



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 26 November 2013 at 7.00pm

Justin Lynch
CHIEF EXECUTIVE OFFICER

Please note: This agenda contains Officers' reports and recommendations that will be considered by the Council. Any confidential items listed on the agenda will be circulated to Members separately.



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 12 November 2013 be taken as read and confirmed.

Moved Councillor _____, Seconded Councillor _____

Carried

8. QUESTIONS BY MEMBERS**8.1 Without Notice****8.2 On Notice**

8.2.1 Question on Notice - Survival Rates for New Tree Plantings – Councillor Yates (Report No: 390/13)

8.2.2 Question on Notice - Increased Problems with Cyclists on the Coast Park – Councillor Looker (Report No: 400/13)

8.2.3 Question on Notice - Speeding Cyclists on the Coast Park – Councillor Looker (Report No: 401/13)

9. MEMBER'S ACTIVITY REPORTS

9.1 Councillor Yates – Report on the Murray Darling Association Conference (Report No: 394/13)

9.2 Councillor Looker - Report on the Integrated Transport & Land Use Plan Briefing 18 November 2013 (Report No: 402/13)

10. PUBLIC PRESENTATIONS**10.1 Petitions**

10.1.1 Petition – Prohibit Roundup Herbicide Use in Holdfast Bay Council Area (Report No: 395/13)

10.2 Presentations

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

10.3 Deputations

10.3.1 Puspa Mala – Chola South Indian Restaurant
Mayor Rollond has approved a deputation from Puspa Mala regarding the Chola South Indian Restaurant

11. MOTIONS ON NOTICE

11.1 Motion on Notice – Chola South Indian Restaurant Pty Ltd – Bank Guarantee for Assignment of the Lease – Councillor Roe (Report No: 398/13)

11.2 Motion on Notice – Buffalo Restaurant – Rental – Councillor Looker (Report No: 406/13)

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

13.1 Minutes – Development Assessment Panel – 23 October 2013 (Report No: 369/13)

- 13.2 Information Report – Southern Region Waste Resource Authority (Report No: 396/13)
- 13.3 Minutes – Alwyndor Management Committee – 19 November 2013 (Report No: 399/13)

14. REPORTS BY OFFICERS

- 14.1 Items in Brief (Report No: 383/13)
- 14.2 Bay Discovery Centre – Special Circumstances Licence Application (Report No: 387/13)
- 14.3 Somerton Surf Lifesaving Club – Alteration/Variation to Existing Licensed Area Application (Report No: 386/13)
- 14.4 Findings of Dog Park Community Engagement (Report No: 370/13)
- 14.5 Council and Standing Committee Meeting Schedule 2014 (Report No: 380/13)
- 14.6 Privately Funded Development Plan Amendment Policy (Report No: 381/13)
- 14.7 Appointment of Deputy Mayor (Report No: 382/13)
- 14.8 Dover Square Tennis Club Inc – Renewal of Lease (Report No: 384/13)
- 14.9 Kauri Parade and Barwell Avenue Seacliff – Lions Club of Brighton Inc – Lease (Report No: 385/13)
- 14.10 Winter Wonderland Funding (Report No: 388/13)
- 14.11 Monthly Financial Report – October 2013 (Report No: 391/13)
- 14.12 Heritage and Character Development Plan Amendment (Report No: 393/13)

15. RESOLUTIONS SUBJECT TO FORMAL MOTIONS

16. URGENT BUSINESS – Subject to the Leave of the Meeting

17. CLOSURE

**JUSTIN LYNCH
CHIEF EXECUTIVE OFFICER**

Item No: **8.2.1**

Subject: **QUESTIONS ON NOTICE – SURVIVAL RATES FOR NEW TREE PLANTINGS – COUNCILLOR YATES**

Date: 26 November 2013

QUESTION

Councillor Yates asked the following question:

“I would like to know the numbers and survival rates for new tree plantings with separate information for reserves and street trees over the last few years, if available.”

Background

I was talking to Anthony Ford after a resident queried if her new tree was being watered. I gather the water truck takes 9 days to water the whole new plantings on a revolving basis. Anthony said they have collected info on survival rates and I am concerned whether the maintenance of the trees planted is adequate as many young (and not so young!) trees look very dry and stressed. There is no point planting more trees if we cannot keep them alive during the increasingly long and hot summers. I am not sure if statistics exist for reserve and street trees separately but it would be interesting to see how much lower survival rates are in the street where trees get little rain to their roots due to the paving surrounding them, not to mention other stressors like extra heat and traffic fumes.

ANSWER

At the time of printing, the answer to this question was not available and will be presented at the next meeting of Council.

Item No: **8.2.2**

Subject: **QUESTIONS ON NOTICE – INCREASED PROBLEMS WITH CYCLISTS ON THE COAST PARK – COUNCILLOR LOOKER**

Date: 26 November 2013

QUESTION

Councillor Looker asked the following question of Councillor Bouchee:

“In the light of claims in the chamber last meeting, the subsequent media coverage that attracted outrage from cycling groups, anti obesity campaigners and the health conscious public together with the absence of recent complaints to Council or the Police, could Cr Bouchee please provide details as to the verifiable evidence used to substantiate her claims of increased problems with cyclist on the coast park. Such evidence may include traffic studies, speed measurement, cyclist counts and any other credibly gathered data.”

ANSWER

At the time of printing, Councillor Bouchee had not provided a response.

Item No: **8.2.3**

Subject: **QUESTIONS ON NOTICE – SPEEDING CYCLISTS ON THE COAST PARK – COUNCILLOR LOOKER**

Date: 26 November 2013

QUESTION

Councillor Looker asked the following question:

“Following sensational media coverage of an alleged problem with speeding cyclists on the coast park and subsequent outrage by cycling and health groups can administration advise if the problem of speeding cyclists has escalated in recent times or remains at rate of the occasional incident attracting few recent complaints.”

ANSWER – Acting General Manager City Assets

There are more than 400km of popular sealed shared use paths across metro Adelaide, including the River Torrens Linear Park, Coast Park paths and new sections of Greenway paths along railway corridors.

In the past few years we have received the following number of written complaints regarding cyclist behavior.

2011 – eleven
2012 – six
2013 so far 11

These concerns have been received predominantly in the October to March warmer months and their focus is summarized below.

Complaint: Cyclists not dismounting in Moseley Square.

Response: Council has ensured the applicable Cyclists Dismount signage is in place at all entry points to Moseley Square and requested police enforcement.

Complaint: Cyclists speeding on Coast Park including Jimmy Melrose.

Response: Ensured shared path signage and pavement markings are installed according to applicable Australian Standards and requested police enforcement of cyclist behavior.

Complaint: Cyclists riding on footpaths in general.

Response: Requested police enforcement and directed complainants to report behavior to SAPOL regarding locations and circumstances.

Cyclists riding on footpaths, specifically on Jetty Road adjacent Moseley Square and on the Patawalonga Lock.

Response: Requested police enforcement and installed "Walk Your Bike" stencil on associated footpaths.

For your reference, according to South Australian legislation:

- The default speed-limit applies to shared paths, ie in built-up areas it will be 50 km/h. No signs need be present for the speed-limit to apply. The reported 10km/h is not a legislated speed limit and therefore not enforceable.
- Cyclists (over the age of 12) are not permitted to ride on footpaths.

When riding on shared paths cyclists must:

- Exercise due care and consideration for pedestrians and other users;
- Keep to the left of the path unless it is impractical to do so;
- Give way to any pedestrians.

SAPOL have the jurisdiction to enforce the above.

Item No: **9.1**

Subject: **COUNCILLOR YATES - REPORT ON THE MURRAY DARLING ASSOCIATION CONFERENCE**

Date: 26 November 2013

Written By: Governance Officer

General Manager: Corporate Services, Mr I Walker

SUMMARY

Councillor Yates has provided a report on her attendance at the Murray Darling Association Conference held in Goolwa on 9 – 11 October 2013.

RECOMMENDATION

That the report be received and noted.

COMMUNITY PLAN

A Place that Provides Value for Money

COUNCIL POLICY

Elected Member Training and Development Policy

REPORT

69th Murray Darling Association Conference 9 -11 Oct 2013 Goolwa, SA

Conference Theme “Sharing the Basin’s Resources from the Source to the Mouth”

The full presentations from most speakers can be found at: <http://www.mda.asn.au/events/46-69th-conference-agm>

Day One

Welcome to Alexandrina Council and to Country by CEO Mr Peter Dining (the Mayor Kym McHugh also welcomed us the night before at a function held for delegates). Goolwa has a population of 24,500 and covers 1800 sq km including the river port of Goolwa which has operated since 1853 and was the first inland port in Australia.

Introduction by Ken Rogers, MDA National President

**Official Opening by Dr Felicity-ann Lewis, National President ALGA
Keynote Presentation by Ms Diana Gibbs, Board Member of MDBA**

Ms Gibbs explained the timeline for the Basin Plan. Water trading rules operate from July 2014 as does the Basin Environmental Water Strategy. In 2015 the long term environmental water plans will begin. In 2019 sustainable diversion limits (SDLs) and the State Water Resource Plans take effect. There will be feedback and monitoring throughout. In 2014 there will be groundwater reviews; in 2015 a Northern Basin science review; in 2016 the SDLs will be adjusted; in 2017 the Environmental Water Plans, Water Quality and Salinity Plans will be reviewed. 823 GL a year has been recovered between 2004-9 and 1068 GL a year between 2009-11.

There are \$2.5 billion assets in the Basin and it costs \$110 million each year to support the infrastructure of the Basin. The Sustainable Rivers audit and the Native Fish Strategy have been dropped by the MDBA since NSW and SA cut their funding for the Plan, although it is hoped that they can be persuaded to reconsider this decision.

The Science of Litter by Peter McLean, CEO of Keep Australia Beautiful

KAB monitors 983 sites of 7 types (beaches, car parks etc) for 7 litter categories (glass, plastic etc) in May and November of each year. This gives them statistics which indicate that litter is decreasing by 30% volume and 20% items over the last 8 years. Retail sites have the most litter items and industrial sites the greatest volume of litter. Cigarette butts are the most frequent item and are increasing – 35 per 1000 sq m up from 32 last year. Illegally dumped objects give the greatest volume – 3.2 L per 1000 sq m with plastic second at 1.53 L per 1000 sq m. 77% of marine debris is plastic. The volume of litter on beaches has increased.

