



# Council Agenda

# AGENDA

## NOTICE OF MEETING

Notice is hereby given that an ordinary meeting of Council will be held in the

**Council Chamber – Glenelg Town Hall  
Moseley Square, Glenelg**

**Tuesday 24 September 2013 at 7.00pm**

Justin Lynch  
CHIEF EXECUTIVE OFFICER



## Ordinary Council Meeting Agenda

### 1. OPENING

*His Worship the Mayor will declare the meeting open at 7:00pm.*

### 2. KAURNA ACKNOWLEDGEMENT

*We acknowledge Kurna people as the traditional owners and custodians of this land.*

*We respect their spiritual relationship with country that has developed over thousands of years, and the cultural heritage and beliefs that remain important to Kurna People today.*

### 3. PRAYER

*Heavenly Father, we pray for your presence and guidance at our Council Meeting.*

*Grant us your wisdom and protect our integrity as we carry out the powers and responsibilities entrusted to us on behalf of the community that we serve.*

### 4. APOLOGIES

4.1 Apologies Received

4.2 Absent

### 5. ITEMS PRESENTED TO COUNCIL

### 6. DECLARATION OF INTEREST

*If a Council Member has an interest (within the terms of the Local Government Act 1999) in a matter before the Council they are asked to disclose the interest to the Council and provide full and accurate details of the relevant interest. Members are reminded to declare their interest before each item.*

### 7. CONFIRMATION OF MINUTES

#### Motion

**That the minutes of the Ordinary Meeting of Council held on 10 September 2013 be taken as read and confirmed.**

Moved Councillor \_\_\_\_\_, Seconded Councillor \_\_\_\_\_

**Carried**

### 8. QUESTIONS BY MEMBERS

8.1 **Without Notice**

8.2 **With Notice - Nil**

### 9. MEMBER'S ACTIVITY REPORTS - Nil

**10. PUBLIC PRESENTATIONS**

10.1 **Petitions** - Nil

10.2 **Presentations**

10.2.1 Reg Sprigg's Diving Chamber  
*Dr Richard Harris from the Hyperbaric Medicine Unit at the Royal Adelaide Hospital will make a presentation to Council for 15 minutes.*

10.3 **Deputations** - Nil

**11. MOTIONS ON NOTICE**

11.1 Motion on Notice – Resident/Ratepayer Parking Permit Scheme–  
Councillor Bouchee (Report No: 327/13)

11.2 Motion on Notice – Glenelg Cinema Project – Councillor Fisk (Report No:  
329/13)

**12. ADJOURNED MATTERS** - Nil**13. REPORTS OF MANAGEMENT COMMITTEES, SUBSIDIARIES AND THE DEVELOPMENT ASSESSMENT PANEL**

13.1 Minutes – Development Assessment Panel - 28 August 2013 (Report No:  
304/13)

13.2 Minutes – Alwyndor Management Committee – 17 September 2013  
(Report No: 328/13)

**14. REPORTS BY OFFICERS**

14.1 Items in Brief (Report No: 321/13)

14.2 Monthly Financial Report – August 2013 (Report No: 322/13)

14.3 Naming of Public Road, Purdeys Lane Glenelg East (Report No: 325/13)

14.4 Environmental Team Quarterly Snapshot (Report No: 326/13)

14.5 Fraud, Corruption, Misconduct and Maladministration Policy (Report No:  
330/13)

**15. RESOLUTIONS SUBJECT TO FORMAL MOTIONS**

*Presented for the information of Members is a listing of resolutions subject to formal resolutions, for Council and all Standing Committees, to adjourn or lay on the table items of Council business, for the current term of Council.*

**16. URGENT BUSINESS – Subject to the Leave of the Meeting****17. CLOSURE**

Item No: **11.1**

Subject: **MOTION ON NOTICE – RESIDENT/RATEPAYER PARKING PERMIT SCHEME – COUNCILLOR BOUCHEE**

Date: 24 September 2013

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### **PROPOSED MOTION**

Councillor Bouchee proposed the following motion:

**That the CEO implement a Resident/ratepayer Parking Permit Scheme:**

- (a) one permit per rateable property within the City of Holdfast Bay;**
  - (b) up to 4 hours free parking at Cowper/Milton Street/Partridge Street Car parks only.**
- 

### **BACKGROUND**

Many local residents now regularly do their weekly shopping outside of Holdfast Bay because of the perceived difficulty of parking near to Jetty Road and needing to hurry due to parking time restraints. These shoppers need to be enticed back to Jetty Rd by making parking available for genuine shopping for all year round shopping and with less emphasis on the short 3 month summer season.

I believe this motion will re-invigorate Residential/Ratepayer visitation to Jetty Road, Glenelg.

As has been indicated by the CEO/Mr Taplin and Jetty Rd Retailers, we need to encourage local Residents to return to Jetty Road for their shopping.

This proposed exemption is similar to that operating in large shopping malls and other interstate Councils

The Glenelg shopping strip is not able to compete with the large shopping centres such as Marion/West Lakes and Harbour Town. These 2 car parks are central, short walking distance to adjacent to shopping/Entertainment Precinct.

### **ADMINISTRATION COMMENT**

Councillor Bouchee has previously proposed this motion, at the Council meeting held on 14 August 2012 where it was lost. The resolution is shown below.

*11.2 Resident/Ratepayer Parking Permit Scheme – Councillor Bouchee*

Motion

C140812/608

*That the CEO implement a Resident/ratepayer Parking Permit Scheme:*

- (a) one permit per rateable property within the City of Holdfast Bay;*
- (b) up to 4 hours free parking at Cowper/Milton Street/Partridge Street Car parks only."*

*Moved Councillor Bouchee, Seconded Councillor Fisk*

Lost

*Background from Councillor Bouchee*

*Many local residents now regularly do their weekly shopping outside of Holdfast Bay because of the perceived difficulty of parking near to Jetty Road and needing to hurry due to parking time restraints. These shoppers need to be enticed back to Jetty Rd by making parking available for genuine shopping for all year round shopping and with less emphasis on the short 3 month summer season.*

*I believe this motion will re-invigorate Residential/Ratepayer visitation to Jetty Road, Glenelg.*

*As has been indicated by the CEO/Mr Taplin and Jetty Rd Retailers, we need to encourage local Residents to return to Jetty Road for their shopping.*

*This proposed exemption is similar to that operating in large shopping malls and other interstate Councils*

*The Glenelg shopping strip is not able to compete with the large shopping centres such as Marion/West Lakes and Harbour Town... these 2 car parks are central, short walking distance to adjacent to shopping/Entertainment Precinct.*

*Division called*

*Those voting for: Councillors Bouchee and Fisk (2)*

*Those voting against: Councillors Patton, Patterson, Looker, Lonie, Huckstepp, Clancy and Yates (7)*

Item No: **11.2**

Subject: **MOTION ON NOTICE – GLENELG CINEMA PROPOSAL – COUNCILLOR FISK**

Date: 24 September 2013

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### **PROPOSED MOTION**

Councillor Fisk proposed the following motion:

**Since the Council has voted that it will hand, free, some millions of dollars worth of strata to a developer for a specific planning purpose - the creation and operation of a cinema complex on a strata above the Cowper Street Council owned site – there should be no opposition to a motion that the Council will not entertain any proposal for change of use for twenty years from the date of signature of the Heads of Agreement, approved on 27 August 2013, and therefore the Council so resolves not to consider any application for change of use for twenty years from the signature of the Heads of Agreement concerning the Cowper Street Council owned sites.**

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### **BACKGROUND**

The Cinema proposal was presented to Council as the only way to resurrect the fortunes of the Jetty Road Shopping strip.

It has been stated that without this Cinema complex being constructed Jetty Road will die, and it has also been stated that the proposal provides a very cost efficient way of creating extra car parking, and to entice thousands of visitors per week down to Jetty Road to attend a movie and shop in the precinct.

If the Cinema is so important to the precinct, let this Council ensure that the Cinema remains as it is intended for an extended length of time, to maintain the stated visitations to the precinct.

Failure to support this Notice of Motion will demonstrate that the Heads of Agreement are not about creating a specific planning and business outcome for the Jetty road shopping precinct but a straight transfer of community wealth from the ratepayers of this city to a private developer.

### **ADMINISTRATION COMMENT**

Legal advice was sought and received from Norman Waterhouse as follows.

In this instance, Council's roles as planning authority under the *Development Act 1993* and member of the proposed community corporation need to be considered separately.

If such a resolution is intending to prevent a future council (as planning authority) from considering (or subsequently making a decision on) a change of use application from the owner/s of the cinema lots, this is certainly *ultra vires* (beyond power) of the *Development Act 1993*.

If such a resolution is seeking to prevent the Council at some point in the future (as owner of a lot in the community division and member of the community corporation) from considering a request from the other member/s of the community corporation to amend the scheme description/by-laws to allow a different use, this is potentially *ultra vires*, in that it is seeking to fetter the discretion of the Council to make such a decision in the future.

Where a body is given statutory responsibilities or functions, that body cannot 'fetter' its exercise of those responsibilities or functions, such as by an agreement with another party for example, by agreeing not to exercise a statutory power or function it has. Any such purported fetter is *ultra vires* and invalid. We have not fully considered this aspect as it is somewhat complex and requires a consideration of the nature of the power which the motion is seeking to restrict the Council from exercising in the future. In the case set out in the second paragraph above the Council has a duty to exercise its development assessment function in accordance with the law and it would clearly be unlawful for the Council to agree not to exercise its powers or not to exercise its powers in a particular way. It is less clear if it would be unlawful for the Council to agree not to amend a scheme description/by-laws. It is likely to depend on how the court would characterise the power to amend the scheme description/by-laws.

In any event, such a resolution will have no practical effect. There would be nothing to prevent the Council from revoking a resolution made in terms of the motion at any time (subject to complying with the procedural requirements regarding rescission motions etc).

The HOA requires that the use of the cinema lots as a cinema be enshrined in the scheme description and by-laws (together with the use of the car park lot as a car park). However it may be that in 20 years time, there are good reasons (from all parties' perspectives) for the use to change. It will be a matter for the Council at the time to make that decision, based on the information available and prevailing community sentiment at that time.

Item No: **13.1**  
Subject: **MINUTES - DEVELOPMENT ASSESSMENT PANEL– 28 AUGUST 2013**  
Date: 24 September 2013  
Written By: Governance Officer  
General Manager: City Services, Ms R Cooper

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### **SUMMARY**

Council's Development Assessment Panel is established under the Development Act 1993.

The minutes of the Development Assessment Panel meeting held 28 August 2013 are presented to Council for information.

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### **RECOMMENDATION**

**That the minutes of the Development Assessment Panel meeting held on 28 August 2013 be received.**

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### **COMMUNITY PLAN**

A Place that is Well Planned

### **COUNCIL POLICY**

Not applicable

### **STATUTORY PROVISIONS**

Development Act 1993



**BACKGROUND**

The minutes of the Development Assessment Panel are presented to Council for information.

The purpose of the panel is to:

- act as a delegate of Council and make decisions on development applications in accordance with the requirements of the Development Act;
- provide advice to Council on trends, issues and other matters relating to planning or development that have become apparent during the assessment of development applications;
- perform other roles, except policy formulation, as assigned by Council;
- consider and report on matters before the Environment, Resources and Development Court as a means to resolving judicial appeals.

In accordance with its resolution on 27 November 2009, Council is also asked to determine the future of any planning appeal matters should they eventuate. Elected Members requiring a copy of the Development Assessment Panel Agenda, including reports and/or access to the Development Application files, are asked to contact Council Administration prior to the Council Meeting.

**Minutes of the Development Assessment Panel of the City of Holdfast Bay held in the Kingston Room, Civic Centre, Jetty Road, Brighton, on Wednesday, 28 August 2013 at 7:00pm.**

**MEMBERS PRESENT**

Presiding Member – G Goss  
J Newman  
N Sim  
I Winter  
R Clancy  
T Looker  
P Dixon

**STAFF IN ATTENDANCE**

Manager Development Services – A Marroncelli  
Team Leader Development Assessment – C Watson  
Senior Development Officer - R de Zeeuw  
Development Officers – D Spasic and E Kenchington

**1. OPENING**

G Goss welcomed the people in the gallery.

**2. APOLOGIES**

Apologies Received – Nil  
Absent – Nil

**3. DECLARATION OF INTEREST**

Members were reminded to declare their interest before each item.

