C6099 C6573 C6574	Property purchase - 13 Sunnyside Rd	Ongoing, remain confidential

<b>Ref</b>	<b>Date</b>	<b>Resolution</b>	<b>Description</b>	<b>Comment</b>
11c	19/10/2004	C6464 C6465	Council staff matter	Remain confidential
12c	2/11/2004  14/12/2004	C6472 C6473 C6495 C6496	Historic (Conservation) Zones PAR	Remain confidential?
13c	5/07/2005  2/08/2005	C6596 C6597 C6619 C6653	Land Disposal - Lamden Lane	Remain confidential - related to 13 Sunnyside
14c	19/07/05	C6608 C6609	Lot 31, Portrush Road	Expires 19/06/06 – reaffirm confidentiality for 12 months
15c	04/10/05	C6652 C6653	CEO Performance Appraisal	Discussion & Report confidential for 10 years, reaffirm
16c	15/11/2005	C6678 C6679	Dashwood Gully Landfill	Expires 15/10/2006 – reaffirm confidentiality for 12 months
17c	06/12/06	C6688 C6689 C6692	CEO Remuneration and Employment Review	Expires 06/12/06 – reaffirm confidentiality for 12 months