KAB also does a branded litter survey but not every year as it is too expensive. The greatest litter is non-alcoholic beverages and packaging - up from 21.4% in 2007/8 to 25.9% in 2011/12 followed by take-away food and drink containers and packaging, up from 15.3% in 2007/8 to 18.6% in 2011/12 while alcoholic beverages are now in third place down from 19.5% in 2007/8 to 16.2% in 2011/12. Brands are littered in proportion to market share so McDonalds has the most food packaging litter – 12.78% up from 9.85% in 2007/8 and Coca-Cola the most drink packaging litter – 9.85% down from 9.96% in 2007/8.

Victoria is the least littered state – 25% less than other states and has reduced 19% since last year in both items and volume, except that cigarette butts are up – to 41 per 1000 sq m. Illegal dumping is also up from the last year and is the largest volume of litter. It is estimated that 7% of the Victorian population litter. The public are encouraged to report motor littering offences and then infringement notices are issued and usually paid. SA could do the same with positive results.

A Smarter Approach to Implementing the Basin Plan by Senator the Hon Simon Birmingham, Senator for SA

The environment has bounced back with 33% more water this year. Social stress occurred in the drought and is occurring again with change. The 4 pillars of the environmental plan are:

1. A direct action plan
2. Clean land policy using the Green Army and cutting green tape
3. Murray Darling and Reef Protection plans
4. Heritage

The Coalition plan to finish the 4-point and later 10-point plan of the Howard Government, ensuring social, environmental and economic improvements. The environment is unpredictable but healthy rivers and a healthy community are complimentary goals, not incompatible ones. The Coalition will ensure the Murray Darling Plan is on time and intend the Basin to remain the core agricultural area of Australia with as much food as possible grown there sustainably both for Australia and for export. There will be a \$12 billion investment in the Basin for clean water and infrastructure improvement. The buybacks will be rephrased over 6 years rather than 4. \$3 billion will be spent on rural infrastructure projects over the next 3 years to increase jobs as well as water usage efficiency, thus creating a win-win situation. The new water recovery plan will be produced later this year.

A review of the impact of the exit grants given by the last government will be made. 297 exit grants removed 247,000 ha from use for 5 years with the irrigation removed but the logic for which areas were taken out of use is not there – some irrigation bypasses one block of land but continues to the next block so does not lead to efficiency. The land also harbours pests when left fallow so it needs to be considered how to return this land to productive use without leaving it 5 years.

The Carbon Tax has increased electricity costs and therefore decreased the efficiency of many technologically progressive water irrigators, hence it will be repealed. There is an aim to remove red and green tape so that local people can maximise water savings and adapt to meet SDLs. This starts in 2019 and completes in 2024. Local knowledge is important in formulating the plans not just being consulted. Partners like Berri and the Nature Foundation are saving water and it is hoped more partnerships occur. The Coalition however promise to only support environmental improvements if they are not detrimental to local communities.

State of the Rivers Panel – short 5-minute talks

The Lower Lakes and Coorong by Prof Justin Brooks, University of Adelaide

No water flowed into the Coorong for 8 years of drought and the Lakes, once 0.8m above sea level, sank to 1.5m below. This continued hundreds of kilometres upstream to Lock 1. Acid sulphate in the soil created sulphuric acid – there is still a pH of 2 in some soil at Hindmarsh Island. The only inflow to the Coorong was seawater and so the freshwater South Lagoon became salt and the most important vegetation, big beds of green flowering plants called *Rupia*, all died. This was the base of the food chain that supported the birdlife in the Coorong. Despite the water returning to fresh in the last 2 years, no *Rupia* seed is now present to germinate and it will take several years to re-establish from upstream, if it does actually recover at all.

Catchments of the Lower Lakes by Sharon Starick

The Mt Lofty Ranges (MLR) catchments provide 5% of the flow into the Murray. 800mm rainfall there reduces to 350mm at the Lower Lakes. The catchments of the Finniss River, Tookayerta Creek and Currency Creek provide two-thirds of the outflow from the Eastern MLR to the Lower Lakes as water from many areas is soaked up and seldom travels far. Around the Lakes lucerne, olives, pasture and wine grapes, nuts and dairy cattle occur. The Fleurieu swamps, peaty and fed by springs, are endangered and the Southern Emu Wren there is also threatened, plus the Southern Pygmy Perch and many insects unique to this area. Water from the Eastern MLR carries tannin to the underwater plants near Lake Alexandrina and the Yarra Pygmy Perch is only found here. It was saved in the drought by removing small populations and returning them later. 3000 small dams in the area only release water when overflowing so they reduce the flow

season and lengthen the low flow season with subsequent stress to the native species in completing their breeding in the shorter timeframe especially if pools dry out for too long or become too salty. The aim is to have bigger buffer zones between the dams and springs and to remove any unnecessary dams.

Pressures on the Condamine Balonne Catchment by Prof Martin Thoms

Inappropriate land management such as ploughing right to the water's edge led to erosion and little vegetation on the bank. Many floodplains should not be farmed but are. Water used to be taken out at the end of a flood so that the water level could drop a metre a day and destabilise the bank. Exotic invasions like Lippia are proving hard to remove once established. A dynamic natural system will remain within boundaries and increase its resilience but excess stress can cause a tipping point to be reached with an alternate state that cannot be returned from. The loss of keystone species like river red gums plus invasive weeds indicates we are moving to an alternate state with species loss and a degraded river. More money must be applied to remedy this before it is too late.

The Loddon River by John McLinden, CEO Loddon Shire Council

This river flows north to Swan Hill via Bendigo for 392 km from the Great Dividing Ranges. Many perched streams sit above the floodplain and it all flows into a large delta near Swan Hill. There are many species of native fish like the gold trout and silver trout but few large specimens are now left. There are salinity issues. There are also important RAMSAR accredited wetlands for migratory birds. 3 dams now remove water and lead to a highly modified environment although the river is pristine near its source and has high flows there. Yet in summer the river is now often dry with stagnant pools and like a drain downstream. In 1999 the largest flood since 1939 occurred and again there was a flood in Jan 2011 with 2000GL a day flowing then (for comparison Melbourne uses 460GL a year).

One River, Many Lands – Shane Strudwick, Director of Discover Murray

In 2006 a state tourism proposal was ignored by the states so a private development has taken this up. Shane talked about the tourism opportunities along the Murray, creating unity along its length. A website was created in 1998 and now offers free event promotion, a consistent series of maps covering the whole river, a Murray River passport to be stamped at various attractions, plus it encourages driving, cycling and walking alongside the river. Only 2% of Australians have travelled along the whole Murray so there is room to grow. Apps for IPAD and mobile phone are being developed. During the drought visitor numbers dropped to 600,000 in 2009, but grew back to 1.2m in 2012 and are projected to be 1.3m for 2013.

Environmental Watering Programs and E-Flows by David Papps, Commonwealth Environmental Water-Holder (CEWH)

The CEWH is creating a database of assets such as small wetlands that will be in need of environmental water in the future. The use of water from rivers means that the natural ecosystems are altered and must be actively managed to retain ecological integrity, supporting strong communities and a productive economy. The 2007 Water Act gave the CEWH statutory independence. As at 30 Jun 2013 he held 1,629GL water. Since 2009 2,558GL has been delivered and during 2012-13 1,272GL was used. There are 3 options : to use the water, carry it over for future use or trade it. When selling, the CEWH has to pay the standard charges. He does not

want to carry over too much – about 20% to use in early spring. Trade is constrained by The Water Act and it can only be sold if the environmental benefits of that can be shown. In 2009-10 the annual allocation was 187GL, in 2011-12 1,112GL so it depends on water availability. The states are major partners and have their own environmental water and shape the use of water by the community. The Basin Plan of 2012 aims for an environmental watering program that is comprehensive, scientifically robust and a powerful planning tool. The environmental objectives are:

1. To protect and restore water-dependant ecosystems of the MDB
2. To protect and restore the ecosystem functions of the water-dependant ecosystems of the MDB
3. To ensure the water-dependant ecosystems of the MDB are resilient to climate change and other risks and threats

NB. The above objectives cannot be ensured for water-dependant ecosystems of the MDB under other control.

Environmental water holdings do not have any special storage as they were previously irrigators' water. The water allocation for an area will be cancelled if the environmental trigger does not eventuate eg. sufficient flows to piggyback onto. Planned environmental water is ephemeral due to wetting and drying cycles, relates to the basic concepts of water supply and ecological demand, gives priority to environmental assets and to ecosystem functions. The physical infrastructure along the river puts constraints on how much environmental water can flow down different sections of the river. It is not about big floods which only occur naturally – it is to replace minor and moderate flooding of the river and floodplains. The aims are, going from lowest to highest water availability:

1. To avoid damage
2. To ensure the ecological capacity for recovery
3. To improve health and resilience of the aquatic ecosystems
4. To maintain ecological health and resilience.

Monitoring is done and annual reports are produced of the outcomes of watering so as to allow a shift from short-term to long-term planning. The aim is to improve the science and local knowledge using Local Engagement Officers and to build an increasing capacity for community involvement – inform, consult, involve, collaborate, empower. Key areas are long-term intervention and monitoring, adaptive management, alternative delivery options and local community engagement.

Socio-Economic Change in the Murray-Darling Basin by Dr Jonathon Sobels, University of SA – Barbara Hardy Institute

Adaptive management is usually short-term and longer periods eg. 25 years should be monitored. Communities are in transition since the new water use regime and it is hoped there will be better environmental outcomes, better management of stormwater releases, a more effective water market and improved infrastructure (currently 80% water taken from the river is

lost to evaporation and leaks) which should equate to lower production costs and better gross margins as well as droughtproofing to 2050.

Sharing the Basin's Resources Panel Session - short 5-minute talks

The North-South Divide by Prof Martin Thoms

Most assessment of river condition is done chemically or biologically with limited physical consideration. There is a need for a whole of system assessment done physically, chemically and biologically.

A GIS approach is now possible which is scale aware, quantitative and employs a suite of metrics that allows the community of river types present to emerge. Node points are analysed and grouped into types every kilometre along the river. 11 different river types were found. 4 are common and 3 rare. There is a strong association between river type and physical processes - discharge and sediment storage, channel morphology – cross-section and planform, biological data – fish and macro-invertebrates. A focus on the river type may be the most appropriate way of assessing river condition and also restoring them to health by setting flow regime according to type. The environmental disturbance index can be calculated as well. A whole of basin approach is necessary for sustainable management.