**4. PRESIDING MEMBER'S REPORT**

Nil

**5. CONFIRMATION OF MINUTES**

**Motion**

**280813/0052**

**That the minutes of the Development Assessment Panel held on 24 July 2013 be taken as read and confirmed.**

Moved by T Looker, Seconded by I Winter

**Carried**

**6. DEVELOPMENT ASSESSMENT MATTERS****6.1 Construction Services Australia Pty Ltd, 10A Carnarvon Avenue, Glenelg North  
(Report No 280/13)**

|                        |   |   |
|------------------------|---|---|
| DA NO.                 | : | <u>110/00291/13</u>   |
| APPLICANT              | : | <u>CONSTRUCTION SERVICES AUSTRALIA PTY LTD</u>                                  |
| LOCATION               | : | <u>10A CARNARVON AVENUE, GLENELG NORTH</u>                                      |
| DEVELOPMENT PLAN       | : | <u>CONSOLIDATED 21 MARCH 2013</u>   |
| ZONE AND POLICY AREA   | : | <u>RESIDENTIAL</u>  |
| NATURE OF DEVELOPMENT: |   | <u>MERIT</u>  |
| PROPOSAL               | : | <u>TWO STOREY DETACHED DWELLING WITH<br/>GARAGE LOCATED ON EASTERN BOUNDARY</u> |
| EXISTING USE           | : | <u>VACANT</u>   |
| REFERRALS              | : | <u>NIL</u>  |
| CATEGORY               | : | <u>TWO</u>  |
| REPRESENTATIONS        | : | <u>ONE</u>  |
| RECOMMENDATION         | : | <u>REFUSAL</u>  |

**280813/053**

**This Item was withdrawn by the applicant prior to it being considered by the Panel**

**6.2 Regent Homes, 16 Seaview Terrace, Brighton (Report No 281/13)**

|                        |   |   |
|------------------------|---|---|
| DA NO.                 | : | 110/00176/13  |
| APPLICANT              | : | REGENT HOMES  |
| LOCATION               | : | 16 SEAVIEW TERRACE, BRIGHTON  |
| DEVELOPMENT PLAN       | : | CONSOLIDATED 26 APRIL 2012  |
| ZONE AND POLICY AREA   | : | RESIDENTIAL   |
| NATURE OF DEVELOPMENT: |   | MERIT   |
| PROPOSAL               | : | TWO STOREY DETACHED DWELLING WITH ASSOCIATED GARAGE SITED ON THE SOUTHERN SIDE BOUNDARY AND FRONT AND REAR BALCONIES AND OUTBUILDING LOCATED ON SOUTHERN BOUNDARY |
| EXISTING USE           | : | RESIDENTIAL – TWO STOREY DETACHED DWELLING  |
| REFERRALS              | : | CITY ASSETS DEPARTMENT - INFRASTRUCTURE   |
| CATEGORY               | : | TWO   |
| REPRESENTATIONS        | : | ONE   |
| RECOMMENDATION         | : | DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS  |

Speakers: K Corcoran and G Heynen

**Motion****280813/054**

Following a detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, and consideration of referrals advice and representations, the Development Assessment Panel considers that the development is not seriously at variance with the Development Plan and resolves to grant Development Plan Consent, to Development Application 110/00176/13, subject to the following conditions:

1. That the design and siting of all buildings and structures and site works shall be as shown on the plans submitted to and approved by Council unless varied by any subsequent conditions imposed herein.
2. That the premises shall not be used, directly or indirectly, for the purpose now approved until all work has been completed in accordance with the plan approved and the conditions of consent have been complied with, except those conditions that continue to apply.
3. That construction shall take place between 7am and 7pm Monday to Saturday and not on Sundays or public holidays. All such work shall be undertaken in such a manner so as not to, in the reasonable opinion of Council, cause any nuisance or annoyance to any of the occupiers of buildings within the locality. Any work outside of these hours requires the written approval of Council.

- 4. That the builder shall at all times provide and maintain a waste receptacle to the reasonable satisfaction of Council on the site in which and at all times all builder's waste shall be contained for the duration of the construction period and the receptacle shall be emptied as required.**
- 5. That all hard building materials, waste and litter on site be stored in a manner that secures it on site during the construction works.**
- 6. That no solid or liquid trade wastes be discharged to the stormwater system.**
- 7. That the provision for vehicle crossovers and inverts, and reinstatements of existing crossovers not required by the development, be constructed at the owner's expense. The driveway shall be a minimum of 1 metre from any infrastructure (ie street sign, electricity stobie pole, tree, Telstra infrastructure, side entry pit etc) on the verge and no wider than 4.8 metres when measured at front property boundary.**
- 8. Any change in levels along external site boundaries of 200mm or more shall be retained to suitable engineering standards and any fencing shall be erected on top of such retaining walls. Construction of all retaining walls shall be undertaken and completed prior to the commencement of construction of the dwelling(s) herein approved.**
- 9. That landscaping shall comprise where practicable, trees and shrubs that are indigenous to the local area and are semi mature or of fast growing tubestock. All such landscaping shall be established within 3 months of substantial completion of the development and any such vegetation shall be replaced if and when it dies or becomes seriously diseased.**
- 10. That stormwater from the dwelling shall be collected and connected to a 1000 litre (minimum) rainwater tank with a sealed system over flow connection to the street water table. Final details of the location and size of the tank(s) shall be submitted to Council for approval prior to the issue of full Development Approval. Furthermore, all stormwater from the dwelling and the site shall be collected and disposed of in a manner that does not adversely affect any properties adjoining the site or the stability of any building on adjacent sites.**
- 11. That upstairs windows on the northern and southern elevations shall have minimum window sill heights of 1.7 metres above finished floor level, or any glass below 1.7 metres shall be manufactured obscure glass and fixed shut or as otherwise approved by Council. Further details of this requirement shall be provided at Building Rules Assessment stage.**

**Notice:**

- ***That all domestic mechanical plant and equipment, including air conditioners, should be selected, designed, and installed to comply with the following mandatory criteria:***
  - (a) ***Noise level not to exceed 52dB(A) between the hours of 7am and 10pm when measured and adjusted at the nearest residential zone interface in accordance with the Environment Protection (Noise) Policy 2007\*, and***
  - (b) ***Noise level not to exceed 45dB(A) between the hours of 10pm and 7am when measured and adjusted at the nearest residential zone interface in accordance with the Environment Protection (Noise) Policy 2007\*, and***
  - (c) ***Where marked with an \* the above noise levels must include a penalty for each characteristic where tonal/modulating/impulsive/low frequency characteristics are present in accordance with the Environment Protection (Noise) Policy 2007.***
  
- ***That all domestic mechanical plant and equipment including refrigerated air conditioners, but excluding evaporative air conditioners, should be mounted on the ground and fitted with an approved acoustic enclosure incorporating correctly designed ventilation, to minimize environmental harm, which includes nuisance from noise, to occupants on adjacent premises.***
  
- ***Should guidance be required with respect to making a selection of suitable indigenous native vegetation, please refer to <http://www.holdfast.sa.gov.au/site/page.cfm?u=867> located on City of Holdfast Bay website.***
  
- ***Stormwater shall not be disposed of over a vehicle crossing place and any connection to the street water table, including remedial works to footpaths, verges or other Council infrastructure, is subject to any necessary approvals from Council and will be at the applicant's cost.***

Moved T Looker, Seconded J Newman

**Carried**

**6.3 Glenelg 24/7 Pty Ltd C/O Masterplan, 6 Brighton Road, Glenelg East (Report No 282/13)**

|                  |   |  |
|------------------|---|--|
| DA NO.           | : | <u>110/00304/13</u>  |
| APPLICANT        | : | <u>GLENELG 24/7 PTY LTD C/O MASTERPLAN</u>   |
| LOCATION         | : | <u>6 BRIGHTON ROAD, GLENELG EAST</u>   |
| DEVELOPMENT PLAN | : | <u>CONSOLIDATED 21 MARCH 2013</u>  |
| PROPOSAL         | : | <u>CHANGE IN LAND USE FROM THREE OFFICE</u>  |
| ZONE             | : | <u>TENANCIES TO ONE 24-7 GYMNASIUM AND ASSOCIATED ILLUMINATED ADVERTISING DISPLAY ON ROOF FASCIA</u> |
|                  | : | <u>RESIDENTIAL ACTIVITY NODE</u>   |
| EXISTING USE     | : | <u>THREE OFFICE TENANCIES</u>  |
| REFERRALS        | : | <u>DEPARTMENT FOR PLANNING, TRANSPORT AND INFRASTRUCTURE</u>   |
| CATEGORY         | : | <u>THREE</u>   |
| REPRESENTATIONS  | : | <u>ONE</u>   |
| RECOMMENDATION   | : | <u>DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS</u>  |

Speakers: V Changarathil and G Vincent

**Motion**

**280813/055**

**Following a detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, that the Development Assessment Panel grants Development Plan Consent, to application 110/00304/13, subject to the following conditions:**

- 1. That the development shall be undertaken as shown on the plans and documentation submitted to and approved by Council unless varied by any subsequent conditions imposed herein.**
- 2. The applicant shall ensure no patron access via the doors on the southern elevation at all times except for the event of an emergency. Appropriate internal signage shall be installed clearly restricting the use except for in the event of an emergency.**
- 3. The applicant shall ensure that acoustic glazing and acoustic door seals are installed to windows and doors on the southern elevation. Windows shall be fitted with 10.38mm laminated glass and acoustic seals and existing solid core doors shall be fitted with Raven Rp8 and Rp10 door seals or similar to the reasonable satisfaction of Council.**
- 4. The applicant shall install acoustic, noise absorbent flooring throughout the tenancy. Flooring shall comprise Reupol FXTS Elastic Tile 75mm flooring or similar to the reasonable satisfaction of Council.**

5. **The applicant shall install Tontine Acoustisorb 2 High Performance Sound Absorption material above the ceiling tiles to minimise sound emissions to the reasonable satisfaction of Council, and prior to the occupation of the building.**
6. **There shall be no amplified music played from the premises.**
7. **There shall be no group classes or similar within the hours of 7:00 pm and 6:00 am.**
8. **The car parking area located in the south eastern corner of the property shall be secured between the hours of 8pm and 7am in order to alleviate disturbance to adjacent residences.**
9. **That at all times, the sign (including its structure and advertising material thereon) shall be maintained in good condition to the reasonable satisfaction of Council.**
10. **That the sign shall not be of a light intensity to cause a light overspill which causes unreasonable nuisance to adjoining residential land and buildings.**
11. **That the illuminated sign and all other lighting associated with the building shall be static and not flash, move or scroll.**
12. **That construction shall take place between 7am and 7pm Monday to Saturday and not on Sundays or public holidays. All such work shall be undertaken in such a manner so as not to, in the reasonable opinion of Council, cause any nuisance or annoyance to any of the occupiers of buildings within the locality. Any work outside of these hours requires the written approval of Council.**

Moved T Looker, Seconded R Clancy

**Carried**



**6.4 Gregory J Stock and Evette Stock, 15 Sexton Road, Brighton (Report No 283/13)**

|                        |   |   |
|------------------------|---|---|
| DA NO.                 | : | <u>110/00359/13</u>   |
| APPLICANT              | : | <u>GREGORY J STOCK AND EVETTE STOCK</u>   |
| LOCATION               | : | <u>15 SEXTON ROAD, BRIGHTON</u>   |
| DEVELOPMENT PLAN       | : | <u>CONSOLIDATED 26 MARCH 2013</u>   |
| ZONE AND POLICY AREA   | : | <u>RESIDENTIAL ZONE</u>   |
| NATURE OF DEVELOPMENT: |   | <u>MERIT</u>  |
| PROPOSAL               | : | <u>DOUBLE WIDTH GABLE ROOF CARPORT<br/>FORWARD OF EXISTING DWELLING SETBACK<br/>3.8M FROM STREET BOUNDARY</u> |
| EXISTING USE           | : | <u>SINGLE STOREY DETACHED DWELLING</u>  |
| REFERRALS              | : | <u>NIL</u>  |
| CATEGORY               | : | <u>TWO</u>  |
| REPRESENTATIONS        | : | <u>NIL</u>  |
| RECOMMENDATION         | : | <u>REFUSAL</u>  |

**Motion****280813/056**

**Following a detailed assessment of the proposal against the relevant provisions of the Holdfast Bay (City) Development Plan that the Development Assessment Panel refuse Development Plan Consent, to Development Application 110/00359/13, in that it is reasonably at variance with the Development Plan in that it is contrary to Council Wide Principle 2, 74, 89, 91, 93 Residential Zone Objective 1 and specifically Desired Future Character Statement Parts (e). More specifically the proposal does not meet the intent of the Development Plan in that it:**

- **Does not provide vehicle garaging clearly behind the main face of the dwelling; and**
- **Is likely to have an adverse impact on the amenity of the streetscape.**

Moved R Clancy, Seconded I Winter

**Carried**

**6.5 M and M Urban Property Pty Ltd, 590-592 Anzac Highway, Glenelg North  
(Report No 284/13)**

|                        |   |  |
|------------------------|---|--|
| DA NO.                 | : | <u>110/00360/13</u>  |
| APPLICANT              | : | <u>M AND M URBAN PROPERTY PTY LTD</u>  |
| LOCATION               | : | <u>590-592 ANZAC HIGHWAY, GLENELG NORTH</u>  |
| DEVELOPMENT PLAN       | : | <u>CONSOLIDATED 21 MARCH 2013</u>  |
| ZONE AND POLICY AREA   | : | <u>RESIDENTIAL ACTIVITY NODE</u>   |
| NATURE OF DEVELOPMENT: |   | <u>MERIT</u>   |
| PROPOSAL               | : | <u>TWO STOREY ROW DWELLINGS COMPRISING SIX DWELLINGS AND ASSOCIATED DOUBLE CARPORTS TO REAR ACCESSED FROM KEEN AVENUE AND MASONRY FRONT FENCE 2.1 METRES IN HEIGHT</u> |
| EXISTING USE           | : | <u>VACANT SITE</u>   |
| REFERRALS              | : | <u>DEPARTMENT OF TRANSPORT AND INFRASTRUCTURE</u>  |
| CATEGORY               | : | <u>ONE</u>   |
| REPRESENTATIONS        | : | <u>NOT APPLICABLE</u>  |
| RECOMMENDATION         | : | <u>DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS</u>  |

**Motion**

**280813/057**

**Following a detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, the Development Assessment Panel considers that the development reasonably meets the provisions of the Development Plan and resolves to grant Development Plan Consent, to Development Application 110/00360/13, subject to the following conditions.**

**Department of Planning, Transport and Infrastructure Conditions**

- 1. That fencing on this site shall be kept clear of the 4.4 metre x 4.5 metre corner cut-off requirement as described in the Metropolitan Adelaide Road Widening Plan and any vegetation must be low growing in nature to preserve driver sight lines across the corner.**
- 2. That no storm water from the development shall discharge on-surface to Anzac Highway and/or Keen Avenue. In addition, any existing drainage of the road shall be accommodated in the development and that any alterations to road drainage infrastructure as a result of this development are to be at the expense of the applicant.**

**Council Conditions**

3. That the design and siting of all buildings and structures and site works shall be as shown on the amended plans submitted to and approved by Council unless varied by any subsequent conditions imposed herein.
4. That the premises shall be maintained, kept tidy, free of graffiti and in good repair and condition to the reasonable satisfaction of Council at all times.
5. That the premises shall not be used, directly or indirectly, for the purpose now approved until all work has been completed in accordance with the plan approved and the conditions of consent have been complied with, except those conditions that continue to apply.
6. That the finished level of the crossover at the property boundary shall be a minimum of 75mm above the top of kerb in accordance with AS2890.1, and the maximum gradient of the driveway shall not be greater than 5% across the footpath, with the invert profile conforming to AS2876.