Environmental Regulators – Risks and Benefits by Dr Justin Brookes

Flow governs the patterns and processes observed in rivers eg. form of channel, nature of sediments. Most energy is supplied upstream and as the river broadens and slows there is more opportunity for primary production. As water is over-extracted or when there is drought, the energy of the river reduces – less leaf litter dropped on the floodplain, fewer phytoplankton as a source of food for the ecosystem (phytoplankton > zooplankton > fish > birds). Biodiversity decreases as energy decreases. Droughts should be perturbations in otherwise sustainable systems that increase resilience but now they can lead to ecosystem collapse. Water needs to get to the floodplain and this can be done by pumping, environmental water allocations and/or regulator construction.

Regulators can simulate a 10,000ML a day flood that can operate for 3 months every 3 years thus mimicking nature and benefitting the vegetation. Currently only 52% of river red gums are in good condition, 16% of black box and none of the understorey but regulators would bring this back to 76%, 30% and 2% respectively. Water put on a wetland is only beneficial if it goes back to the river and doesn't evaporate – it needs to carry biomass ie. zooplankton back to the river for fish to eat. Measurements of such biomass can be 6000 kg a day from a typical wetland. The biggest risk of regulators is that they are barriers to fish movement, larvae may die overshooting weirs, they may slow water flow and lead to low oxygen in water. Regulators need good management. They don't replace good flows which are needed to stimulate fish spawning but can help increase river productivity.

SA's Salt Interception Schemes (SISs) by Peter Forward

There are 140m tonnes of salt in the MDB. Less than 0.004% is transported out of the river mouth each year. Salinity problems are due to groundwater flow. 80% of water is diverted from the river so that leaves less to transport the salt. Irrigation is done wrongly as is now known by pumping water uphill and then it comes back down carrying salt.

Options are SISs - large-scale groundwater pumping to intercept the flows or slow and long-term changes like improving irrigation efficiency to improve delivery and reduce drainage,

management of river flows, forestry and revegetation, changes in dryland farming techniques. SISs are fast and economical. Bores pump parallel to the river at a rate sufficient to stop salt flow into it. Between each pump is a control bore to monitor and adjust flow. Prior to European settlement 700 tonnes of salt a day flowed into SA, nowadays if nothing was done it would be 2000 tonnes a day. The first SIS was Woolpunda in 1990 and there are now 8 SISs. \$20m has been invested in the SISs. The bore pumps cost \$20,000 a day to run plus capital costs so it is expensive. No more SISs are needed but the current infrastructure is ageing and is really just buying time as salt is being concentrated in the aquifers. There needs to be bigger flows in the MD to remove the salt naturally.

Unconventional Gas and Mining or a Foodbowl and Clean Water? by Anne Daw

Only 4.6% of land in SA is classified as prime agricultural land yet it is not protected from mining or other threats like development. Mining has been allowed to use large unreported volumes of water for fracking with the potential to contaminate aquifers and increase their salinity. The aquifer that contains 30% of the state's potable water has been affected by tests conducted by Western Mining Corporation. The Great Artesian Basin is linked to the MDB so damage to one could affect the other yet there is no control of mining. Recommended reading: Rich Land, Wasteland – How Coal is Killing Australia by Sharyn Munro.

Aquatic Weeds by Tim Nitschke

The top 5 aquatic weeds of national significance threatening the MDB are alligator weed, Cabomba, pale yellow waterlily, water hyacinth and arrowhead. There is a MDB Aquatic Weeds Project funded by the NSW Government but basinwide to identify threats of weed movement eg. when flood Barmera Forest weeds may move downstream to pristine areas. Another threat is that willows are hybridizing – NZ species with the weeping willow.

Region 7 Meeting was held 7.30 pm that evening with speakers Ann Daw, Cr Joan White of Texas QLD and Ian Mann, formerly Mayor of Mannum (Minutes in separate attachment)

Day Three (Day Two comprised a tour of the Murray Mouth and the Lower Lakes)

Opening of Conference by Gail Gago

Keynote Address by The Hon Karlene Maywold, Chair National Water Commission

The National Water Initiative (NWI) was created in 2004 as well as the National Water Commission (NWC) which was to apply it. It was founded by the Federal Government via the Department of the Environment, has 30-40 staff and is based in Canberra but holds regional meetings. The NWC reports every 2nd year to COAG – in 2007, 9, 11, 13. The NWC will audit the Murray Darling Plan every 5 years but has just reported on the state of play of the Plan as at Mar 2013. The NWC will assist partnership agreements and police, pushing through a consensus and providing the transparency necessary and educating the public about the Plan. The first full audit of the Plan will be in 2015. Expectations have been stated so the NWC is in a good position to monitor the results. The NWC also checks the states' performance every 3 years against the NWI requirements.

MDA AGM

Local Government Funding for Rehabilitation after Extreme Events : Floods, Bush Fire; Communications – Roads, Rail and Social Media by John McLinden, CEO Loddon Shire Council

The response must be in proportion to the event and to the community's abilities and resources. Local Government carries the first \$10,000 cost in a declared event ie. the National Disaster Recovery Taskforce declares the event one of national significance. The next \$100,000 is reimbursed at the rate of 75% but over that \$110,000 the full amount is recoverable. Therefore, the Council is only ever liable for \$35,000 of the cost and that is often recoverable too so that there is zero liability. The states' disaster relief is different to that for a federal declared event. Drought is not treated in the same way as flood and fire and is harder to get aid for.

MURRAY DARLING ASSOCIATION

Minutes of Region 7 Meeting held 7.30 pm on Wed 9th Oct 2013

Venue: Alexandrina Council, Goolwa

PRESENT

Cr Peter Jamieson (Chair), Pauline Frost Life Member MDA, Ian Mann Cr, Joan White, Adrian Wells, Anne Daw, Ray Najjar General Manager MDA, Ian Goodnight (NSW), , Cr. Frank Verral City of Marion, Cr. Denis Davey City of Playford, Cr. Lynda Yates City of Holdfast Bay, Raelene Telfer R/7 Secretary

APOLOGIES

Cr Michael Saies, Ivan Brooks, G. Palmer, Mayor Lorraine Rosenberg, Cr Arthur Mangos, Chris Adcock, G. Ricketts, J. Hullick OAM, Cr Alan Oliver

The Chairman, Cr Peter Jamieson, opened the meeting and welcomed everyone.

Adrian Wells, Staff Officer MDA, Albury, then proceeded to facilitate the 20 minute speeches given by the three talkers on various aspects of water usage on the Murray Darling.

Anne Daw on maintaining water in the Basin in SA by restricting mining

SA is the only state with no state-wide policy framework to protect prime agricultural land yet 83% of mining here is foreign owned. Mining leases impact on prime land eg. lignite clays in Upper SE. Pumping tests performed by Western Mining Corporation have impacted on aquifer water storages with resultant seawater intrusion.

45% of the wheat crop near Koppio in the Eyre Peninsula is threatened by mining. On the Limestone Coast the Diliwyn aquifer contains 30% of the potable water in SA yet could be threatened by mining. Fortunately the Kingston Lignite Mine was cancelled but could still eventuate. As an open cut mine it would be environmentally damaging, producing nasty chemicals that could ignite and explode if any fires came near. The fracking also exacerbates earth movements during earthquakes which do occur here.

Shale is harder to frack than coal so uses more water and a higher pressure. 14.7m litres of water per well have been used in fracking Marcellus shale (which is deeper in Australia than in USA and more expensive to remove in terms of infrastructure and water). 56.8m litres of chemicals and sand or ceramic are also needed. The waste water is left in huge salt lakes which can overflow into groundwater when the water level rises too high, potentially contaminating

the aquifer. Once contaminated, it is very hard to clean an aquifer. Food and water supply should not be allowed to be threatened by mining and it should also be banned in National Parks and areas of high conservation value.

Only 4.6% of SA is classified as productive land so it should be protected. Although the Barossa and McLaren Vale are protected from housing overdevelopment, they could still be mined.

Recommended reading "Rich Land, Waste Land: How Coal is Killing Australia" by Sharon Munro.

Cr Joan White, Texas QLD on the Northern Section of the MDB

Water is used for food and fibre (cotton), also mining. Two years before the MDB Plan, BREWN (Border Region Environmental Waters Network) was created. The consultative committee, with input from a network of technical support groups, liaised directly with the MDBA and Craig Knowles on the Plan. 6 points for the Plan include measurable results, turbidity issues, salinity issues and socio-economic community involvement. Environmental water is not being taken out of this area before 2015. One consideration is that the wide rivers and hot climate of Queensland mean that 80% of water in the river can evaporate or seep into the soil before any travels further downstream. Water used for mining in Dalby is being dealt with by reverse osmosis desalination and this can reclaim 50% water but is not yet done elsewhere.

Ian Mann OAM, formerly Mayor of Mannum

Ian was born in Mannum and saw the 1956 and 1973-5 floods as well as the Millennium drought. Below Blanchetown the land is 1.5 m below sea level and could be easily flooded. In Ian's grandfather's day, the river was salty at Taillem Bend but was deep enough for barges to bring fresh water down from Mannum.

In 1989 Ian joined Council and is a member of the Community Advisory Committee which has solutions but no direct access to money. In a good year the Mid-Murray should have 1850GL of environmental water, 500GL for irrigation and 150GL for rural towns. The Chowilla floodplain is sadly degraded and the gums need flooding every few years rather than the current 11 year gap. The Riverina is important for viticulture, citrus and almonds, the Mid-Murray has potatoes and onions. Mannum to Wellington is irrigated and suffered badly in the drought with many selling up as the clays cracked. The Lower Lakes used to have dairies and breweries around them but no longer as the water from Lake Albert is too salty to use. 5 pipelines pump Murray water across SA: Morgan to Woomera, Whyalla and Ceduna; Mannum to Adelaide; Murray Bridge to Onkaparinga; Swan Reach to the Barossa; Taillem Bend to Keith. Below Lock 1 restrictions meant that only 28% of the water entitlement could be used in the worst drought year and what could be used was often well below bank level so had to be pumped out or left. Banks eroded and slumped too. Holiday homes had no water, wetlands dried up and houseboats on the Murray had few visitors even though they were still viable. Many vines were taken out as unprofitable. Lake Albert has still not recovered as it has only one entrance, one exit and too much salt plus it is below sea level so salt seeps into it. Water from the South Lagoon has been recorded as 7 times saltier than sea level – a regulator at Young husband Peninsula would have kept it down to a maximum of 1.5 times saltier.

The facilitator invited questions from members to the guest panellists.

Ray Najjar, General Manager MDA spoke briefly to give some statistics. 20% of water comes from 66% the Murray Darling headwaters, 80% of the water comes from the Murray System which is 33% of the Basin, commonly known as the Southern Connected system. In relation to storages almost 20,000GLs is available on the Murray Headwaters with only 5,000GLs on the Darling River Headwaters.

Queensland has few dams or storage and can give 5-7% benefit to the other states. SA uses 5-7% only of the Murray-Darling flows. SA also loses a lot of water from evaporation – 1,000GL per year on average between Lock 1 and the barrages. SA now has 2,000GL of shared additional water reserves available to it for a future drought but environmental water may not be allocated if required for critical human needs.

The **Murray Darling Foundation** is receiving donations towards worthwhile tax-deductible community projects, the water bank and bursaries.

The Chairman thanked the speakers and closed the meeting.

Next Meeting to be held at Onkaparinga Council Chambers, Ramsey Place, Noarlunga Centre 6.30pm for 7pm Thursday 11th Nov 2013. The speaker is Steve Barnett of DEWNR and the topic "Groundwater in the Murray Darling Basin and SA"

Item No: **9.2**

Subject: **COUNCILLOR LOOKER – REPORT ON THE INTEGRATED TRANSPORT & LAND USE PLAN BRIEFING 18 NOVEMBER 2013**

Date: 26 November 2013

Written By: Personal Assistant

General Manager: Corporate Services, Mr I Walker

SUMMARY

Councillor Looker has provided a report on his attendance at the Integrated Transport and Land Use Plan briefing held on 18 November 2013.

RECOMMENDATION

That the report be received and noted.

COMMUNITY PLAN

A Place that Provides Value for Money
A Place that is Well Planned

COUNCIL POLICY

Not Applicable.

REPORT

On 18 November 2013 I attended a briefing regarding the 30 year plan for public transport for Adelaide. The plan is visionary and essential to encourage for a growing population and to reduce car use and the problems associated with that. The time span of the plan is such that the \$30 billion cost in today's dollars can be met within current budget projections. It is clear that an efficient public transport system aligned with land use planning is a better approach for the city's growth than ad hoc development and a further congested road network.

Council will be preparing a response by the closing date of 29 November 2013 and the following points need to be noted in the submission.

- CoHB priorities are included – Hove Oaklands and Morphett Road overpasses.
- Investigate a potential link down Diagonal Road to Flinders and a tram link from Glenelg to the Airport.
- Financial aspects need to take into account maintenance of new infrastructure, operational costs or treatments like under/over-passes.
- Employment and population targets need clarification
- The plan needs to be such as to survive political intervention.
- A need for more information to provide associated data to ensure decisions are based on priorities:
 - Economic return/employment opportunities/revenue increases
 - Projects which most encourage public transport
 - Reduces highest congestion
 - Improves safety the most
 - Practical construction needs for sequencing
 - Based on affordability - real costs with other infrastructure like underpasses and operation costs.

Item No: **10.1.1**

Subject: **PETITION – PROHIBIT ROUNDUP HERBICIDE USE IN HOLDFAST BAY COUNCIL AREA**

Date: 26 November 2013

Written By: Governance Officer

General Manager: Corporate Services, Mr I Walker

SUMMARY

A petitions has been received from 43 residents of South Australia requesting that Council prohibit the use of Roundup herbicide in the council area.

RECOMMENDATION

That the petition be received by Council and referred to the City Assets for a response.

COMMUNITY PLAN

A Place that Provides Value for Money

COUNCIL POLICY

Code of Practice for Access to Meeting and Documents

STATUTORY PROVISIONS

Not Applicable.

BACKGROUND

The petition states as follows:

“We, the undersigned residents in the Holdfast Bay Council area, ask our town councillors to:

- 1. review council’s duty of care to prevent adverse impacts of synthetic chemical use on workers and residents;*
- 2. revise council policy on the spraying of Roundup (glyphosate) weedkiller and other chemicals in all public places;*

3. *phase out Roundup use by 30/6/14 in light of the evidence of its toxicity to workers, public health and the environment;*
4. *manage weeds by non-chemical means: eg weed steamers as used in Sydney & Perth <http://weedsteamers.com.au/>*

ADMINISTRATION COMMENT

Accompanying this petition was a further five pages which did not meet the requirements of the Council's Code of Practice for Access to Meetings and Documents and has not been included with this petition. It contained 62 signatures which contained names, location and date. This petition called for Council to "*Petition to Prohibit Roundup Herbicide Use in the Holdfast Bay Council Area*".

**PETITION TO PROHIBIT ROUNDUP HERBICIDE
USE IN Holdfast Bay COUNCIL AREA**

We, the undersigned residents in the Holdfast Bay Council area, ask our town councillors to:

1. review council's duty of care to prevent adverse impacts of synthetic chemical use on workers and residents;
2. revise council policy on the spraying of Roundup (glyphosate) weedkiller and other chemicals in all public places;
3. phase out Roundup use by 30/6/14 in light of the evidence* of its toxicity to workers, public health and the environment;
4. manage weeds by non-chemical means: e.g. weed steamers as used in Sydney & Perth <http://weedsteamers.com.au/>

NAME	ADDRESS	SIGNATURE	TEL	EMAIL
C. Pinless	C/-5/13 Export Ave Noradla		0820988856	myrioleidy@beyond.com
N. Wilkey	20 Bourke Ave		0437333502	ed@eguests@bigpond.com.au
T. Kester	116 Davenport Tce ^{South}		0405029963	tkester@gmail.com
A. Newing	6/10 Gordon St, Glenelg		0412209926	awaning@onefleming@yahoo.com.au
K. Czyszeln	509 Brisbane Rd, Wylie			kathia@loftmail.no
J. Wilman	24 Opampara Embayong Hill		0418946916	john.taylor@bigpond.com
N. O'Sterwald	45 Addison Rd Warradale		0410636859	noosterwald@gmail.com
A. Hickey	95 De Haas Cres Altona Park		83366228	
S. Clarke	73 Atacia St Seddick		0414266122	shelleyclarke03@gmail.com
H. de Verno	32 Harold Ave Colac			

PLEASE PRINT YOUR DETAILS SO THEY ARE LEGIBLE! Submit this petition completed to your local councillor and also notify the lead petitioner in your area: Suzanne Phillips T: 0415 283848 E: SUSSEP70@gmail.com

* Some Refs: <http://www.ncbi.nlm.nih.gov/pubmed/23756170>; <http://tinurl.com/n54ahv6>; <http://pubs.acs.org/doi/abs/10.1021/bx1001749>; <http://www.ncbi.nlm.nih.gov/pubmed/15862083>; http://www.trentu.ca/biology/berrill/Research/Roundup_Poster.htm; <http://tinurl.com/lmb9ecb>; <http://www.scientificamerican.com/article.cfm?id=weed-whacking-herbicide-p>; <http://www.ncbi.nlm.nih.gov/pubmed/15929894>

Item No: **11.1**

Subject: **MOTION ON NOTICE – CHOLA SOUTH INDIAN RESTAURANT PTY LTD – BANK GUARANTEE FOR ASSIGNMENT OF THE LEASE – COUNCILLOR ROE**

Date: 26 November 2013

PROPOSED MOTION

Councillor Roe proposed the following motion:

That Council amend Resolution C121113/1065 by changing the amount of the bank guarantee included in the second condition from \$40,000 to \$20,000. If amended, the resolution would be as follows:

“That Council grants consent to the assignment of the lease from Chola South Indian Restaurant Pty Ltd to EZRA Australia subject to the following conditions being satisfied on or prior to settlement:

- 1. All amounts outstanding are fully paid; and***
- 2. EZRA Australia providing Council a bank guarantee from an acceptable bank for the amount of \$20,000 to secure its financial obligations under the lease.***
- 3. That rent is paid one month in advance.”***

BACKGROUND

At last week’s meeting, Council resolved to consent to the assignment of the lease by Chola South Indian Restaurant subject to three conditions:

1. That the outstanding debt be paid in full
2. That the new tenants pay rent monthly in advance
3. That the new tenant provide a bank guarantee for the amount of \$40,000.

I am advised that Council’s decision was conveyed to the tenant who has advised that the third condition (ie a bank guarantee for \$40,000) is unable to be accepted by the proposed assignee. On further discussions, it is understood the tenant and proposed assignee will agree to a bank guarantee for \$20,000, representing 3 months’ rent and outgoings.

In the absence of an amendment to the previous resolution, the proposed sale is unlikely to proceed and the current tenants will be in default, unable to pay the outstanding rent of around

\$21,000. Council would then need to enforce the personal guarantee provided by the previous tenant which may be resisted.

Consenting to a lesser bank guarantee will recover the \$21,000 currently outstanding and provides Council up to \$20,000 if the proposed tenant defaults.

Item No: **13.1**

Subject: **MINUTES - DEVELOPMENT ASSESSMENT PANEL –
23 OCTOBER 2013**

Date: 26 November 2013

Written By: Governance Officer

General Manager: City Services, Ms R Cooper

SUMMARY

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

The minutes of the Development Assessment Panel meeting held 23 October 2013 are presented to Council for information.

RECOMMENDATION

That the minutes of the Development Assessment Panel meeting held on 23 October 2013 be received.

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;

Item No: **11.2**

Subject: **MOTION ON NOTICE – BUFFALO RESTAURANT - RENTAL –
COUNCILLOR LOOKER**

Date: 26 November 2013

PROPOSED MOTION

Councillor Looker proposed the following motion:

That as of close of the Buffalo Restaurant business at the end of December, Council suspend the collection of rent pending decisions on the future of the replica or the site.

- 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, 23 October 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

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

231013/0071

That the minutes of the Development Assessment Panel held on 25 September 2013 be taken as read and confirmed.

Moved by T Looker, Seconded by J Newman

Carried

6. DEVELOPMENT ASSESSMENT MATTERS

6.1 H A Lambert, 12 Addison Road, Hove (Report No: 342/13)

DA NO.	:	<u>110/00500/13</u>
APPLICANT	:	<u>H A LAMBERT</u>
LOCATION	:	<u>12 ADDISON ROAD, HOVE</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 DETACHED DWELLING FACING ADDISON ROAD AND A PAIR OF TWO STOREY SEMI-DETACHED DWELLINGS FACING GRENFELL STREET</u>
EXISTING USE	:	<u>SINGLE STOREY DETACHED DWELLING</u>
REFERRALS	:	<u>NIL</u>
CATEGORY	:	<u>ONE</u>
REPRESENTATIONS	:	<u>NOT APPLICABLE</u>
RECOMMENDATION	:	<u>DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS</u>

Motion

231013/0072

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 is reasonably compliant with the Development Plan and resolves to **grant Development Plan Consent**, to Development Application 110/00500/13, 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 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 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.
5. That the upstairs windows located on the eastern 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.
6. 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.
7. 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.
8. 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.