Furthermore, the footpaths on either side shall be graded to the driveway preventing tripping hazards at this junction, without any steep grades along the footpath.

The provision for vehicle crossovers and inverts, and reinstatements of existing crossovers not required by the development, be constructed at the owner's expense.

7. That the upstairs windows on the southern and western elevations shall have minimum window sill heights of 1.7 metres above finished floor level, or any glass below 1.7 metres shall be manufactured obscure glass and fixed shut or as otherwise approved by Council. Further details of this requirement shall be provided at Building Rules Assessment stage.
  - (a) That the front fence insets be at least 900mm deep to allow appropriate tree planting.
8. That landscaping shall comprise where practicable, trees and shrubs that are indigenous to the local area and are semi mature or of fast growing tubestock. All such landscaping shall be established within 3 months of substantial completion of the development and any such vegetation shall be replaced if and when it dies or becomes seriously diseased.

9. That stormwater from each dwelling shall be collected and connected to a 1000 litre (minimum) rainwater tank with a sealed system over flow connection to the street water table. Final details of the location and size of the tank(s) shall be submitted to Council for approval prior to the issue of full Development Approval. Furthermore, all stormwater from the dwelling and the site shall be collected and disposed of in a manner that does not adversely affect any properties adjoining the site or the stability of any building on adjacent sites.

**NOTE:**

Stormwater shall not be disposed of over a vehicle crossing place and any connection to the street water table, including remedial works to footpaths, verges or other Council infrastructure, is subject to any necessary approvals from Council and will be at the applicant's cost.

10. That all domestic mechanical plant and equipment including refrigerated air conditioners, but excluding evaporative air conditioners, shall be mounted on the ground and fitted with an approved acoustic enclosure incorporating correctly designed ventilation, to minimize environmental harm, which includes nuisance from noise, to occupants on adjacent premises.
11. That all domestic mechanical plant and equipment, including air conditioners, should be selected, designed, and installed to comply with the following mandatory criteria:
  - (a) Noise level not to exceed 52dB(A) between the hours of 7am and 10pm when measured and adjusted at the nearest residential zone interface in accordance with the Environment Protection (Noise) Policy 2007\*, and
  - (b) Noise level not to exceed 45dB(A) between the hours of 10pm and 7am when measured and adjusted at the nearest residential zone interface in accordance with the Environment Protection (Noise) Policy 2007\*, and
  - (c) Where marked with an \* the above noise levels must include a penalty for each characteristic where tonal/modulating/impulsive/low frequency characteristics are present in accordance with the Environment Protection (Noise) Policy 2007.
12. Any change in levels along external site boundaries of 200mm or more shall be retained to suitable engineering standards and any fencing shall be erected on top of such retaining walls. Construction of all retaining walls shall be undertaken and completed prior to the commencement of construction of the dwelling(s) herein approved.
13. That prior to the issue of development approval a Site Audit Report be completed by an Environmental Auditor (Contaminated Land) as recognized by the Environment Protection Authority, which certifies that:

- (a) The land is suitable for the proposed use: and
  - (b) The proposed construction works and landscaping proposal in the application are consistent with the Site Audit Report conditions and on-going remediation management proposals.
  
- 14. That following construction works but prior to commencement of occupation, supplementary or separate Site Audit Reports prepared by an Environmental Auditor (Contaminated Land) as recognised by the Environment Protection Authority, shall be prepared and submitted to Council and the Environment Protection Authority verifying that:
  - (a) The site remains suitable for its intended use: and
  - (b) Any previous audit conditions have been met.
  
- 15. That any conditions (constraints) imposed by the Environmental Auditor (Contaminated Land) as part of the Site Audit Report that relate to this site shall be complied with.
  
- 16. That construction shall take place between 7am and 7pm Monday to Saturday and not on Sundays or public holidays. All such work shall be undertaken in such a manner so as not to, in the reasonable opinion of Council, cause any nuisance or annoyance to any of the occupiers of buildings within the locality. Any work outside of these hours requires the written approval of Council.
  
- 17. That dust emissions from the site shall be controlled by a dust suppressant or by watering (subject to any relevant water restrictions) regularly to the reasonable satisfaction of Council.
  
- 18. That the builder shall at all times provide and maintain a waste receptacle to the reasonable satisfaction of Council on the site in which and at all times all builder's waste shall be contained for the duration of the construction period and the receptacle shall be emptied as required.
  
- 19. That all hard building materials, waste and litter on site be stored in a manner that secures it on site during the construction works.
  
- 20. That no solid or liquid trade wastes be discharged to the stormwater system.
  
- 21. That permeable pavers be used for the common driveway unless otherwise recommended in the Site Remediation Report.
  
- 22. That the noise mitigation treatments recommended within the report from AECOM entitled Acoustic Assessment – SA 78B dated 2 August 2013 be undertaken.

**Note by Department of Planning, Transport and Infrastructure:**

The Metropolitan Adelaide Road Widening Plan (MARWP) shows that a 4.5 metre by 4.5 metre cut-off may be required from the Anzac Highway/Keen Avenue corner of this site for possible future road purposes. The consent of the Commissioner of Highways is required under the Metropolitan Adelaide Road Widening Plan Act for all new building works located on or within 6.0 metres of the possible requirement.

In line with the directed condition of approval above, the Commissioner's consent is hereby granted for the erection of fencing within the MARWP consent area, but not within the possible requirement.

Moved J Newman, Seconded T Looker

**Carried**

**6.6 Weeks and Macklin Homes, 49 Moore Street, Somerton Park (Report No 285/13)**

|                        |   |   |
|------------------------|---|---|
| DA NO.                 | : | <u>110/00371/13</u>   |
| APPLICANT              | : | <u>WEEKS AND MACKLIN HOMES</u>  |
| LOCATION               | : | <u>49 MOORE STREET, SOMERTON PARK</u>   |
| DEVELOPMENT PLAN       | : | <u>CONSOLIDATED 21 MARCH 2013</u>   |
| ZONE AND POLICY AREA   | : | <u>RESIDENTIAL</u>  |
| NATURE OF DEVELOPMENT: |   | <u>MERIT</u>  |
| PROPOSAL               | : | <u>SINGLE STOREY DETACHED DWELLING WITH INTEGRAL GARAGE ON WESTERN BOUNDARY</u> |
| EXISTING USE           | : | <u>VACANT</u>   |
| REFERRALS              | : | <u>NIL</u>  |
| CATEGORY               | : | <u>TWO</u>  |
| REPRESENTATIONS        | : | <u>ONE</u>  |
| RECOMMENDATION         | : | <u>DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS</u>                           |

**Motion**

**280813/058**

Following a detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan, the Development Assessment Panel considers that the development reasonably meets the provisions of the Development Plan and resolves to grant Development Plan Consent, to Development Application 110/00371/13, subject to the following conditions.

1. That the design and siting of all buildings and structures and site works shall be as shown on the plans submitted to and approved by Council and as amended by the site plan showing a 3.6 metre wide access and elevation showing window panels in the garage door, unless varied by any subsequent conditions imposed herein.

2. That the premises shall be maintained, kept tidy, free of graffiti and in good repair and condition to the reasonable satisfaction of Council at all times.
3. That the premises shall not be used, directly or indirectly, for the purpose now approved until all work has been completed in accordance with the plan approved and the conditions of consent have been complied with, except those conditions that continue to apply.
4. That the crossover be no wider than 3.6 metres and its finished level at the property boundary shall be a minimum of 75mm above the top of kerb in accordance with AS2890.1, and the maximum gradient of the driveway shall not be greater than 5% across the footpath, with the invert profile conforming to AS2876.
5. Furthermore, the footpaths on either side shall be graded to the driveway preventing tripping hazards at this junction, without any steep grades along the footpath.
6. The provision for vehicle crossovers and inverts, and reinstatements of existing crossovers not required by the development, be constructed at the owner's expense.
7. That any front fencing shall either be a low front fence, or if higher than 1.2 metres, a grille type fence be provided along the front property boundary other than for driveway. Where the subject land is located on a corner allotment, fencing shall not exceed one metre in height within six (6) metres of the intersection of two boundaries of land where those boundaries both face a road.
8. That landscaping shall comprise where practicable, trees and shrubs that are indigenous to the local area and are semi mature or of fast growing tubestock. All such landscaping shall be established within 3 months of substantial completion of the development and any such vegetation shall be replaced if and when it dies or becomes seriously diseased.
9. That stormwater from each dwelling shall be collected and connected to a 1000 litre (minimum) rainwater tank with a sealed system over flow connection to the street water table. Final details of the location and size of the tank(s) shall be submitted to Council for approval prior to the issue of full Development Approval. Furthermore, all stormwater from the dwelling and the site shall be collected and disposed of in a manner that does not adversely affect any properties adjoining the site or the stability of any building on adjacent sites.

**NOTE:**

Stormwater shall not be disposed of over a vehicle crossing place and any connection to the street water table, including remedial works to footpaths, verges or other Council infrastructure, is subject to any necessary approvals from Council and will be at the applicant's cost.

10. That all domestic mechanical plant and equipment including refrigerated air conditioners, but excluding evaporative air conditioners, shall be mounted on the ground and fitted with an approved acoustic enclosure incorporating correctly designed ventilation, to minimize environmental harm, which includes nuisance from noise, to occupants on adjacent premises.
11. That all domestic mechanical plant and equipment, including air conditioners, should be selected, designed, and installed to comply with the following mandatory criteria:
  - (a) Noise level not to exceed 52dB(A) between the hours of 7am and 10pm when measured and adjusted at the nearest residential zone interface in accordance with the Environment Protection (Noise) Policy 2007\*, and
  - (b) Noise level not to exceed 45dB(A) between the hours of 10pm and 7am when measured and adjusted at the nearest residential zone interface in accordance with the Environment Protection (Noise) Policy 2007\*, and
  - (c) Where marked with an \* the above noise levels must include a penalty for each characteristic where tonal/modulating/impulsive/low frequency characteristics are present in accordance with the Environment Protection (Noise) Policy 2007.
12. Any change in levels along external site boundaries of 200mm or more shall be retained to suitable engineering standards and any fencing shall be erected on top of such retaining walls. Construction of all retaining walls shall be undertaken and completed prior to the commencement of construction of the dwelling(s) herein approved.
13. That construction shall take place between 7am and 7pm Monday to Saturday and not on Sundays or public holidays. All such work shall be undertaken in such a manner so as not to, in the reasonable opinion of Council, cause any nuisance or annoyance to any of the occupiers of buildings within the locality. Any work outside of these hours requires the written approval of Council.
14. That dust emissions from the site shall be controlled by a dust suppressant or by watering (subject to any relevant water restrictions) regularly to the reasonable satisfaction of Council.



15. That the builder shall at all times provide and maintain a waste receptacle to the reasonable satisfaction of Council on the site in which and at all times all builder's waste shall be contained for the duration of the construction period and the receptacle shall be emptied as required.
16. That all hard building materials, waste and litter on site be stored in a manner that secures it on site during the construction works.
17. That no solid or liquid trade wastes be discharged to the stormwater system.

Moved P Dixon, Seconded I Winter

**Carried**

**6.7 Mint on Moseley, 8 Jetty Road, Glenelg (Report No 286/13)**

|                        |  |
|------------------------|--|
| DA NO.:                | <u>110/00201/13</u>                      |
| APPLICANT:             | <u>MINT ON MOSELEY</u>                   |
| LOCATION:              | <u>8 JETTY ROAD, GLENELG</u>             |
| DEVELOPMENT PLAN:      | <u>CONSOLIDATED 21 MARCH 2013</u>        |
| ZONE AND POLICY AREA:  | <u>DISTRICT CENTRE POLICY AREA 5</u>     |
| NATURE OF DEVELOPMENT: | <u>MERIT</u>                             |
| PROPOSAL:              | <u>2 X SIGNS ON BALCONY BALUSTRADING</u> |
| EXISTING USE:          | <u>BAR</u>                               |
| REFERRALS:             | <u>NOT APPLICABLE</u>                    |
| CATEGORY:              | <u>ONE</u>                               |
| REPRESENTATIONS:       | <u>NOT APPLICABLE</u>                    |
| RECOMMENDATION:        | <u>REFUSAL</u>                           |

**Motion**

**280813/059**

That after considering the provisions of the Development Plan the application 110/00201/13 be **refused Development Plan Consent**, for the reasons that it is contrary to Council Wide Objective 68, 87, and Principles 153 (c)(k), 189, 193, 199, 200, 271, 272, 273, 275, 278. More specifically, the application does not meet the intent of the Development Plan in relation to:

- Signage that creates visual clutter and negatively impacts amenity of the locality; and
- Size, number and location of signs not enhancing or complimenting the building and appearance of Moseley Square.

Moved T Looker, Seconded J Newman

**Carried**

**7. REPORTS BY OFFICERS****7.1 Nil****7.2 Extension of Time – 110/00376/09 – 509-513 Brighton Road, Brighton (Report No: 288/13)**

Development application 110/00376/09 was granted Development Plan Consent on 22 July 2013 with Development Approval yet to be obtained. Two previous extensions of time have been approved the last expiring on 22 July 2013, by way of Court Order ERD 243/11. For reasons stated within the report it is recommended that no further extension be granted.

**280813/060**

**This Item was withdrawn by the applicant prior to it being considered by the Panel**

**7.3 Extension of Time – 110/00138/10 and 110/00446/11 – 7 Esplanade, Somerton Park (Report No: 292/13)**

Development application 110/00138/10 was granted Development Plan Consent by the ERD Court on 17 September 2010 for a three storey residential flat building plus undercroft car park comprising four apartments. Development application 110/00446/11 to vary that Consent was granted on 16 June 2011. Development Approval for Stage 1 – demolition of existing buildings, construction of block wall on northern boundary and basement works was granted on 17 September 2012. One extension of time has previously been granted. It is considered there is merit for a further extension of time for an additional 12 months to allow for substantial commencement of development.