9. 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.
10. 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.
11. 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.
12. That all hard building materials, waste and litter on site be stored in a manner that secures it on site during the construction works.
13. That no solid or liquid trade wastes be discharged to the stormwater system.
14. 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.
15. 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.

16. 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.

Moved J Newman, Seconded I Winter

Carried

6.2 D Smith and G Scinta, 3C Kingston Crescent, Kingston Park (Report No: 343/13)

DA NO.	:	110/00336/13
APPLICANT	:	D SMITH AND G SCINTA
LOCATION	:	3C KINGSTON CRESCENT, KINGSTON PARK
DEVELOPMENT PLAN	:	CONSOLIDATED 21 MARCH 2013
ZONE AND POLICY AREA	:	RESIDENTIAL
NATURE OF DEVELOPMENT:	:	MERIT
PROPOSAL	:	DETACHED DWELLING COMPRISING THREE LEVELS WITH INTEGRAL DOUBLE GARAGE AND ASSOCIATED REAR BALCONY AND SWIMMING POOL TO REAR OF SITE
EXISTING USE	:	VACANT SITE
REFERRALS	:	NIL
CATEGORY	:	ONE
REPRESENTATIONS	:	NOT APPLICABLE
RECOMMENDATION	:	DEVELOPMENT PLAN CONSENT SUBJECT TO CONDITIONS

Motion

231013/0073

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 is reasonably consistent with the Development Plan and resolves to grant Development Plan Consent, to Development Application 110/00336/13, 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 amended plans stamped 23/09/13 submitted to and approved by Council 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 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.

- 5. That all windows to the ground floor and upper floor on the side elevations and windows on the ground floor rear elevation 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.**
- 6. That a fixed, vertical blade louvered screen (or other appropriately designed screen) which prevents direct views into the adjoining dwelling to the immediate north, west and east shall be erected on the sides and rear of the upper floor balcony to a minimum height of 1.7 metres above finished floor level, to the reasonable satisfaction of the Council. Further details of the louvered screen shall be provided at the Building Rules Assessment stage.**
- 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 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.
11. 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.
12. 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.
13. That all hard building materials, waste and litter on site be stored in a manner that secures it on site during the construction works.
14. That no solid or liquid trade wastes be discharged to the stormwater system.
15. 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 minimise environmental harm, which includes nuisance from noise, to occupants on adjacent premises.

16. **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.**
17. **That filter pump associated be enclosed in such a way that noise levels do not exceed 45db(a) measured at adjoining property boundaries.**
18. **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.**
19. **That the width of the driveway crossover shall be reduced to no more than 30% of the site frontage.**

Moved N Sim, Seconded R Clancy

Carried

6.3 Oaklands Mower Centre, 29 Oaklands Road, Somerton Park (Report No: 344/13)

DA NO.	:	<u>110/00628/13</u>
APPLICANT	:	<u>OAKLANDS MOWER CENTRE</u>
LOCATION	:	<u>29 OAKLANDS ROAD, SOMERTON PARK</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 21 MARCH 2013</u>
ZONE AND POLICY AREA	:	<u>LIGHT INDUSTRY ZONE</u>
NATURE OF DEVELOPMENT:		<u>MERIT</u>
PROPOSAL	:	<u>SIGNAGE MOUNTED ON TOP OF THE ROOF (IN THE FORM OF A 'CHAINSAW') ADJACENT TO THE NORTHERN (FRONT) BOUNDARY</u>
EXISTING USE	:	<u>SERVICE TRADE PREMISES</u>
REFERRALS	:	<u>NIL</u>
CATEGORY	:	<u>TWO</u>
REPRESENTATIONS	:	<u>NIL</u>
RECOMMENDATION	:	<u>REFUSAL</u>

231013/0074**This item was withdrawn prior to the meeting****7. REPORTS BY OFFICERS****7.1 Panel Information Report Nil**

**7.2 Extension of Time – 110/00685/10
28 Wattle Avenue, Hove (Report No: 346/13)**

Development application 110/00685/10 was granted Development Plan Consent on 21 September 2010 by the Planning Department for the alterations to existing dwelling including a double carport attached to the side, 6.4 metres setback from the secondary street and the construction of a single storey detached dwelling (with verandah under the main roof) fronting Wattle Avenue and accessed from the secondary street and a 1.3 metre high masonry front fence along the Wattle Avenue boundary.

A first extension of time was requested on the 16 September 2011 to which Council granted a 12 months extension which expired on the 21 September 2012.

A second extension of time request was lodged with Council on the 4 October 2011 to which an extension of time report was prepared for the Development Assessment Panel on the 28 November 2012. The Panel determined the extension to have merit and granted an extension of time to the operative period of Development Plan Consent to a further 12 months, expiring on 21 September 2013.

This is the third extension of time that has been sought for this application. The latest expired on the 21 September 2013. It is however considered that there is sufficient merit for a further 12 month extension of time given compliance with the current Development Plan (Consolidated 21 March 2013).

Motion

231013/0075

That pursuant to Section 40(3) of the Development Act 1993, the Development Assessment Panel agrees to extend the operative date for Development Plan Consent granted to Development Application 110/00685/10 for a further 12 months expiring on 21 September 2014.

Moved T Looker, Seconded J Newman

Carried

**7.3 Extension of Time – 110/01065/07
617 Anzac Highway, Glenelg North (Report No: 347/13)**

An application has been made to extend the operative date of Development Approval for the development for a further 12 months, from the present date. One extension has previously been granted, which expired on 16 November 2012. For reasons outlined in the report the application is considered to have merit for a further 12 month extension from the present date until 23 October 2014.

Motion

231013/0076

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 Approval granted to DA 110/01065/07 for a further 12 months from the present date expiring on 23 October 2014.**

And further that the applicant be advised that it is unlikely that a further extension will be granted.

Moved T Looker, Seconded I Winter

Carried

8. URGENT BUSINESS – SUBJECT TO THE LEAVE OF THE MEETING - Nil

9. CLOSURE

The meeting closed at 7:24 pm.

CONFIRMED Wednesday, 27 November 2013

PRESIDING MEMBER

Item No: **13.2**

Subject: **INFORMATION REPORT – SOUTHERN REGION WASTE RESOURCE AUTHORITY**

Date: 26 November 2013

Written By: Personal Assistant

General Manager: Corporate Services, Mr I Walker

SUMMARY

Southern Region Waste Resource Authority (SRWRA) is a regional subsidiary established by the Cities of Onkaparinga, Marion and Holdfast Bay (the “constituent councils”), pursuant to Section 43 of the Local Government Act, 1999.

Under its charter, SRWRA is responsible for providing and operating waste management services on behalf of the constituent councils and ensuring that a long term waste management strategy exists in the southern region of Adelaide.

RECOMMENDATION

That the information report of the Southern Region Waste Resource Authority for its meeting held 28 October 2013 be received and noted.

COMMUNITY PLAN

A Place that Provides Value for Money

COUNCIL POLICY

Not applicable.

STATUTORY PROVISIONS

Local Government Act 1999

BACKGROUND

Pursuant to its charter all agendas, reports and minutes remain confidential, unless the Board resolves that the document is to be available to the public. Presented for the information of Elected Members' is the information which the SRWRA Board has released from its meeting held on 28 October 2013.

Refer Attachment 1

BUDGET

Not applicable.

LIFE CYCLE COSTS

Not applicable.

SUMMARY REPORT

SRWRA BOARD MEETING

28th October 2013

October Agenda

The October agenda meeting was held at the SRWRA offices on Monday 28th October.

Audit Committee Meeting 2012-13

The Audit Committee Meeting minutes were received and noted from the meeting held on August 19th 2013.

Executive Officer Overview

Over the past few months, SRWRA has been working on the stages of a Pre-Feasibility phase of potential expansion of air space at the Landfill. This Pre-Feasibility phase is intended to provide the SRWRA Board with relevant information to determine if it should progress to Feasibility, Concept Design Options and Cost Estimate Phase.

Based on some recent developments in relation to some potential waste treatment options, we have decided to delay the subsequent workshop with the Board, until February 2014. This will give us an opportunity to explore the recent opportunities in more detail and report back accordingly.

There has been an ongoing element of work surrounding the potential renewal of the contract for the Gas Extraction at the Landfill. In short, based on the uncertainties surrounding the future Carbon Tax, the SRWRA is in the process of extending the basis of the contract for a further Twelve months. This will give the SRWRA an opportunity to explore the market and the potential to negotiate a contract that fits the business needs and strategy moving forward.

The Development Application for the recycling facility at SRWRA is progressing well. We are in the latter stages of the approval stage, awaiting a report to be completed by the EPA. We are hopeful this will be completed this week in time to meet with the City of Onkaparinga, December planning meetings.

In line with the recycling campaigns at the SRWRA Landfill, we have completed another successful month in the recycling trial process. We have now implemented the recycling strategy at the Landfill as part of the standard operating procedure.

As part of our on-going strategy the SRWRA business is keen to build on our relationships with our existing partnerships that are integral to the successful growth and management of the business long term. Since joining the SRWRA business in August, I have been keen to promote the capabilities and resources of the business to our existing markets and developing new ones.

One of our primary philosophies is to develop our relationships within our existing constituent councils based around the supply of road based aggregates, all currently purchased elsewhere by the councils.

Our approach is to be more proactive in seeking out initiatives that would further benefit the landfill operation. Building on our relationships within the internal bodies of our councils will certainly support new growth and development for the SRWRA business model moving forward.

The joint venture agreement with Integrated Waste Services has been a substantial benefit in the knowledge and relationships gained from shared resources and information. All of which has been a great benefit to the SRWRA business to date and moving forward.

Should any further information be required, please do not hesitate to contact me directly

Item No: **13.3**

Subject: **MINUTES – ALWYNDOR MANAGEMENT COMMITTEE –19 NOVEMBER 2013**

Date: 26 November 2013

Written By: Governance Officer

General Manager: Alwyndor, Mr G Potter

SUMMARY

The Minutes of the Alwyndor Aged Care Management Committee for 19 November 2013 are provided for information.

RECOMMENDATION

That the Minutes of the Alwyndor Aged Care Management Committee for 19 November 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

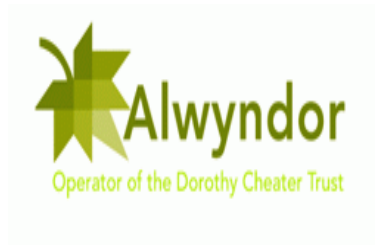
STATUTORY PROVISIONS

Not applicable

BACKGROUND

This report is presented following the Alwyndor Management Committee Meetings.
Refer Attachment 1

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 19 November 2013 at
6.30pm**

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.*

AMC MINUTES

ALWYNDOR AGED CARE
MANAGEMENT COMMITTEE
MINUTES

of the meeting held in the AAC Meeting Room on

TUESDAY 19 November 2013 at 6.30 pm

- | | | |
|-------------------------|--|---|
| 1. PRESENT | Mr T Bamford
Ms C Cotton
Mr M Bower
Cr R Clancy
Ms K Stevens | Mr T Evans
Mr D Royans
Cr S Lonie
Mr N Hakof
Mr I Pratt |
| 2. IN ATTENDANCE | Mr G Potter
Ms K Field
Ms S Wirth | General Manager
Manager Community Services
Manager Residential Care |

3. OPENING

The Chairman, Mr N Hakof declared the meeting open at 6.30 pm and welcomed all in attendance.

4. APOLOGIES

T Hill

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 15 October 2013 were taken as read, approved and confirmed as a true record.

Moved: C Cotton
Seconded: M Bower

CARRIED

7. BUSINESS ARISING FROM THE MINUTES

7.1 Unit 4 – (now known as Alandale)

The following resolution was carried unanimously at the CHB Council meeting held 12th November 2013:

Motion

C121113/1060

The Alwyndor Management Committee seeks Council's "in-principle" approval:

1. to commit up to an additional \$1.36 million from the financial reserves of Alwyndor Aged Care to upgrade the facilities secure dementia unit (Unit 4);
2. to formally engage the Brown Falconer Group to develop detailed architectural and construction plans and to coordinate the competitive tender process for the awarding of a resultant construction contract;
3. with Councils final approval subject to the further tabling and endorsement of the Construction Contract (including confirmed costs), arising from the competitive tender process.

Moved: Cr S Lonie
Seconded: Cr R Clancy

8. REPORTS

8.1 Correspondence Report

8.1.1 Alwyndor Governance

The Chairman provided a verbal report on the outcome of discussions with the CHB CEO in relation to this matter. Further updates will be provided when available.

8.2 The National Report

- issues 317 & 318

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	Oct '13 TBC	Annual Review
Continuous 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 '14	Annual Review
Investment Performance Report	GM + MFA	Oct '14	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	- 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 – <i>to be rescheduled</i> - Provide the Committee with key WHS Policies and Procedures for their information and review: - 6 Cornerstone policies tabled 2 August '13

ITEMS IN CONFIDENCE

I Pratt moved and K Stevens 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

10.1 Standards & Accreditation Agency

The General Manager and Manager Residential Care provided an update on this matter, confirming that the decision maker has formally advised that an Improvement Plan for the six “unmet” modules is to be submitted to the Agency prior to the 2 December 2013, with all outstanding actions to be completed by 20 January 2014.

In addition, Alwyndor’s three year accreditation audit has been brought forward three months to November 2014.

11. CONFIDENTIAL REPORTS

11.1 Manager Community Service’s Report **November 2013**

11.2 Manager Residential Care’s Report **November 2013**

11.3 Building Sub Committee Chairman *Refer GM’S Report*

11.4 General Manager’s Report **November 2013**

11.5 Finance Reports **October 2013**

11.5.1. Bank Reconciliation for the Month of October 2013

11.5.2. “Year to Date” Budget / Actual Comparison by Department as at 31st October 2013

Recommendations:

- 1. That the Bank Reconciliation for the Month of October 2013 be confirmed.**
- 2. That the “Year to Date” Budget / Actual Comparison by Department as at 31st October 2013 be confirmed**

Moved: I Pratt

Seconded: C Cotton

CARRIED

11.6 Formal Complaints

11.6.1 Colmer Family

The Manager Residential Care informed the AMC that this matter is now closed. Formal advice to that effect will be provided to the next meeting of the Committee.

11.7 WH&S Committee - Minutes of the meeting held 23rd October 2013

11.8 Continuous Improvement Committee - Minutes of the meeting held 13th November 2013

Confidential Reports **11.1 to 11.8** were noted by the AMC

ORDER TO RETAIN DOCUMENTS IN CONFIDENCE:

Cr R Clancy moved and T Bamford 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:

D Royans moved and T Evans seconded that the Alwyndor Management Committee resume as an open meeting of Alwyndor Aged Care at 7.45 pm

CARRIED

12. DATE OF NEXT MEETING

Next Ordinary Meeting of the AMC will be held 17th December 2013 at 6.30pm

Venue: Alwyndor Meeting Room

Noted by the Alwyndor Management Committee

Apologies:

Nil Notified

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	AP		
R.Clancy	NA						AP		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 7.46 p.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: 26 November 2013

Written By: Personal Assistant

General Manager: Corporate Services, Mr I Walker

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.

RECOMMENDATION

That the report be noted and items of interest discussed.

COMMUNITY PLAN

A Place that Provides Value for Money

COUNCIL POLICY

Not applicable

STATUTORY PROVISIONS

Not applicable

REPORT

14.1.1 New Year's Eve 2013 and Australia Day 2014 declared dry areas

On Tuesday 5 November 2013 Council's Liquor Licensing and Community Safety Officer was notified that the City of Holdfast Bay's application to have declared dry areas implemented into legislation for New Year's Eve 2013 and Australia Day 2014 had been approved by the Department of Premier and Cabinet.

Therefore, on New Year's Eve 2013 the existing Glenelg dry zone boundary will be expanded between the hours of 9:00pm Tuesday 31 December 2013 and 6:00am Wednesday 1 January 2014. The area expansion is the same as previous years and will include the area bounded by Augusta Street, Brighton Road, and High Streets.

For the Australia Day 2014 long weekend, Angus Neil Reserve [and adjacent beach area] will again be a declared dry zone between the hours of 12:01am Saturday 25 January 2014 and 12:01am Tuesday 28 January 2014.

Tarniwarra Park will also again be a declared dry zone between the hours of 12:01am Sunday 26 January 2014 and 12:01am and Monday 27 January 2014.

As with previous years, a public notice will be placed in the Guardian, information will be placed on our website and distributed through our social media mechanisms, nearby residents will be notified prior to, and signage will erected at each location for the duration of the prohibition.

14.1.2. **Environmental Health – Quarterly Report**

The City Assets- Environmental Health Unit's quarterly report is attached for Members information.

Refer Attachment 1

14.1.3 **Gilbertson Gully Update**

Elected Members may be aware of communication from Mr Ivan Winter who has asserted a number of things in regards to the current Master Plans that is being undertaken for Gilbertson and Barton Gullies on behalf of a group known as the Gilbertson Gully Preservation Committee.

To Council's knowledge the Gilbertson Gully Preservation Committee (GGPC) has not met for a number of years and Council has not been provided copies of Annual General Meetings or business plans for some years. It is also worth noting that Mr Winter was a member of the Environmental Advisory Committee (EAC) for the last two years where the budget for the HEAT fund (including these projects) was discussed and recommended to Council for endorsement.

The GGPC (represented by Mr Winter as its Chairperson) has suggested that between 1976 and 2013 that Council has undertaken some 13 differing studies on Gilbertson Gully and that none of these have been delivered on and that to spend a further \$38,000 (to develop master plans for the two gullies) was a waste of Council resources given that the previous plans for Gilbertson Gully had not been delivered in his opinion.

While it is true that not all plans commissioned since 1976 have been delivered as some of the early plans (pre 2000) were inconsistent with what should be contained within a natural environment, the majority of plans in relation to vegetation have been completed and the endorsed strategies identified below indicate that there is a need to further define opportunities to enhance the natural reserve for wider community use.

Gilbertson Gully is one of two natural biodiversity areas within Council and it is important that these areas are protected and that an endorsed Council plan exist to guide any form of future development be that structured or natural (as is

proposed for both Barton and Gilbertson). The importance of these biodiversity gullies is recognized in a number of key strategic documents endorsed by Council over the last 12 months being:

- Open Space and Public Realm Strategy
- EcoCity Plan 2012-15 (Environmental Plan)
- Biodiversity Plan
- Stormwater Management Plan

To deliver on these objectives a report was prepared for EAC in September 2012 (no quorum available so a report No 461/12 was presented to Council in November 2012) on a three year project plan for expenditure associated with the HEAT fund (this 3 year plan was also consistent with the endorsed objectives of the EcoCity Plan) in addition to this a more detailed 1 year plan was produced (2012/13 budget year) which identified the master planning projects for Gilbertson and Barton Gullies and was subsequently endorsed at this Council meeting.

Given the endorsement of the budget and the identified projects for 2012/13 in November 2012 administration undertook a select tender in 2013 to appoint a consultant to deliver the Master Plans for Gilbertson and Barton Gullies. The objectives of the project detailed in the tender were to:

- A path network that provides access to the community to view the many benefits of the park (both natural and opportunities such as stormwater retention).
- A detailed planting program that building on the existing flora that is consistent with Council's Biodiversity Plan.
- A plan that makes better use of the parks and its natural assets through the provision of sensitive infrastructure such as seating.
- Provide appropriate walking trails that showcase the natural features of the gully while providing for disability access where possible.
- Provide information and interpretive signage that educates the community in respect to flora and fauna and Kauria heritage.

These plans based on the objectives discussed above should be completed as draft documents in the near future and will be presented to Council for consideration and like all projects of this nature once endorsed will be the subject of a community consultation process. At this stage no funds have been identified for delivery of any of the projects that may come out of an approved master plan.

Refer Attachment 2

14.1.4 Adelaide Shores Development Plan Amendment – Council Submission

The Ministerial Adelaide Shores Development Plan Amendment (DPA) was released for consultation from 26 September 2013 to 20 November 2013. An information sheet providing further detail regarding the DPA and public consultation process was provided to Council on 8 October 2013.

The DPA affects 228 hectares at West Beach, bounded by Tapleys Hill Road to the east, West Beach road to the north, Anderson Avenue to the south (abutting the

City of Holdfast Bay) and the metropolitan coastline to the west. It comprises several land holdings, including the Adelaide shores site (135ha) and 50 hectares of Commonwealth land which is leased to the Adelaide Airport. Currently the site is located in five separate zones across three Development Plans including:

- West Torrens
- Charles Sturt
- Land not Within a Council Area (offshore).

The purpose of the DPA is to introduce more uniform zoning across the area (and across the respective Development Plans) and further reinforce the role of Adelaide Shores as a significant recreation, sporting and tourism location. Key policy changes include:

- Introducing a new Adelaide Shores Zone that covers existing areas used for recreation, sporting and tourist uses
- More flexible policies for retail and commercial uses where ancillary to recreation, sporting and tourism facilities
- Making most forms of development Category 1 (no notification) unless where adjacent residential development (ie. Category 2 notification to adjoining property owners is proposed for developments within 60 metres of a Residential Zone)
- Land under the care and control of Adelaide Airport has now been incorporated into an Airfield Zone to better protect airport operations
- Updates to coastal development policies in the Coastal Marina Zone.