**Motion****280813/061**

**That pursuant to Section 40(3) of the Development Act 1993 and Regulation 48(1) (a) of the Development Regulations 2008, the Development Assessment Panel agrees to extent the operative dates for the following:**

- 1. Extension for substantial commencement for Development Plan consent granted to DA 110/00138/10 and 110/00446/11 and for Development Approval – Stages 1 and 2 expiring on 17/09/2014.**

Moved I Winter, Seconded T Looker

**Carried**

**8. URGENT BUSINESS – SUBJECT TO THE LEAVE OF THE MEETING**

**8.1 T Looker requested that the present audio system be reviewed to better suit the needs of the Panel and to assist attendees to both hear the discussion and be heard when speaking. A possible solution could involve sourcing a sensitive central microphone or providing individual table microphones for each Panel member.**

**9. CLOSURE**

The meeting closed at 8:00 pm.

**CONFIRMED      Wednesday, 25 September 2013**

**PRESIDING MEMBER**

Item No: **13.2**

Subject: **MINUTES – ALWYNDOR MANAGEMENT COMMITTEE –17 SEPTEMBER 2013**

Date: 24 September 2013

Written By: Governance Officer

General Manager: Alwyndor, Mr G Potter

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**SUMMARY**

The Minutes of the Alwyndor Aged Care Management Committee for 17 September 2013 are provided for information.

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**RECOMMENDATION**

**That the Minutes of the Alwyndor Aged Care Management Committee for 17 September 2013 be noted.**

---

**COMMUNITY PLAN**

- A Place with a Quality Lifestyle
- A Place for Every Generation
- A Place that Provides Value for Money
- A Place that Provides Choices and Enhances Life

**COUNCIL POLICY**

Not applicable

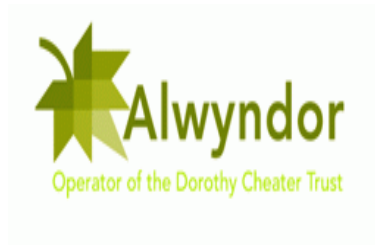
**STATUTORY PROVISIONS**

Not applicable

**BACKGROUND**

This report is presented following the Alwyndor Management Committee Meetings.

The Alwyndor Aged Care Management Committee was established to manage the affairs of Alwyndor Aged Care Facility. The Council has endorsed the Committee’s Terms of Reference and given the Committee delegated authority to manage the business of Alwyndor Aged Care Facility.



# MEETING RECORD

of the Alwyndor Management Committee

**Tuesday 17 September 2013 at  
6.30pm**

## AMC MINUTES

### ***Our Vision***

*To honour the legacy, vision and intent of the **DOROTHY CHEATER TRUST** by providing high quality community and residential services, offering a viable and flexible mix of personalised care and support services to older people in the local community.*

**ALWYNDOR AGED CARE**

**MANAGEMENT COMMITTEE**

**MINUTES**

of the meeting held in the AAC Meeting Room on

**TUESDAY 17 September 2013 at 6.30 pm**

- |                         |   |   |
|-------------------------|---|---|
| <b>1. PRESENT</b>       | <b>Mr N Hakof<br/>Ms C Cotton<br/>Mr M Bower<br/>Mr I Pratt</b> | <b>Mr T Bamford<br/>Mr D Royans<br/>Cr S Lonie</b>                                      |
| <b>2. IN ATTENDANCE</b> | <b>Mr G Potter<br/>Ms K Field<br/>Mr A Hook</b>                 | <b>General Manager<br/>Manager Community Services<br/>Act. Manager Residential Care</b> |

**3. OPENING**

The Chairman, Mr N Hakof declared the meeting open at 6.33pm and welcomed all in attendance.

**4. APOLOGIES**

Ms K Stevens, Cr R Clancy, Mr T Evans

**5. DECLARATION OF INTEREST**

If a Committee Member has an interest (within the terms of the Local Government Act 1999) in a matter before the AMC, they are asked to disclose the interest to the AMC and provide full and accurate details of the relevant interest. Members are reminded to declare their interest before each item.

**6. CONFIRMATION OF MINUTES**

**6.1 Recommendation:**

The minutes of the meeting held on 20 August 2013 were taken as read, approved and confirmed as a true record.

**Moved:** C Cotton

**Seconded:** T Bamford

**CARRIED**

**7. BUSINESS ARISING FROM THE MINUTES**

Nil

**8. REPORTS**

**8.1 Correspondence Report**

**8.1.1 Instrument of Delegation**

- Council Response to Timeline Query

**8.1.2 Healthy Life Better Ageing**

- Coalition Policy

**8.2 The National Report**

Issues 313 & 314

**8.3 Letters of Thanks**

Nil

**Information Reports ( 8.1 to 8.3 ) were noted by the AMC**

## 9. ITEMS UNDER REVIEW

| Item  | Responsibility | Due                    | Status  |
|---|----------------|------------------------|---|
| Instrument Of Delegation                        | GM             | <del>Oct '13</del> TBC | Annual Review –Refer 8.1.1  |
| Quality Improvement Plan                        | Ops Manager    | Feb '14                | Bi-Annual Review  |
| Strategic Plan Review                           | GM             | Feb '14                | Bi-Annual Review  |
| Governance Standard – Prudential Bond Statement | GM             | Oct '13                | Annual Review   |
| Investment Performance Report                   | GM + MFA       | Oct '13                | Annual Review   |
| AAC Investment Policy Review                    | AMC            | Oct '14                | Biennial Review   |
| AAC Accommodation Bonds Policy Review           | AMC            | Oct '14                | Biennial Review   |
| AMC Strategic Planning Workshop Discussion      | AMC / GM       | December '13           | Agree a date, focus and content of workshop event, to be held in 2014   |
| Work Health & Safety                            | GM             | Sept '13 - ongoing     | <ul style="list-style-type: none"> <li>- Provide relevant training to the members of the Committee in regard to the major Legislative changes to the WHS Act that impact on the role of the AMC</li> <li>- Provide the Committee with key WHS Policies and Procedures for their information and review –</li> <li>- 6 Cornerstone policies tabled 2 August '13</li> </ul> |

### ITEMS IN CONFIDENCE

**I Pratt moved and D Royans seconded that, pursuant to Section 90(2), 90(3)(a) and 90(3)(b) of the Local Government Act 1999 the Alwyndor Management Committee order that the public be excluded from attendance at the meeting, with the exception of Alwyndor officers and any other visitors permitted to remain, after taking into account the relevant considerations under Section 90(3), on the basis that it will receive, discuss or consider the following:**

- **information or matter the disclosure of which –**
  - (i) could reasonably be expected to confer a commercial advantage on a person with whom the AMC is conducting, or proposing to conduct, business, or to prejudice the commercial position of AAC; and**
  - (ii) would on balance, be contrary to the public interest.**
  - (iii) Information, the disclosure of which, would involve the unreasonable disclosure of information concerning the personal affairs of a person or persons (living or dead).**

**CARRIED**

## 10. NEW and URGENT BUSINESS

Nil

## 11. CONFIDENTIAL REPORTS

- |  |                                       |
|--|---------------------------------------|
| 11.1 Manager Community Service's Report    | September 2013                        |
| 11.2 Act Manager Residential Care's Report | September 2013                        |
| 11.3 Building Sub Committee Chairman       | <i>Refer General Manager's Report</i> |
| 11.4 General Manager's Report              | September 2013                        |

## 11.5 Finance Reports

August 2013

11.5.1. Bank Reconciliation for the Month of August 2013

11.5.2. "Year to Date" Budget / Actual Comparison by Department as at 31<sup>st</sup> August 2013

### Recommendations:

1. That the Bank Reconciliation for the Month of August 2013 be confirmed.
2. That the "Year to Date" Budget / Actual Comparison by Department as at 31<sup>st</sup> August 2013 be confirmed

Moved: I Pratt

Seconded: D Royans

CARRIED

## 11.6 Formal Complaints

### 11.6.1 Colmer Family

The General Manager provided a verbal update

11.7 WH&S Committee - Minutes of the meeting held 28 August 2013

11.8 Quality Improvement Committee - Minutes of the meeting held 11 September 2013

Confidential Reports 11.1 to 11.8 were noted by the AMC

### ORDER TO RETAIN DOCUMENTS IN CONFIDENCE:

C Cotton moved and Cr S Lonie seconded that pursuant to Section 90(2), 90(3)(a) and 90(3)(b) and of the Local Government Act 1999:

1. The Alwyndor Management Committee orders that the documents and minutes relating to Report No: 11.1 to 11.8 with the exception of the Resolution for going into confidence be kept confidential and not available for public inspection on the basis that they deal with information relating to commercial advantage; contrary to public interest; or information involving the unreasonable disclosure of information concerning the personal affairs of a person or persons (living or dead), under Sections 90(2), 90(3)(a) and 90(3)(b) and of the Act.
2. This resolution will be reviewed on or before 30 June 2014 by the Alwyndor Management Committee.

CARRIED

### RESUMPTION:

M Bower moved and I Pratt seconded that the Alwyndor Management Committee resume as an open meeting of Alwyndor Aged Care at 7.42pm

CARRIED

## 12. DATE OF NEXT MEETING

Next Ordinary Meeting of the AMC will be held 15<sup>th</sup> October 2013 at 6.30pm

Venue: Alwyndor Meeting Room

Noted by the Alwyndor Management Committee

Apologies:

Mr N Hakof, Ms K Stevens, Mr G Potter

Noted by the AMC



### 13. ALWYNDOR MANAGEMENT COMMITTEE MEETING DATES FOR 2013

| Member     | Term Expires | 19 Feb | 19 March | 16 April | 21 May | 18 June | 16 July | 20 Aug | 17 Sept | 15 Oct | 19 Nov | 17 Dec |
|------------|--------------|--------|----------|----------|--------|---------|---------|--------|---------|--------|--------|--------|
| N.Hakof    | July 2015    |        | AP       |          |        |         |         |        |         | AP     |        |        |
| I. Pratt   | July 2015    |        |          | AP       |        |         |         |        |         |        |        |        |
| D.Royans   | July 2015    |        |          |          |        |         |         |        |         |        |        |        |
| C.Cotton   | July 2014    |        |          |          |        |         |         |        |         |        |        |        |
| T Bamford  | July 2015    |        |          |          |        |         |         |        |         |        |        |        |
| K. Stevens | July 2014    |        |          |          |        | AP      |         | AP     | AP      | AP     |        |        |
| M.Bower    | July 2014    |        |          |          |        |         |         |        |         |        |        |        |
| T. Evans   | April 2015   |        | AP       |          | AP     |         |         |        | AP      |        |        |        |
| R.Clancy   | NA           |        |          |          |        |         | AP      |        | AP      |        |        |        |
| S Lonie    | NA           |        |          |          | AP     |         |         |        |         |        |        |        |

**Noted by the AMC**

### 14. MEETING CLOSURE

The Chairman thanked all members for their contribution and declared the meeting closed at 7.44p.m.

**Mr Greg Potter**  
**General Manager**

**Mr Nick Hakof**  
**Chairman**

**Distribution:**

Mr N Hakof, Ms C Cotton, Mr I Pratt, Cr R Clancy, Cr S Lonie, Mr D Royans, Ms K Stevens, Mr M Bower, Mr T Evans, Mr T Bamford

**Others:**

General Manager, Manager Residential Care, Manager Community Services, Operations Manager, Chief Executive Officer-City of Holdfast Bay, Governance Officer CHB, Master File.

Item No: **14.1**  
Subject: **ITEMS IN BRIEF**  
Date: 24 September 2013  
Written By: Personal Assistant  
General Manager: Corporate Services, Mr I Walker

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## **SUMMARY**

These items are presented for the information of Members.

After noting the report any items of interest can be discussed and, if required, further motions proposed.

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## **RECOMMENDATION**

**That the report be noted and items of interest discussed.**

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## **COMMUNITY PLAN**

A Place that Provides Value for Money

## **COUNCIL POLICY**

Not applicable

## **STATUTORY PROVISIONS**

Not applicable

## **REPORT**

### **14.1.1 Reg Sprigg's Diving Chamber – Request to House in a Permanent Display**

The Mayor has requested that the attached email be included for the information of members.

*Refer Attachment 1*

### **14.1.2 Bathing Box 20 Display**

It has long been a part of the Australian culture to spend time at the beach. Whilst the activities we enjoy at the beach have not altered greatly, the laws, dress codes, fashion and behaviors have changed significantly over time. Meet me at Bathing Box 20 provides a unique insight into our beach culture during the period where

bathing boxes were fixtures on our beaches. After spending 50 years in a Burnside garden, Bathing Box 20 was generously returned to the City of Holdfast Bay to be used as a display in the Bay Discovery Centre. The BDC was awarded a grant through the Dept. of Sustainability, Environment, Water, Population and Communities - Your Community Heritage (YCH) Program, to interpret the bathing box providing an insight into Australia's unique seaside culture. Award winning designer Richard Browning was appointed to provide a distinctive visual display and community members were asked to contribute historic artifacts and provide oral histories to the display. We are thrilled that the display is now complete providing our visitors with a fabulous new interactive exhibit providing valuable insight into our Cultural and social heritage. An exhibition has been planned in Oct-Nov to compliment the display using historic images, items from the CHB History Centre and items from the community. A reprint of the Sea Change book will also complement the exhibition and display.

#### 14.1.3 Project Schedules

The City Assets- Infrastructure Unit's Monthly Updated Project Schedule is attached for Members information.

*Refer Attachment 2*

## Helen Rennie

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**Subject:** FW: Reg Sprigg's Diving Chamber  
**Attachments:** M England Diving Bell at Geosurveys-2.jpg; IMG\_0249.jpg

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**From:** Ken Rollond  
**Sent:** Monday, 9 September 2013 1:51 PM  
**To:** Justin Lynch  
**Subject:** Fwd: Reg Sprigg's Diving Chamber

Dear Justin,  
Could this item go on a future agenda for discussion.

Regards,  
Ken

Begin forwarded message:

**From:** Richard Harris <[drharry@me.com](mailto:drharry@me.com)>  
**Date:** 9 September 2013 1:28:42 PM ACST  
**To:** <[krollond@holdfast.sa.gov.au](mailto:krollond@holdfast.sa.gov.au)>  
**Subject:** Reg Sprigg's Diving Chamber

Dear Mayor Rollond

My name is Richard Harris and I am an Adelaide medical practitioner. One of my roles is working at the Hyperbaric Medicine Unit at the Royal Adelaide Hospital (where we treat divers with the bends and also patients with various wound healing problems). This work, in combination with my longstanding love of SCUBA diving and diving history, has led me to become involved with an historical project to restore the exploration diving chamber that belonged to Reg Sprigg.