Given the timeframe required for a response, Council staff have provided a formal submission to the Government on Council's behalf. A copy of the submission is located at Attachment 1 for Members' reference.

Refer Attachment 3

Consistent with preliminary comments provided during preparation of the DPA, the submission focuses on two key issues:

- Ensuring that the policy approach for Adelaide Shores is consistent with *The 30-Year Plan for Greater Adelaide* as a premier sport and recreation destination and, importantly, continues to facilitate uses and forms of development that provide a complementary function to Glenelg
- Maintaining an appropriate interface between uses and activities at the Adelaide Shores site and adjacent residential areas in Holdfast Bay.

Key issues raised in the submission include:

- Concerns that the DPA facilitates development of some retail, commercial or centre-type activities within the new Adelaide Shores Zone that are not ancillary to recreation and tourist activities without any clear justification or analyses in the investigations. This includes uses such as hotels or licensed premises, restaurants and potentially bulky goods outlets

- Potential cumulative impacts of further retail and commercial activities at Adelaide Shores on Glenelg, particularly when coupled with expansion of non-aviation development at Adelaide Airport (which occurs outside of the SA planning system)
- Potential impacts of further commercial developments on Tapleys Hill Road given impacts on the efficiency and functioning of the road from recent non-aviation development at Adelaide Airport (ie speed restrictions and need for signalisation).

A public meeting on the DPA will be held on 10 December 2013 at the Glenelg Pier Hotel. The attached response provides an option for Council to be represented at the meeting to speak in support of its submission if required.

14.1.5 **Aboriginal and Torres Strait Islander War Memorial**

A letter of thanks has been received from The Aboriginal and Torres Strait Islander War Memorial Committee thanking Council for its contribution to the memorial.

Refer Attachment 4

14.1.6 **Elector Representation Review**

The Electoral Commissioner has advised that the Council's report on the Elector Representation Review has been conducted appropriately and has complied with the requirements of section 12 of the Local Government Act 1999. The amended ward boundaries will be in effect from the day of the first periodic election held after the publication of the notice in the Gazette.

The letter from the Electoral Commissioner and a copy of the information provided to the Government Gazette is attached.

Refer Attachment 5

Environmental Health Section Report

July August September: 2013



	TOPIC	PAGE #
	Introduction	2
	Staff	2
	Complaints and Responses - Summary	2
	Enforcement	3
	Training	4
	Incidents — Topical Issues	4
	Immunisation	14
	Supported Residential Facilities	14
	Public Swimming Pools	14
	Cooling Towers/Warm Water Systems	15
	Pest Control/European wasps / Bees / Native wasps	15
	Rats	16
	Business Plan	16
	Squalor/Hoarding	16
	Skin Penetration / Hairdressing	17
	Communicable Diseases	17
	Air Quality/Noise	18
	Food Recalls	18
	Schedule of Acronyms	18

Introduction

The following Report outlines the activities of the Environmental Health Section (EHS), City of Holdfast Bay, for the period 1 July to 30 September 2013.

Staff

The following Environmental Health Officers (EHOs) are currently authorised under the SA Public Health Act, 2011; Food Act, 2001, Supported Residential Facilities Act 1992 and Local Government Act 1999:

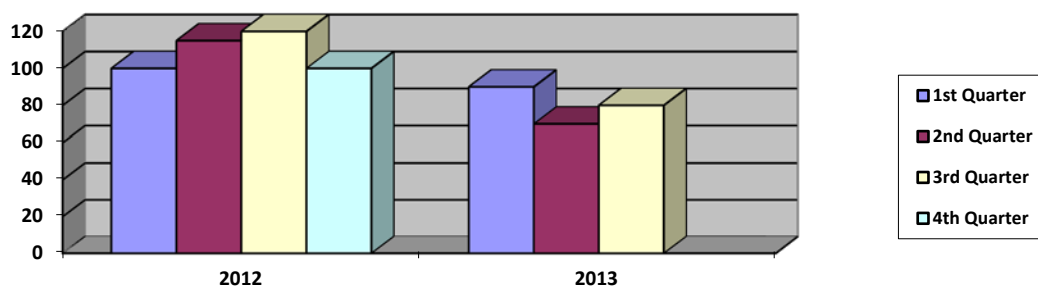
Ken O'Neill (MRS) Adrian Hill Fontaine Papillo Julia Klovekorn Don McInnes

Complaints and Responses - Summary

Complaints

The graph below compares the total number of complaints received by the EHS during each quarterly period since 2012. The graph highlights:

Graph – Total Complaints 2012-13



Food

There are 428 known food businesses in the City of Holdfast Bay, the majority of which are retail. Statistics for the report period are shown in the table below.

Inspection types include: routine, complaint, follow-up, pre-opening and requested inspections.

Table – Food Statistics 3rd Quarter 2013

TYPE	NUMBER
Inspections (all types)	117
Complaints	4

Graph – Food Related Complaints 2012-13



Food complaints for this period include

Nature of complaint	Number of Complaints
Dogs indoors	1
Alleged food poisoning	1
Poor personal hygiene or poor food handling practices	1
Vermin/insects/pests observed in premises	1
Total	4

Enforcement

Prosecutions

- There were no prosecutions during the report period.

Notices / Improvement Notices

- 4 Improvement Notices were served

Expiation Notices

- 1 Expiation Notice was served (\$2500)

Cautions

- There was no caution issued to food businesses during the report period.

Training

Training courses attended by Environmental Health Officers during July, August and September 2013:

- Maybo Conflict Management Training
- Food Risk Classification Training

Environmental Health Australia (EHA) is the professional association for the public health fraternity. EHA sponsors Special Interest Groups (SIGs) that focus on matters of interest in public health that are pertinent to Local Government.

EHOs Adrian Hill and Fontaine Papillo are the convener and secretary respectively for the Food Special Interest Group.

CHB's EH Section is kept up to date on key issues by the involvement of the EHOs in the SIG Meetings, i.e.

- Supported Residential Facilities Special Interest Group
- Food Special Interest Group
- &
- Public Health Special Interest Group.

Incidents — Topical Issues

For reasons of confidentiality, identifying details may not be included in the following.

Supported Residential Facilities Act: rescission of a Resident's Contract

The Supported Residential Facilities Act makes significant demands of the Proprietor of a Supported Residential Facility (SRF). The Act also requires of residents, that their conduct is orderly, and does not unreasonably interfere with the peace, comfort and privacy of others.

A Proprietor may rescind a Resident Contract without reason; on the proviso that at least 28 days' notice is given. However, when an extreme situation exists, the Proprietor may appeal to Council for approval to rescind the Resident Contract before 28 days.

A situation arose, during which the following circumstances were described:

- A resident (together with three guests) threatened (several times) to assault his room-mate.
- The resident suffered from several mental ill-health conditions.
- The incident occurred in the early hours of the morning and had a significant negative effect on the other residents.

In addition to the above, the Authorised Officer also took the following into account:

1. The resident had a history of declining to take medication;
2. The resident's advocate made an uncontested assertion that the threatening behaviour attributed to the resident is atypical;
3. Comments from the resident's Case Manager led the Authorised Officer to opine that the level of care the resident needs is beyond the scope of the personal care services reasonably expected to be provided by the Proprietor of a Supported Residential Facility.
4. The unanimous opinion that that the resident has no certain capacity to moderate his behaviour.

5. There was no evidence that the three formal letters of warning served by the Proprietor on the resident, were effective in moderating his behaviour.

The consequence of the incident was that that the power of Section 39 (2)(b) was invoked and approval given to the Proprietor of the SRF to rescind the Resident Contract within a period of not less than 48 hours.

The responsible Environmental Health Officer has some understanding of the effect of disposing a person of their home. The decision to agree to a lesser period of notice than the conventional 28 days was not taken lightly; the welfare of the other residents of the SRF was given strong consideration.

Food Business – service of an Expiation Notice

In an endeavour to improve the safety of the food, Environmental Health Officers attempted to collaborate with the Proprietor of a food business at which Potentially Hazardous, Ready To Eat Food is sold. Repeated advice and directions failed to make a positive difference; consequently, an Expiation Notice was served for which the fee is **\$2,500.00**.

Offences alleged, include breaches of:

Food Safety Standard 3.2.2, Clauses:

3 (1): A food business must ensure that persons undertaking or supervising food handling operations have skills in food safety and food hygiene matters; and, knowledge of food safety and food hygiene matters commensurate with their work activities.

17 (1)(c): ensure hand washing facilities are only used for the washing of hands, arms and face. Two counts.

18 (3) (a): A food business must take all practicable measures to ensure all people on the food premises of the food business do not contaminate food.

17 (1) (b) (iii): A food business must provide, at or near each hand washing facility, single use towels or other means of effectively drying hands that are not likely to transfer pathogenic micro-organisms to the hands. Two counts.

19 (1): A food business must maintain food premises to a standard of cleanliness where there is no accumulation of food waste, dirt, grease, or other visible matter.

19 (2): A food business must maintain all fixtures, fittings and equipment, having regard to its use, to a standard of cleanliness where there is no accumulation of food waste, dirt, grease or other visible matter.

20 (1): A food business must ensure the food contact surfaces of equipment is in a sanitary condition whenever food that will come into contact with the surface is likely to be contaminated.

And

Food Safety Standard 3.2.3, Clause:

12 (1): Equipment must be adequate for the production of safe and suitable food; and, fit for their intended use.

Notes to Elected Members:

The service of an Expiation Notice is part of a graduated response on enforcement. Further serious breaches are likely to result in prosecution.

Definitions:

Potentially Hazardous Food: means food that has to be kept at certain temperature to minimise the growth of any pathogenic micro-organisms that may be present in the food or to prevent the formation of toxins in the food.

Ready To Eat Food: means food that is ordinarily consumed in the same state as that in which it is sold.



Figure 1: Fish subject to thawing is at a temperature that permits the growth of infectious or toxigenic micro-organisms. Allowed the hand washing facility to be used for a purpose other than washing hands, arms and face i.e. used the basin for the thawing of fish.



Figure 2: Cabinet of 'fridge unit - unclean.



Figure 3: The food scraps in the trough were declared by the Proprietor to be cleaned out “Every few days.” An employee stated the trough is cleared “About once a week”.