As you may be aware, Reg was a famous South Australian geologist who has many claims to his name including – establishing the Arkaroola Sanctuary, forming Beach Energy and SANTOS, the discovery of the Ediacaran Fossils, the Cooper Basin oil and gas fields, and the first vehicular crossing of the Simpson Desert. He is less well known for his amazing submarine discoveries like the Murray River Canyons near Kangaroo Island, and his extraordinary surveys of the Gulf St Vincent and Investigator Strait.

Reg and his fellow divers used a home made chamber (see images) to survey vast areas of ocean floor during the 1960's and his results are still referred to today. The ABC's 7:30 report recently did a segment on the chamber and my efforts to restore it. This summarises the project nicely.

<http://www.abc.net.au/news/2013-07-12/tardis-dive-chamber-gets-restored/4817900>

I brought the chamber down from Arkaroola and assured the Sprigg family that when the restoration was complete, the chamber would be presented to the South Australian public in a manner that does it justice, and in a position prominent enough that it can be widely appreciated. With that in mind, I am writing to the foreshore councils of Adelaide to see whether there might be any interest in putting the chamber on permanent display once the

restoration is complete. I believe it would be a fascinating and unusual (?outdoor) monument to an amazing man and a time of adventure and derring-do!

I would be grateful if you could raise this at a council meeting for consideration, to see whether there might be any interest in taking custody of this unique piece of South Australian history. I would be delighted to discuss the project further with you at your convenience.

yours sincerely,

Richard Harris

**Dr Richard Harris BMBS, DA (UK), FANZCA, Dip DHM**

Anaesthetist, Specialist Anaesthetic Services, Adelaide

Retrieval Consultant, MedSTAR Emergency Medical Retrieval, SA Ambulance

Staff Specialist, Diving and Hyperbaric Medicine, Royal Adelaide Hospital

Mobile 0417 177830 Email: [drharry@me.com](mailto:drharry@me.com)





























Item No: **14.2**

Subject: **MONTHLY FINANCIAL REPORT - AUGUST 2013**

Date: 24 September 2013

Written By: Accountant

General Manager: Corporate Services, Mr I Walker

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### **SUMMARY**

Attached are financial reports as at 31 August 2013. They comprise a Funds Statement and a Capital Expenditure Report for Council's municipal activities and Alwyndor Aged Care. The municipal funds surplus forecast is affected by the prepayment in the prior year of the Financial Assistance Grant which contributed to the prior year municipal funds surplus result.

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### **RECOMMENDATION**

**That Council receives the financial reports to 31 August 2013 and notes no changes to the 2013/14 budget:**

- 1. Municipal Activities**
    - a projected operating surplus for 2013/14 of \$309k
    - a projected capital expenditure for 2013/14 of \$11.635 million
    - a projected funding requirement for 2013/14 of \$2.449 million
  
  - 2. Alwyndor Aged Care**
    - a projected operating surplus for 2013/14 of \$612k
    - a projected capital expenditure for 2013/14 of \$2.631 million
    - a projected funding requirement for 2013/14 of \$1.264 million
- 

### **COMMUNITY PLAN**

A Place that Provides Value for Money

**COUNCIL POLICY**

Not applicable

**STATUTORY PROVISIONS**

Not applicable

**BACKGROUND**

Council receives financial reports each month which comprise of a Funds Statement and Capital Expenditure Report for each of Council's municipal activities and Alwyndor Aged Care.

The Funds Statements include an income statement and provide a link between the Operating Surplus/Deficit with the overall source and application of funds including impact on cash and borrowings.

**REPORT**

Funds Statements and Capital Expenditure Reports for Council municipal activities and Alwyndor Aged Care for the current financial year to 31 August 2013 are provided at Attachment 1.

*Refer Attachment 1*

**Municipal activities**

The first two quarterly installments of the 2013-14 Financial Assistance Grant have been paid in 2012-13. Council therefore received \$585,608 in advance on 12 June 2013. This is a timing issue and will affect both the 2012-13 and 2013-14 operating results.

Whilst most year-to-date variances are of a timing nature, there are some permanent variances coming to light such as reduced revenue from parking, lower insurance premiums and higher legal fees. A comprehensive review will be undertaken for the first budget review as at 30 September 2013 and reported to Council in October.

At 31 August 2013, Council had net borrowings of \$7.1 million, comprising:

|                                  |         |
|----------------------------------|---------|
| Borrowings                       | \$13.6m |
| Less                             |         |
| Cashed back reserves             | \$2.2m  |
| Working Capital                  | \$2.4m  |
| Amounts owing by sporting groups | \$1.9m  |
| Net:                             | \$7.1m  |

**Alwyndor Aged Care**

At 31 August, Alwyndor had \$8.7m cash on hand including investments. Investment Reserves have been set aside for approved Alwyndor Redevelopment Stage 1B and Stage 2. This is in line with the Aged Care Act 1997 and prudential requirements.



## City of Holdfast Bay Funds Statement as at 31 August 2013

| <b>Original<br/>Budget<br/>\$,000</b>                               | <b>Revised<br/>Forecast<br/>\$,000</b> | <b>Actual<br/>YTD<br/>\$,000</b> |
|---|--|----------------------------------|
| 29,961 Rates General  | 29,961                                 | 29,910                           |
| 2,394 Statutory Charges   | 2,394                                  | 562                              |
| 2,442 User Charges  | 2,442                                  | 242                              |
| 2,918 Operating Grants and Subsidies                                | 2,918                                  | 780                              |
| 203 Investment Income   | 203                                    | 1                                |
| 391 Reimbursements  | 391                                    | 24                               |
| 539 Other Income  | 539                                    | 58                               |
| <b>38,849 Operating Revenue</b>                                     | <b>38,849</b>                          | <b>31,578</b>                    |
| 11,379 Salaries   | 11,379                                 | 1,871                            |
| 3,840 Wages   | 3,840                                  | 912                              |
| 8,179 Contractual Services  | 8,179                                  | 1,032                            |
| 2,718 Materials   | 2,718                                  | 436                              |
| 849 Finance Charges   | 849                                    | (70)                             |
| 7,381 Depreciation  | 7,381                                  | 0                                |
| 4,558 Other Expenditure   | 4,558                                  | 960                              |
| (365) Less full cost attribution - % admin costs capitalised        | (365)                                  | 0                                |
| <b>38,539 Less Operating Expenditure</b>                            | <b>38,539</b>                          | <b>5,142</b>                     |
| <b>309 =Operating Surplus/(Deficit)</b>                             | <b>309</b>                             | <b>26,436</b>                    |
| 212 Provisions  | 212                                    | 0                                |
| 7,381 Depreciation  | 7,381                                  | 0                                |
| <b>7,593 Plus Non Cash Items in Operating Surplus/(Deficit)</b>     | <b>7,593</b>                           | <b>0</b>                         |
| <b>7,902 =Funds Generated from Operating Activities</b>             | <b>7,902</b>                           | <b>26,436</b>                    |
| 1,000 Amounts Received for New/Upgraded Assets                      | 1,000                                  | 1,005                            |
| 255 Proceeds from Disposal of Assets                                | 255                                    | 0                                |
| <b>1,255 Plus Funds Sourced from Capital Activities</b>             | <b>1,255</b>                           | <b>1,005</b>                     |
| 5,203 Capital Expenditure on Renewal and Replacement                | 5,203                                  | 143                              |
| 6,433 Capital Expenditure on New and Upgraded Assets                | 6,433                                  | 725                              |
| <b>11,635 Less Total Capital Expenditure</b>                        | <b>11,635</b>                          | <b>868</b>                       |
| 29 Plus:Repayments of loan principal by sporting groups             | 29                                     | 6                                |
| 0 Plus:Revenue received in advance for new/upgraded assets          | 0                                      | 0                                |
| 0 Less:Contribution to associated entity - WRWMA                    | 0                                      | 0                                |
| <b>29 Plus/(less) funds provided (used) by Investing Activities</b> | <b>29</b>                              | <b>6</b>                         |
| <b>(2,449) = FUNDING SURPLUS/(REQUIREMENT)</b>                      | <b>(2,449)</b>                         | <b>26,579</b>                    |
| <b>Funded by</b>  |  |                                  |
| 0 Increase/(Decrease) in Cash & Cash Equivalents                    | 0                                      | 1,702                            |
| (733) Non Cash Changes in Net Current Assets                        | (733)                                  | 25,855                           |
| (3,550) Less: Proceeds from new borrowings                          | (3,550)                                | (1,031)                          |
| 1,834 Plus: Principal repayments of borrowings                      | 1,834                                  | 52                               |
| <b>(2,449) =Funding Application/(Source)</b>                        | <b>(2,449)</b>                         | <b>26,579</b>                    |



## City of Holdfast Bay Capital Summary by Budget Item to August 2013

| <b>Original<br/>Budget<br/>\$,000</b>            | <b>Revised<br/>Forecast<br/>\$,000</b> | <b>Actual<br/>YTD<br/>\$,000</b> |
|--|--|----------------------------------|
| 365 City of Holdfast Bay Contra Account          | 365                                    | 0                                |
| 237 Information Technology                       | 237                                    | 98                               |
| 70 Brighton Library                              | 70                                     | 9                                |
| 15 Business & Visitor Marketing Administration   | 15                                     | 0                                |
| 80 Depot and Stores                              | 80                                     | 0                                |
| 677 Machinery Operating                          | 677                                    | 1                                |
| 3,000 Caravan Park                               | 3,000                                  | 6                                |
| 759 Road Construction and Re-seal Program        | 759                                    | 0                                |
| 331 Footpath Program                             | 331                                    | 13                               |
| 0 Stormwater Drainage Program                    | 0                                      | 10                               |
| 107 Traffic Control Construction Program         | 107                                    | 7                                |
| 0 Signage Program                                | 0                                      | 3                                |
| 603 Kerb and Water Table Construction Program    | 603                                    | 4                                |
| 80 Other Transport - Bus Shelters etc.           | 80                                     | 36                               |
| 821 Reserve Improvements Program                 | 821                                    | 63                               |
| 85 Environmental Capital Projects                | 85                                     | 0                                |
| 1,575 Land, Buildings and Infrastructure Program | 1,575                                  | 178                              |
| 270 Roads to Recovery                            | 270                                    | 0                                |
| 200 Streetscape Program                          | 200                                    | 20                               |
| 2,360 Foreshore Improvements Program             | 2,360                                  | 415                              |
| 0 HEAT Fund                                      | 0                                      | 5                                |
| 11,635 <b>Total</b>                              | 11,635                                 | 868                              |



## Alwyndor Aged Care Funds Statement as at 31 August 2013

| <i>Original<br/>Budget<br/>\$,000</i>                         | <i>Revised<br/>Forecast<br/>\$,000</i> | <i>Actual<br/>YTD<br/>\$,000</i> |
|---|--|----------------------------------|
| 5,263 User Charges  | 5,263                                  | 573                              |
| 9,759 Operating Grants and Subsidies                          | 9,759                                  | 1,625                            |
| 485 Investment Income   | 485                                    | 15                               |
| 355 Reimbursements  | 355                                    | 5                                |
| 151 Other Income  | 151                                    | 0                                |
| 444 Alwyndor Donations and Contributions                      | 444                                    | 865                              |
| <b>16,457 Operating Revenue</b>                               | <b>16,457</b>                          | <b>3,083</b>                     |
| 12,277 Salaries   | 12,277                                 | 1,452                            |
| 1,682 Contractual Services                                    | 1,682                                  | 261                              |
| 817 Materials   | 817                                    | 124                              |
| 100 Finance Charges   | 100                                    | 17                               |
| 568 Depreciation  | 568                                    | 0                                |
| 401 Other Expenditure   | 401                                    | 86                               |
| <b>15,845 Less Operating Expenditure</b>                      | <b>15,845</b>                          | <b>1,940</b>                     |
| <b>612 =Operating Surplus/(Deficit)</b>                       | <b>612</b>                             | <b>1,143</b>                     |
| 568 Depreciation  | 568                                    | 0                                |
| 187 Provisions  | 187                                    | 0                                |
| <b>755 Plus Non Cash Items in Operating Surplus/(Deficit)</b> | <b>755</b>                             | <b>0</b>                         |
| <b>1,367 =Funds Generated from Operating Activities</b>       | <b>1,367</b>                           | <b>1,143</b>                     |
| 0 Proceeds from Disposal of Assets                            | 0                                      | 9                                |
| <b>0 Plus Funds Sourced from Capital Activities</b>           | <b>0</b>                               | <b>9</b>                         |
| 2,631 Capital Expenditure on New and Upgraded Assets          | 2,631                                  | 530                              |
| <b>2,631 Less Total Capital Expenditure</b>                   | <b>2,631</b>                           | <b>530</b>                       |
| <b>(1,264) = FUNDING REQUIREMENT</b>                          | <b>(1,264)</b>                         | <b>622</b>                       |
| <b>Funded by</b>  |  |                                  |
| (2,019) Increase/(Decrease) in Cash & Cash Equivalents        | (2,019)                                | (1,519)                          |
| 755 Non Cash Changes in Net Current Assets                    | 755                                    | 2,141                            |
| <b>(1,264) =Funding Source</b>                                | <b>(1,264)</b>                         | <b>622</b>                       |



## Alwyndor Aged Care

### Capital Summary by Budget Item to August 2013

| <i><b>Original<br/>Budget<br/>\$,\$000</b></i> | <i><b>Revised<br/>Forecast<br/>\$,\$000</b></i> | <i><b>YTD<br/>Actuals<br/>\$,\$000</b></i> |
|--|---|--|
| 2,322 Hostels                                  | 2,322   | 512  |
| 182 Nursing Home                               | 182   | 14   |
| 127 Hospitality Services                       | 127   | 4  |
| 2,631 <b>Total</b>                             | 2,631   | 530  |

Item No: **14.3**

Subject: **NAMING OF PUBLIC ROAD, PURDEYS LANE GLENELG EAST**

Date: 24 September 2013

Written By: Technical Engineer

General Manager: City Assets, Mr S Hodge

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### **SUMMARY**

This report formalises the naming of the public road known as Purdeys Lane so that it is legally identifiable on property titles managed by the Registrar General.

---

### **RECOMMENDATION**

**Pursuant to Section 219(1) of the Local Government Act, 1999 as amended, the City of Holdfast Bay resolves that Allotment 231 in Deposited Plan 3010 and Allotment 53 and portion of Allotment 56 in Deposited Plan 1008 together being a laneway running north-south between Wilson Terrace and Cliff Street Glenelg East be assigned the name Purdeys Lane.**

---

### **COMMUNITY PLAN**

A Place that is Well Planned

### **COUNCIL POLICY**

Council has in the past formalised the naming of public roads so that they are legally identifiable.

### **STATUTORY PROVISIONS**

Section 219(1) of the Local Government Act 1999

### **BACKGROUND**

There are no previous reports on this matter.



**REPORT**

The public road running north-south between Wilson Terrace and Cliff Street Glenelg East has been known as Purdeys Lane. However, the name has not been previously formally declared. It needs to be formally declared to be legally identifiable on title documents.

McDonald Conveyancing has advised that the road may be assigned a name under Section 219 of the Local Government Act. Once Council resolves to name the road as Purdeys Lane, the name will be gazetted and the appropriate government agencies notified.

*Refer Attachment 1*

**BUDGET**

There are only conveyancing costs associated with this matter, that are budgeted for within the City Assets Professional Services Item.

**LIFE CYCLE COSTS**

There are no life cycle costs involved with the naming of the road.

A Attachment 1



**mcdonald**  
conveyancing

a.c.n. 108 970 967 a division of don markwick conveyancing Pty Ltd  
88 beach road, christies beach s.a. 5165



10 September 2013

Hilton Solyom  
City of Holdfast Bay  
PO Box 19  
BRIGHTON SA 5048

Dear Hilton

Re: Purdeys Lane Glenelg East

I have investigated the area known as Purdeys Lane Glenelg East. The portion running north-south designated as Lot 231 in DP 3010 and Lot 53 and portion of Lot 56 in DP 1008. The remainder of Lot 56 is a portion of laneway forming a T-junction with Purdeys Lane and running east-west. As discussed that portion will not be dealt with in this process.

Please have the following motion passed by Council. Once done send me a copy of the minutes for publication in the Government Gazette and notification of the appropriate government agencies.

*Assigning of Road Name – Purdeys Lane*

*Pursuant to Section 219(1) of the Local Government Act, 1999 as amended the City of Holdfast Bay resolves that Allotment 231 in Deposited Plan 3010 and Allotment 53 and portion of Allotment 56 in Deposited Plan 1008 together being a laneway running north-south between Wilson Terrace and Cliff Street Glenelg East be assigned the name Purdeys Lane.*

Also enclosed is my account in this matter.

I trust this is of assistance.

Yours Sincerely

DON MARKWICK  
Registered Conveyancer

DP-3010

# DA COSTA PARA

Subdivision of portion of Section 24,  
T4N, R10E, S10W

Hd. of Neartupga

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John ...  
William ...  
John ...

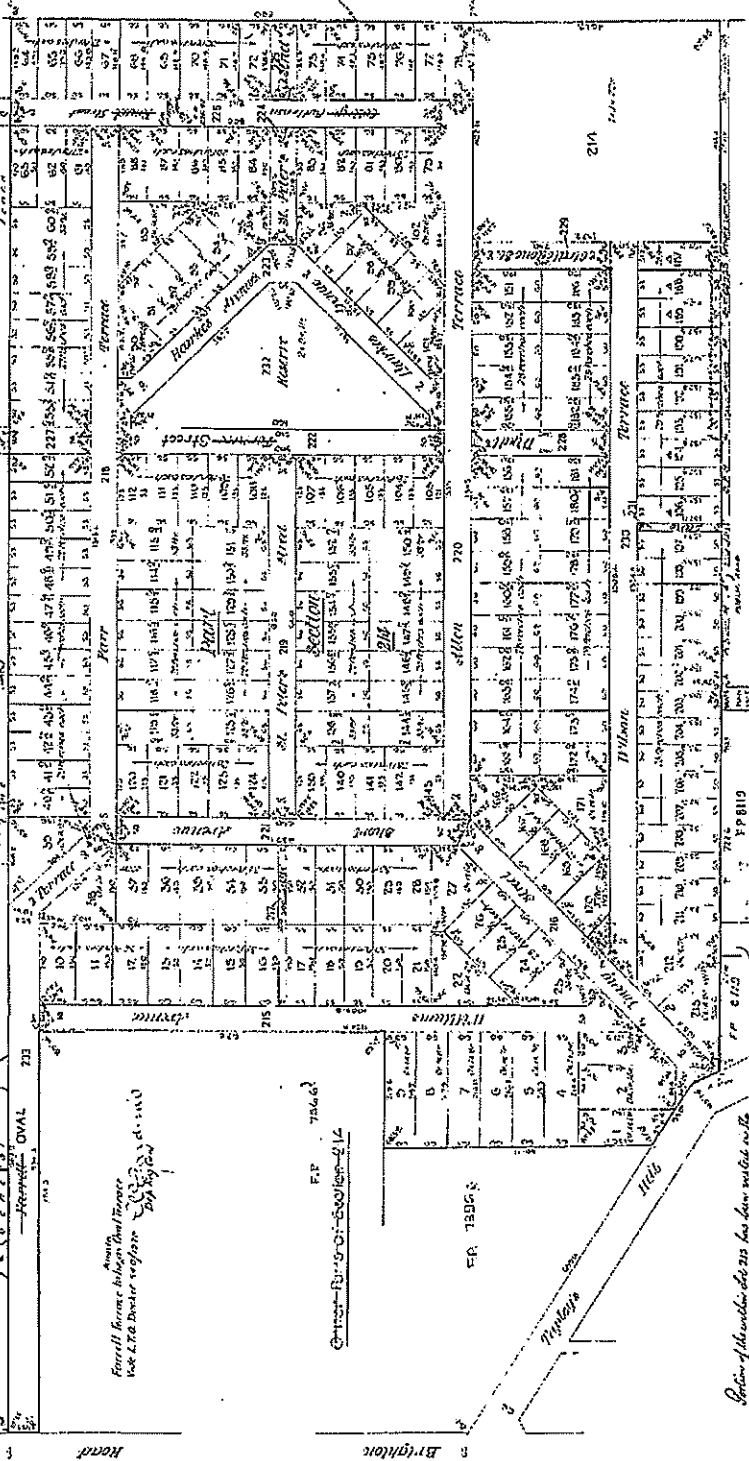
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Section 213

Section 213

Section 213

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D.T.

TOWNSHIP OF

**CASB GURU**

Part of S<sup>2</sup> 215 T<sup>4</sup> of Dacotaga

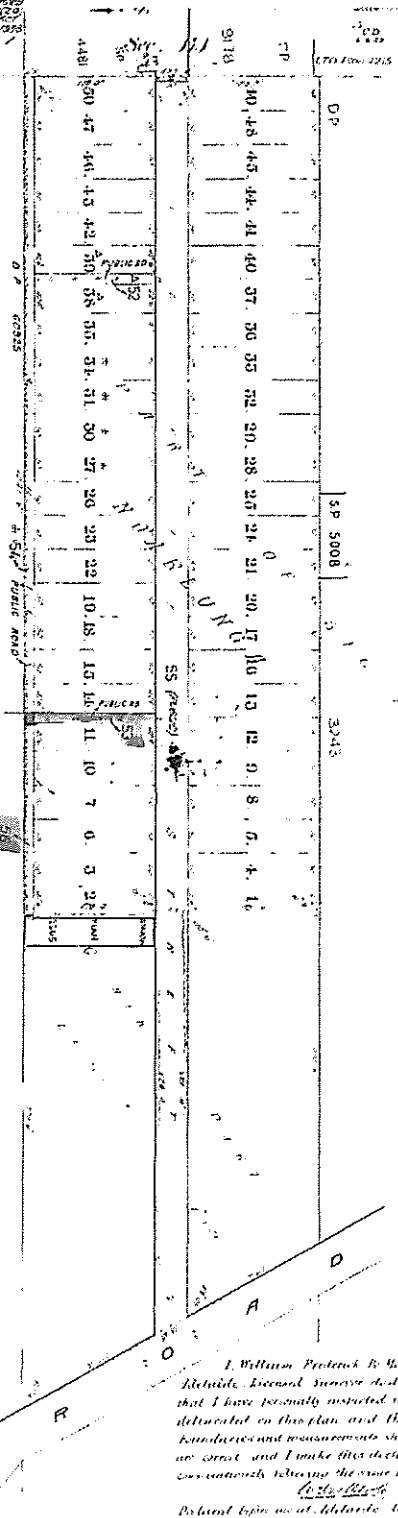
*It is published & not right*

Scale 80 feet to 1 inch

ADDITIONAL ALLOTMENTS OF PLOTS  
772328 AND 772329  
DATE 10/10/1900  
Allotment S<sup>2</sup> closed & mapped  
vide D of S<sup>2</sup> 205  
The R.G. 1912  
A portion of Allotment S<sup>2</sup> closed &  
mapped vide D of S<sup>2</sup> 205  
The R.G. 1912

ALL LOT FRONT CORNER STREETS  
OVERLAPPING PUBLIC VIDE  
D of S<sup>2</sup> 205 AND ALL SEWERS  
RESERVE TO THE GOVERNMENT  
RESERVE TO THE GOVERNMENT  
D of S<sup>2</sup> 205 AND ALL SEWERS  
RESERVE TO THE GOVERNMENT  
D of S<sup>2</sup> 205

Sec. 211



Allotments S<sup>2</sup> 2144  
decided public vide  
D of S<sup>2</sup> 205  
may no longer exist  
and the Government  
of the Real Property  
Act 1892  
and R.G. 1912

I, William Probst, R. S. 100  
Belvidere, Illinois, Surveyor, declare  
that I have personally inspected the land  
delimited on this plan and that the  
boundaries and measurements shown thereon  
are correct and I make this declaration  
in conformity with the laws in that  
respect.  
Witness my hand and seal at Belvidere, Ill. 15<sup>th</sup>  
day of October 1892

Wm. Probst  
Surveyor

Item No: **14.4**  
Subject: **ENVIRONMENTAL TEAM QUARTERLY SNAPSHOT**  
Date: 24 September 2013  
Written By: Co-ordinator Environmental and Coastal Assets  
General Manager: City Assets, Mr S Hodge

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### **SUMMARY**

The Environmental Team Quarterly snapshot is presented for Council's information.

---

### **RECOMMENDATION**

**That the Environmental Team Quarterly snapshot be received.**

---

### **COMMUNITY PLAN**

A Place with a Quality Lifestyle  
A Place that Values its Natural Environment  
A Place that Manages its Environmental Impacts

### **COUNCIL POLICY**

Nil

### **STATUTORY PROVISIONS**

Nil

### **BACKGROUND**

In order to keep Council well informed, the Environment Team will endeavour to supply a quarterly report of key activities and achievements. This is not designed to be an exhaustive list and may develop and improve over time. This will be provided as dot points, statistics, photos and graphs as depicted.

**REPORT**

**Environment Team Quarterly Snapshot April – June 2013**

The Environmental Team Quarterly snapshot is presented for Council’s information.

**Council Facilities**

The main activities involving Council facilities has included finalising stage 2 of the lighting upgrade and awarding and project managing the Building Management System for the Civic Centre (with assistance from the building and facilities managers). This complements the other energy efficiency projects undertaken of 46 kW of solar and Stage 1 Lighting Upgrade at the Civic Centre. As depicted in the Table 1 below these projects have resulted in 101,898 kWh of non-renewable power and \$14,749 saved at the Civic Centre in the 2012/13 financial year. Chart 1 shows the non-renewable energy use for the civic centre monthly over two years and the reduction for 2012/13 is evident.



Figure 1 – 46 kW solar power at the Civic Centre

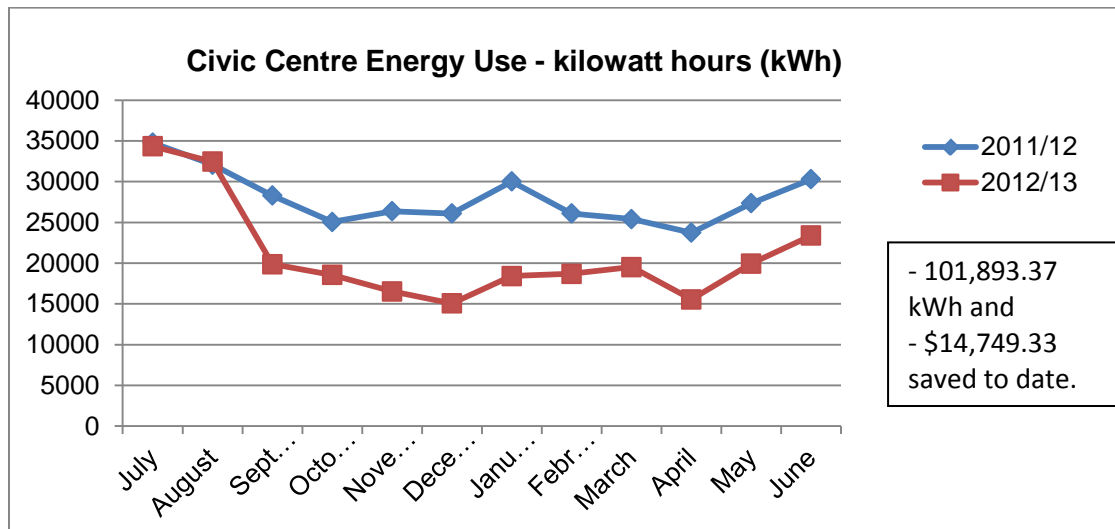
Table 1

|  | 2011/12   | 2012/13  | April - June 2013  |
|--|---|--|--|
| * Depot Energy Use (30 Kw solar (sized to export) commissioned July 2011)  | - <b>42,761.832 kWh</b> saved & exported<br>- <b>\$15,171.40</b> saved & gained | - <b>36,617.860 kWh</b> saved & exported<br>- <b>\$11,345.20</b> saved & gained    | - <b>10,135.381 kWh</b> generated & used<br>- <b>\$2,620.09</b> saved & gained |
| * Civic Centre Energy Use (46 kW solar (*not sized to export) commissioned August 2012, Lighting Stage 1 Nov 2012 and Lighting Stage 2 Feb 2013) | - 0 kWh saved<br>- \$0 saved  | - <b>101,893.37 kWh</b> saved<br>- <b>\$14,749.33</b> saved (since September 2012) | - <b>30,568.01 kWh</b> saved<br>- <b>\$4,482.84</b> saved                      |

\*this data is based on actual energy bills - more sophisticated reporting mechanisms are being investigated. It is likely a conservative estimate as it only takes into account kWh savings not KVA (ie. volt amps).

\*the largest solar system was purchased for the available budget and roof space, and there is limited financial reason to size it for export, with only 15c / kWh now available (previously 52c / kWh).

Chart 1



We also purchased 56 energy efficient LED (light emitting diode), energy efficient lighting streetlights for Jetty Rd, Glenelg. While the Open Spaces and Property Departments have installed LED along the Patawalonga and foreshore Glenelg respectively.

Other activities have included revising the Energy and Water Use Reviews by our consultants of key Council facilities and lodging an application with the Commonwealth Government for funding solar hot water for some of our major sporting facilities.

The draft Water Review for the Civic Centre reports approximately 200 kL and \$600 / year being saved each year by the rainwater tanks which feed the toilets. The Final Report will make recommendations about how we can increase these savings. The Open Spaces unit has also installed a range of water sensitive urban design (WSUD) swales, rain gardens and tree feeders in areas such as Wyatt Street, Coast Park and Partridge Street.

We have also commissioned a Barton & Gilbertson Gully Master Plan in order to plan for better erosion control and water capture and treatment, and amenity. A Recycled Water Pipeline Feasibility Study was also commissioned to establish the financial and environmental costs and benefits of extending the Class A pipeline to Kingston Park to water our parks and reserves with reclaimed water as opposed to mains water.

## Natural Areas

- The main activities undertaken for our natural areas involved; Coordinating volunteer planting days at Civic Centre Native Garden, Gilbertson Gully Reserve, Barton Gully and two sections of the Seacliff to Brighton Dunes (2,105 volunteer hours to date, 205 hours Apr-Jun 2013). Refer to Table 2 for more details.
- Conducting an educational workshop for Hills Montessori School on Erosion in natural areas (Barton Gully, Seacliff to Brighton Dunes)
- Conducting educational workshop on weeding in Seacliff to Brighton Dunes

- Developing ‘outdoor classroom’ and biodiversity & conservation curriculum activities with St Teresa’s School (Seacliff to Brighton Dunes)
- Development of Seacliff Biodiversity Corner on Council land with Seacliff Primary School students (800 plants planted by students)
- NRM and CHB providing advice and guidance to Minda Inc. on dune restoration projects
- Installation of 250m of sand drift fence in Seacliff to Brighton Dunes
- 200+ hours of contracted weed control in Barton Gully, Gilbertson Gully and Kingston Cliff Face
- Coordinated State NRM Community Grant application

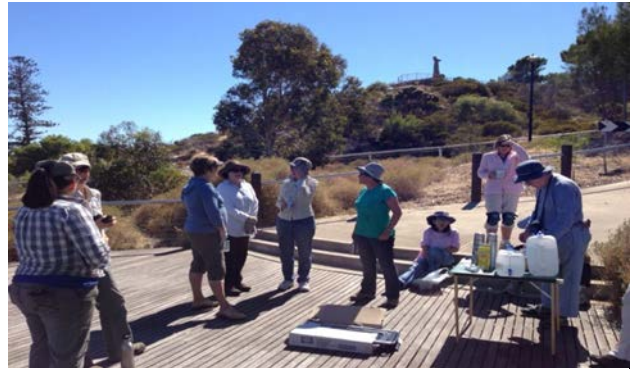


Figure 2 - Volunteers relaxing after weeding day at Yurlo Wirra. Photo: Mike Hemus

Installation of NRM Coastal Gardens signage at Somerton and Brighton Surf Life Saving Clubs where native coastal display gardens have been established by NRM, SLSC and the Nursery and Garden Industry Association (please see photo below).

- The NRM Board funded a repeat of the Bushland Condition Monitoring quadrants at Kingston Park and Minda dunes. Results should be available in the coming months. Results can be compared with the initial surveys conducted in 2010.



Figure 3 - NRM Coastal Gardens signage at Brighton Surf Life Saving Club.

Table 2

|   | 2011/12                      | 2012/13 to date                         | April - June 2013                      |
|---|------------------------------|---|--|
| Indigenous plants planted   | 6,500                        | 10,567                                  | 2,700                                  |
| Volunteer hours in natural areas  | 2,220                        | 2,105                                   | 205                                    |
| Volunteer events (incl. working bees, Nat Tree Day and Clean Up Aust Day)           | 28                           | 21                                      | 6                                      |
| Contracted weed control (m2) in natural areas                                       | 74,415<br>(850 hours labour) | 74,415<br>(614.25 hours labour)         | 55,350<br>(206.25 hours labour)        |
| Contracted weed control (m2) in natural areas by Natural Resources Management Board | 60,565                       | 134,708m2 (346 hours contractor labour) | 57,508m2 (164 hours contractor labour) |



## Waste Services

Council has collected, processed and disposed of 1,067.9 tonnes of recycling (kerbside), 764.24 tonnes of green waste (kerbside) and 1,664.6 tonnes of residual waste (including street litter bins) this quarter (refer to Table 3 below and Charts for more detail). We have also conducted 981 at call hard waste collections free of charge to our residents. Our waste administration work has included processing 56 missing bins and 38 new services.



Figure 3 Bins involved in the Jetty Road BRIGHTON Recycle Right Campaign

Other activities have included extensive researching of a 'Food to Greens' program and submitting a successful funding application to Zero Waste SA – securing a potential \$250,000 over 3 years. A successful report and Council presentation were also organised for the 'Food to Greens' program. Production of kitchen organic baskets and compostable bags are on track to be delivered to households by the end of November.

We also finished the early morning bin audits, and education, for the targeted Recycle Right Program on Jetty Rd Brighton and the council wide Recycling Jackpot and began writing up the results of these programs.

An application to the Keep Australia Beautiful Beverage Container Recycling Community Grant was lodged for funding to install 5 Public place recycling bins on Jetty Road, Glenelg and Jetty Road, Brighton. The application was successful in securing \$6847 in funding for the project.

Table 3

|                              | 2011/12                            | 2012/13 to date                    | April-June 2013                  |
|------------------------------|------------------------------------|------------------------------------|----------------------------------|
| Hard waste collections       | 3188 collections<br>(\$115,914.96) | 2537 collections<br>(\$115,686.90) | 981 collections<br>(\$40,711.50) |
| Recycling collected          | 3938.2 tonnes<br>(\$891,755.76)    | 2578.06 tonnes<br>(\$527,707.43)   | 1067.9 tonnes<br>(\$205,345.04)  |
| Green waste collected        | 3468 tonnes<br>(\$573,759.38)      | 2481.42 tonnes<br>(\$308,566.56)   | 764.24 tonnes<br>(\$110,538.34)  |
| *Residual waste collected    | 7124.04 tonnes<br>(\$554,094.53)   | 5834.82 tonnes<br>(\$661102.95)    | 1664.6 tonnes<br>(\$132,320.48)  |
| Missing bins processed       | TBA                                | 139                                | 56                               |
| New waste services processed | TBA                                | 122                                | 38                               |

\*This figure currently includes street litter bin waste– the team is working to break this figure up for future reports.

Chart 2

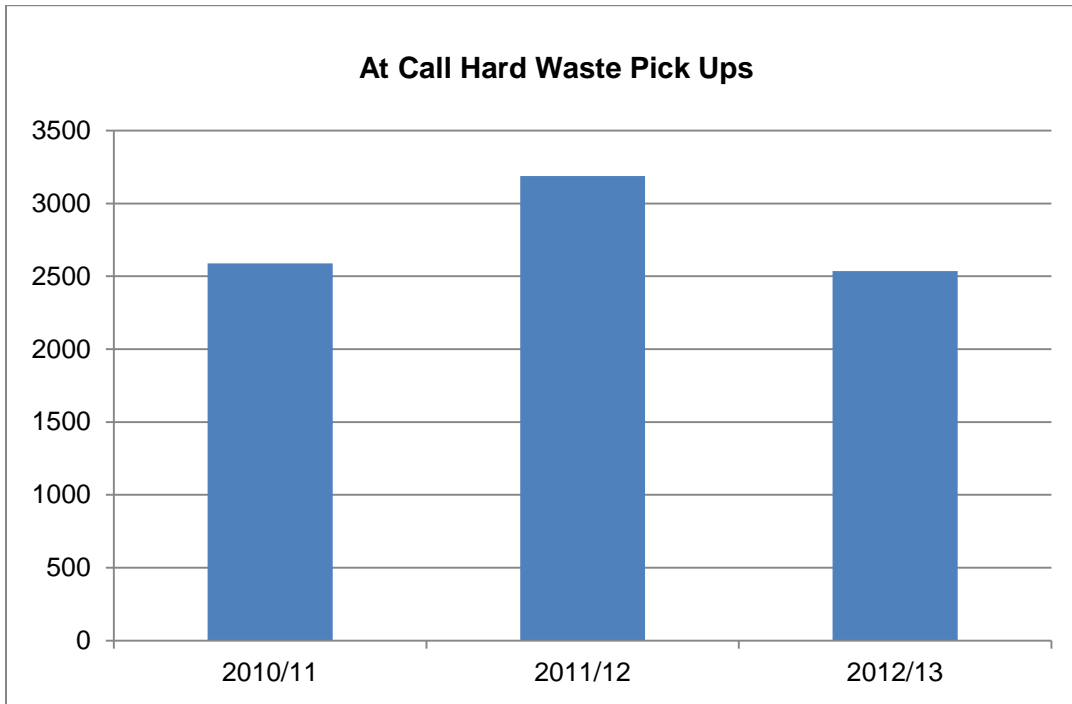


Chart 3

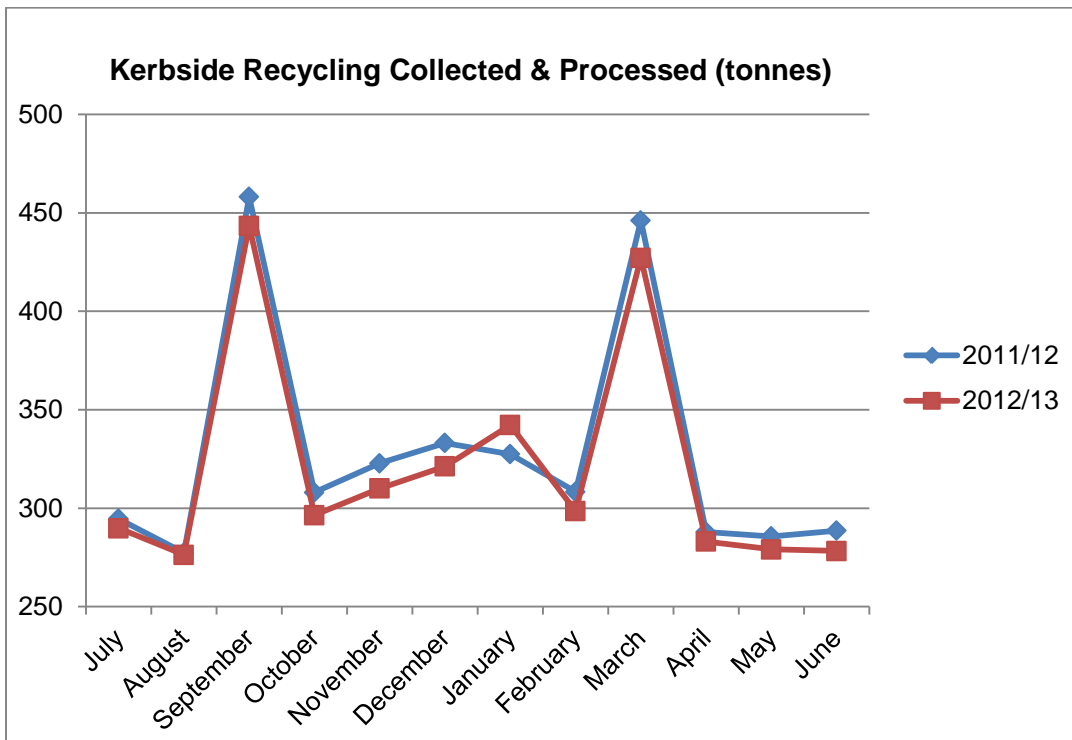
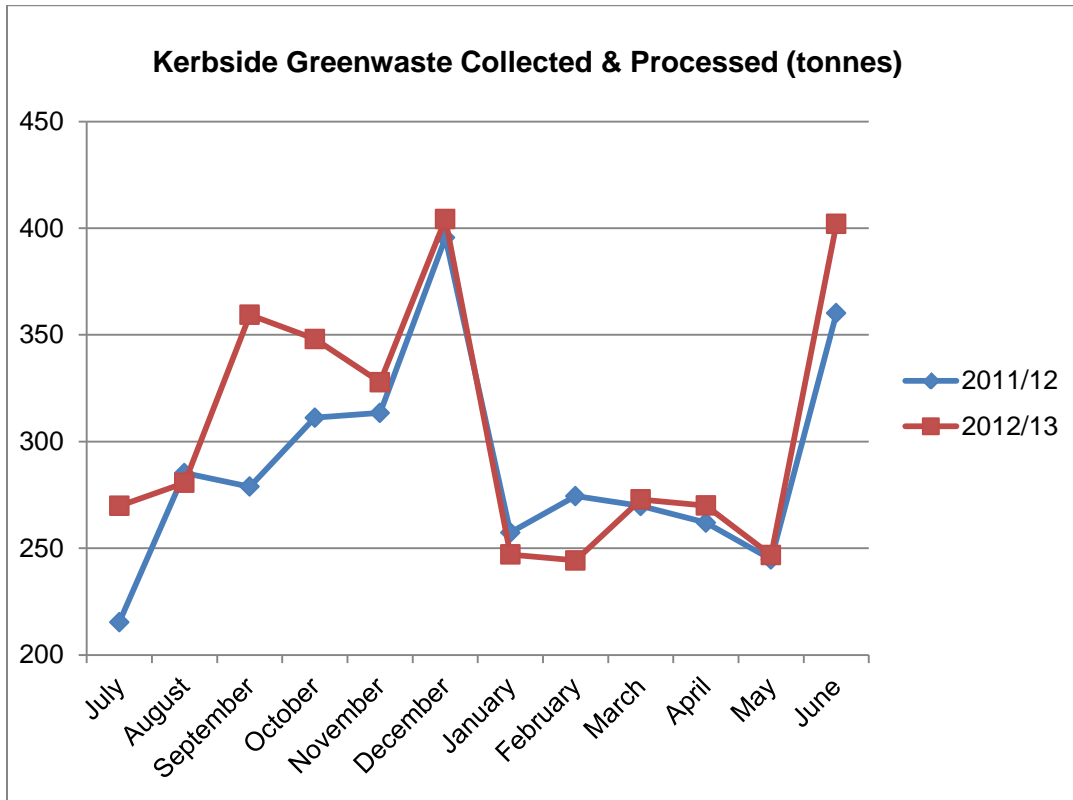


Chart 4



**Community Programs**

The main community activities over the last 3 months have involved;

- Coordinating the Green Living Workshops – Watching Your Wasteline and Back yard Biodiversity
- Hosted a Cloth Nappy Workshop for KESAB
- Coordinating subsidised Green Living Kits in the form of compost bins, wormfarms and indigenous seedlings kits.
- Planned future Green Living Workshops and subsidised Kits
- Delivered 20 signs recognising Councils contribution for Greening Our Community Grant recipients



Figure 4 Signage at St Teresa's Catholic School butterfly garden

To date this year 10 Greening Our Community Grants have been awarded (on a 50% funding basis), 3 Green Living Workshops conducted and 62 subsidized Green Living Kits sold (refer to Table 4 for more detail).

Table 4

|                                       | 2011/12 | 2012/13 to date | April – Jun 2013 |
|---------------------------------------|---------|-----------------|------------------|
| Greening Our Community Grants Awarded | 8       | 9               | 0                |
| Green Living Community Workshops      | 5       | 2               | 2                |
| Greening Living Subsidized Kits sold  | 480     | 123             | 62               |

**BUDGET**

Nil

**LIFE CYCLE COSTS**

Nil

Item No: **14.5**

Subject: **FRAUD, CORRUPTION, MISCONDUCT AND MALADMINISTRATION POLICY**

Date: 24 September 2013

Written By: Governance Officer

General Manager: Corporate Services, Mr I Walker

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### **SUMMARY**

The Council is committed to acting in the best interest of the community and to upholding the principles of honesty, integrity and transparency which are all key components of good governance.

Fraud, corruption and maladministration in public administration has the potential to cause significant financial and non-financial harm and the control of fraud, corruption and maladministration is an important feature within the systems and procedures of a responsible council.

To assist in establishing a framework for the identification of fraud, corruption, misconduct and maladministration the Fraud, Corruption, Misconduct and Maladministration Policy is presented for Council's adoption. Once adopted, this policy establishes the high level principles of good governance and makes a public commitment to up-hold the expected standards of public administration.

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### **RECOMMENDATION**

**That the Fraud, Corruption, Misconduct and Maladministration Policy be adopted.**

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### **COMMUNITY PLAN**

A Place that Provides Value for Money

### **COUNCIL POLICY**

Not applicable.

**STATUTORY PROVISIONS**

- Local Government Act 1999
- Independent Commissioner Against Corruption Act 2012
- Freedom of Information Act 1991
- Ombudsman Act 1972
- Whistleblowers Protection Act 1993
- Public Finance and Audit Act 1987

**BACKGROUND**

The commencement of the Independent Commissioner Against Corruption (ICAC) and the Office of Public Integrity (OPI) on 1 September 2013, has introduced an increased the scrutiny on local government in the areas of fraud, corruption, misconduct and maladministration.

**REPORT**

As Council is committed to acting in the best interest of the community and to upholding the principles of honesty, integrity and transparency which are all key components of good governance, there is a need to introduce a Fraud, Corruption, Misconduct and Maladministration Policy to the governance framework to assist in the development and review of associated policies and procedures.

The Fraud, Corruption, Misconduct and Maladministration Policy is presented for Council's adoption.

*Refer Attachment 1*

The policy aims to provide a statement which outlines the principles and objectives for Council members, employees, contractors and volunteers.

Following the adoption of the Fraud, Corruption, Misconduct and Maladministration Policy a number of the current policies and procedures of Council will be updated to incorporate the principles outlined in the policy.

Over the next few months a range of policies will be presented to Council for endorsement, including Council Members Allowances and Benefits Policy, Investigation Procedures and Council Members and Council Employees Gifts Policy

**BUDGET**

There are no budget implications from the endorsement of this policy.

**LIFE CYCLE COSTS**

There are no life cycle costs.

|                          |                                       |
|--------------------------|---------------------------------------|
| Classification:          | Statutory Policy.                     |
| Trim Container           | B2037                                 |
| Trim Document Number:    | <b>TRIM Document Number</b>           |
| First Issued / Approved: | <b>Date of first issue/approval</b>   |
| Last Reviewed:           | <b>Date of last review</b>            |
|                          | <b>Resolution Number</b>              |
| Next Review:             | <b>Review Date</b>                    |
| Responsible Officer:     | Manager Organisational Sustainability |
| Date Placed on Web:      | Date placed on the Web                |

**1. PREAMBLE**

The City of Holdfast Bay is committed to maintaining an organisational culture which free from fraud and corruption consistent with the Codes of Conduct for elected members and staff and relevant legislation.

This policy and associated procedures create the City of Holdfast Bay’s Fraud Protection Plan framework.

The Council recognises that Fraud, Corruption and Maladministration in Public Administration have the potential to cause significant financial and non-financial harm and that, the prevention and control of Fraud, Corruption and Maladministration should feature predominantly within the systems and procedures of a responsible Council.

**1.1 Background**

The City of Holdfast Bay (the Council) is committed to good governance and ethical behaviour as a key ingredient of responsible, effective and accountable local government

**1.2 Purpose**

The Council policy on fraud, corruption and maladministration control is based on the following principles and objectives:

- The Council operates in an environment in which ethical conduct is expected, encouraged and supported with no tolerance for corrupt conduct, fraudulent activities or maladministration.
- Elected Members and Employees of Council are placed in a position of trust and are required to maintain and enhance public confidence in the integrity of Council and to be active in protecting public money and property.
- Council will ensure that it has in place effective operational controls and procedures for the prevention and detection of corrupt and fraudulent activities and maladministration.
- Council will investigate and manage all reported cases of alleged fraud, corruption and maladministration in accordance with relevant policies and procedures.

# Fraud, Corruption, Misconduct and Maladministration

## 1.3 Scope

This Policy is intended to complement and be implemented in conjunction with other Council policies, including but not limited to:

- Whistleblower Protection Policy;
- Risk Management and Internal Control Procedures;
- Code of Conduct for Council Employees;
- Code of Conduct for Council Members;
- Council Members Allowances and Benefits Policy;
- Council Members and Council Employees Gifts Policy
- Investigation Procedures
- Document and Data Security
- Social Media
- Compliments and Complaints
- Electronic Communication Policy

This Policy applies to all disclosures that relate to the actual or suspected occurrence of fraud, corruption and/or maladministration within the Council.

## 1.4 Definitions

**Appropriate Authority** -that receives disclosure of public interest information includes, a Minister of the Crown; a member of the police force; the Auditor-General; the Ombudsman – where the information relates to a public officer; a Responsible Officer, where the information relates to a matter falling within the sphere of responsibility of a local Government body; or any other person<sup>1</sup> to whom, in the circumstances of the case, it is reasonable and appropriate to make the disclosure<sup>2</sup>.

**Corruption** in public administration means:

- (a) an offence against Part 7 Division 4 (Offences relating to public officers) of the *Criminal Law Consolidation Act 1935*, which includes the following offences; bribery or corruption of public officers; threats or reprisals against public officers; abuse of public office; demanding or requiring benefit on basis of public office and offences relating to appointment to public office.
- (b) any other offence (including an offence against Part 5 (Offences of dishonesty) of the *Criminal Law Consolidation Act 1935*) committed by a public officer while acting in his or her capacity as a public officer or by a former public officer and related to his or her former capacity as a public officer, or by a person before becoming a public officer and related to his or her capacity as a public officer, or an attempt to commit such an offence; or
- (c) any of the following in relation to an offence referred to in a preceding paragraph:
  - (i) aiding, abetting, counselling or procuring the commission of the offence;

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<sup>1</sup> Such a person may include an independent company that offers an anonymous whistleblower call service.

<sup>2</sup> Where the disclosure relates to fraud and corruption, the Appropriate Authority must pass the information as soon as practicable to the Anti-Corruption Branch of the SA Police.



## Fraud, Corruption, Misconduct and Maladministration

- (ii) inducing, whether by threats or promises or otherwise, the commission of the offence;
- (iii) being in any way, directly or indirectly, knowingly concerned in, or party to, the commission of the offence;
- (iv) conspiring with others to effect the commission of the offence.

**Employee** is any person who is employed by the Council, but also includes any contractors, volunteers, independent committee members and consultants undertaking work for, or on behalf of the Council.

**False Disclosure** is a disclosure of information involving actual or suspected fraud or corruption that is made by a person who knows the information to be false or, who is reckless as to whether it is false.

**Fraud** is the use of misrepresentations, deception or dishonest conduct in order to obtain an unjust advantage over another or, to cause detriment to the Council. Examples of fraudulent conduct include, theft of assets; unauthorised and/or illegal use of assets, information or services for private purposes; misappropriation of funds; and/or falsification of records.

**Independent Commissioner Against Corruption (Commissioner)** means the person holding or acting in the office of the Independent Commissioner Against Corruption.

**Maladministration** in public administration defined at section 4 of the *Independent Commissioner Against Corruption Act 2012*, means:

- (a) conduct of a public officer, or a practice, policy or procedure of a public authority, that results in an irregular and unauthorised use of public money or substantial mismanagement of public resources; or
- (b) conduct of a public officer involving substantial mismanagement in or in relation to the performance of official functions; and includes conduct resulting from impropriety, incompetence or negligence; and is to be assessed having regard to relevant statutory provisions and administrative instructions and directions.

**Misconduct** in public administration means:

- (a) contravention of a code of conduct by a public officer while acting in his or her capacity as a public officer that constitutes a ground for disciplinary action against the officer; or
- (b) other misconduct of a public officer while acting in his or her capacity as a public officer.

**Office for Public Integrity (OPI)** is the office established under the *ICAC Act* that has the function to receive and assess complaints about public administration from members of the public; to:

- (a) receive and assess reports about corruption, misconduct and maladministration in public administration from the Ombudsman, the Council and public officers;
- (b) make recommendations as to whether and by whom complaints and reports should be investigated;

# Fraud, Corruption, Misconduct and Maladministration

(c) perform other functions assigned to the Office by the Commissioner.

**Public administration** defined at section 4 of the *ICAC Act 2012* means without limiting the acts that may comprise public administration, an administrative act within the meaning of the *Ombudsman Act 1972* will be taken to be carried out in the course of public administration.

**Public Officer** - Defined under the *ICAC Act 2012* and *ICAC Directions and Guidelines* includes;

- a Council Member,
- an Employee or Officer of the Council,
- a person performing contract work for a public authority or Crown,
- a person who is, in accordance with an Act, assisting a public officer in the enforcement of the Act,
- a person who is a member of the State Executive of the Local Government Association,
- and an officer or employee of the Local Government Association.

## 1.5 Strategic Reference

A Place that provides Value for Money.

## 2. POLICY STATEMENT

The City of Holdfast Bay (Council) is committed to developing and maintaining an organisational culture supported by appropriate controls, procedures and strategies which prevent fraud, corruption and maladministration.

Council promotes a culture and environment in which fraud, corruption and maladministration is actively discouraged and is readily reported to the appropriate authority should it occur.

Council will not tolerate fraudulent conduct, including from its own employees, contractors, volunteers, elected members or others working for Council, and will not tolerate others using fraudulent practices against Council, its employees or the functions and services it provides.

All elected members and employees will at all times act with integrity and must not engage in fraudulent activity or any kind, this includes fraudulent activities which may benefit council.

All suspected instances of fraud, corruption and maladministration will be reported and investigated in accordance with the mandatory reporting procedures, and internal procedures.

In the event that a preliminary investigation indicates that a criminal offence or other offence in relation to anti-corruption legislation, may have been committed, the information will be forwarded to an appropriate authority depending on the nature of the offence.

# Fraud, Corruption, Misconduct and Maladministration

False allegations of suspected fraud, corruption and maladministration with the wilful intent to disrupt or cause harm to another may be subject to disciplinary action.

Employees, contractors, volunteers, elected members or others working for Council induction procedures will ensure that there is an awareness of the policy and how it applies to them. Council will ensure that all employees, contractors, volunteers and elected members are aware of their responsibilities in relation to fraud and corruption through the provision of appropriate training.

Council will consider Fraud and Corruption as part of its Risk Assessment procedures.

## 3. REFERENCES

### 3.1 Legislation

- *Local Government Act 1999*
- *Independent Commissioner Against Corruption Act 2012*
- *Freedom of Information Act 1991*
- *Ombudsman Act 1972*
- *Whistleblowers Protection Act 1993*
- *Public Finance and Audit Act 1987*

### 3.2 Other References

To be updated as required.