The Food Act contains power for Environmental Health Officers to issue Notice to mandate compliance with the Act.

Improvement Notice: Incident 1

A take-away food business was found to be non-compliant with regards to the standard of cleaning, and the premises and equipment.

The subsequent follow-up inspection revealed the Proprietor of the business had achieved full compliance.

Notwithstanding the Proprietor's compliance, an Official Caution was issued in which it was stated that fines are likely to be applied if further serious non-conformances are observed. The Proprietor was also urged to enhance her skills and knowledge by undertaking the free Food Safety Course (available via CHB's website).



Figure 4: Back door, the hand contact surface of the door is dirty and conducive to cross-contamination of food. The surface of the door is not able to be effectively cleaned.



Figure 5: Section of the exhaust canopy on which grease has built up.



Figure 6: Shelf in the cold room, fabricated from untreated particle board – unable to be effectively cleaned and contaminated by mould.

Improvement Notice: Incident 2

Serious Non-Conformances were observed at a take-away food business. While the principle matters of concern related to poor maintenance, there was an indication that the Proprietor had been smoking in a food preparation area.

The Proprietor was issued with an Official Caution on the low standard of cleaning and poor maintenance, and also that: "If, in the future, any evidence arises that is proof of smoking in any area where food is handled; or, you resume a food handling activity after smoking without washing your hands, I will advocate that legal action be taken against you forthwith."

Two Improvement Notices were served, one relating to cleaning that had a short-term period for compliance (confirmed by a follow-up inspection to have been complied with); the other Notice addressed the repairs and improvements to the premises and equipment (with a longer period for compliance [scheduled to expire on 4 November 2013]).

Unless the follow-up inspection reveals compliance with the Food Safety Standards, it is likely that the Proprietor will be subject to legal action without further notice. The accompanying photographs will be demonstrative of the some aspects of the Non-Conformances.



Figure 7: Non-complying hand basin (no supply of warm water). Access to the hand basing blocked.



Figure 8: Rust and worn paint on the cold room floor door — effective cleaning not possible.



Figure 9: Damaged floor; dirty areas of the floor & cold room.



Figure 10: Floor drain (contained within a closet in which the rubbish bins are stored).



Figure 11: Bench — shelving and frame.

Improvement Notice: Incident 3

The business subject to an Improvement Notice had been subject to a high level of intervention by the assigned EHO. Matters related to food hygiene have been positively resolved; however, the Improvement Notice was served to address structural improvements related to painting, and repairs to the floors and walls.

Improvement Notice: Incident 4

The food business on which the Improvement Notice was served was subjected to a routine inspection (the process adopted by CHB's EHOs is the Australian Food Safety Assessment [AFSA]) and, as is routine, the Non-Conformances were documented and provided to the Proprietor in a routine AFSA Report. However, because nothing was done by the Proprietor to ameliorate the Non-Conformances, an Improvement Notice was served (for which, at the time of writing, the follow-up inspection is imminent).

While the inspection EHO is confident food is being prepared in a hygienic manner, the premises and equipment was significantly inferior to the specifications set out in the Food Safety Standard.

In addition to the service of an Improvement Notice, an Official Caution (of legal action) was issued.

Denial of Access — Food Business

In the course of routine activities, an EHO discovered a previously unknown food business, the Proprietor of which had not fulfilled their obligation to submit the required (by the Food Act) Food Business Notification form. Furthermore, the EHO's initial endeavour to inspect the premises was rebuffed.

The reason given by the Proprietor for refusing to cooperate was his belief that Council did not have the Constitutional power to inspect or make any demands of him!

A strategy was developed and undertaken that ensured the situation did not escalate, an inspection conducted and the requirements of the Food Act achieved; however, the Proprietor of the food business was informed that prosecution will be a consequence of any further incidence of obstruction.

For the information of Elected Members, instances of obstruction are rarely experienced by EHOs.

SA Public Health Act

The SA Public Health Act has been enacted and EHOs appointed and delegations made.

Operationally, principle matters that will influence the application of the SA PH Act are:

- Judging when a person has exceeded their *General Duty*; i.e. to prevent or minimise harm to public health; and,
- Before issuing a Notice, an EHO must have regard to —
 - the number of people affected;
 - the degree of harm caused;
 - steps taken (or proposed to be taken) to mitigate the harm; and,
 - Regulation, Guidelines and Principles set out in the Act.

EHOs Adrian and Fontaine have meet with a number of other Councils to compare the process and progress of these Councils public health plan with the plan they are developing. Following from these meetings it appears Holdfast are well ahead of many Councils in having their plan ready by the due date. They have

also been asked to speak at a public health plan training day - put together by the LGA – to share their secrets to success. Furthermore, many Councils are or will be engaging a consultant at a cost of \$50,000-\$100,000 to develop their plan. The Health Officers have re-organised their work load and stepped up to potentially save Council up to \$100,000 by developing the plan in-house. The plan is in line with the Community Plan and therefore will not commit council to extra money and will essentially highlight the positive proactive health initiatives Council are taking for their community.

Auditing - Food Safety Programs for Food Service to Vulnerable Persons

CHB's EHOs are accredited as National Food Safety Auditors (Level 4 High Risk).

Where a food business serves potentially hazardous food (i.e. food that must be subject to temperature controls to prevent the growth of pathogenic microorganisms), to people who are vulnerable to food borne illness, i.e. the very young, the aged and people who may be immuno-compromised, mandatory Audits are conducted of the business's Food Safety Programs.

The type of food business that is required by the Food Safety Standards to have a Food Safety Program (FSP) are:

- Child Care Centres;
- Meals on Wheels;
- Hospitals; and,
- Aged Care Facilities,

It is noted that, to avoid a possible conflict of interest, Auditors from SA Health conduct the audits for the two Meals on Wheels facilities in the CHB.

Immunisation

The EHS coordinates and conducts 3 public Immunisation Clinics per month at the Brighton Tennis Club. In addition, the EHS coordinates and conducts school immunisation programs, an annual public 'flu clinic, annual staff 'flu vaccinations, and programs as directed by the SA Immunisation Coordination Unit (SAICU).

Table – Immunisation Summary Report for 3rd Quarter 2013

Vaccines administered	
Public clinic	177
School Programs	585
Flu Clinic	0
Total	762

Supported Residential Facilities

There are five Supported Residential Facilities (SRFs) in the City of Holdfast Bay providing accommodation to persons in need of personal care services.

Ocean Grove	Beach Road, Brighton
Glenelg Supportive Care	Byron Street, Glenelg
Sturt Palms	Sturt Road, Brighton
Russell House	Byron Street, Glenelg
Glenelg House	Sussex Street, Glenelg

Table – Supported Residential Facilities Statistics for 3rd Quarter 2013

Activity	Number
Complaints	1
Inspections	1
Audits	Conducted in April & May

SRFs are licensed for 12 months and require an audit each year before licences are renewed. The audits are generally conducted in May to ensure enough time for licences to be approved before they expire at the end of June.

Public Swimming Pools

There are 26 public swimming pools, spas, hydrotherapy pools, flotation tank and plunge pools at sixteen locations within Holdfast Bay. They are scheduled for routine inspections for compliance with the Regulations made under the SA Public Health Act.

Cooling Towers/Warm Water Systems

There are 4 Cooling Towers and 7 Warm Water systems within the City of Holdfast Bay. The EHS monitors cooling towers by conducting desktop audits of all microbiological analyses, service, water treatment and maintenance reports, as well onsite inspections and sampling. This is done to reduce the risk of a legionella outbreak.

Pest Control/European wasps / Bees / Native wasps

The summer months are the peak period for receiving bee and wasp complaints. The majority of complaints that are received are referred to the contractor by Customer Service and Administration staff. On occasions EHOs conduct an inspection to verify the species of the pest.

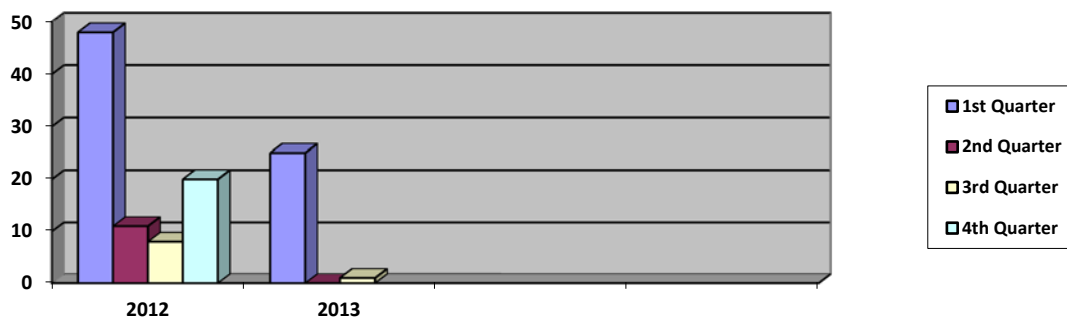
When it can be confirmed that no risk to public safety exists, the bee colonies are not exterminated.

Table – European Wasp, Bee and Native Wasp Statistics for 3rd Quarter 2013

ACTIVITY	NUMBER
Complaints	24 (est.)
Inspections	8 (est.)
European wasp nest destructions	1
Bee colonies destroyed (Council land)	5

The graph below depicts the number of European wasp nests Council’s contractor has destroyed per quarter since 2012. The graph displays the lower number of European wasp nests destroyed during the colder months, which is indicative of the wasps being dormant during winter.

Graph – European Wasp Nest Destruction 2012-13



Rats

Rats are common in urban areas. Council contracts Aardvark Pest Control to occasionally lay baits. Rat activity is seasonal; consequently, a higher number of baits are laid during the warmer months.

The Aardvark contract includes a schedule of regular baiting at:

- Patawalonga Foreshore
- Gilbertson Gully
- Foreshore

Table – Rat Statistics for 3rd Quarter 2013

ACTIVITY	NUMBER
Complaints	24 (est.)
Inspections	9 (est.)
Colonies poisoned	0

Business Plan

The EHS's Business Plan includes administrative and operational matters.

Immunisation Clinics: baby/school/flu

Policy Development

Calibration of temperature measuring devices

Brighton Market Inspections

Skin Penetration Info Sessions (School based)

Food Safety Info Sessions

Review of HRMWSs

Swim. Spa Pools – new regulatory Guidelines

Grant Application (Immunisation)

Food Safety Week

Environmental Health Facebook Page

Review of CHB Home Page “Public Health” page

SRFs – Anti Smoking Campaign

Squalor/Hoarding

The EHS is aware of properties that are subject to severe domestic squalor.

The resolution of severe domestic squalor requires a coordinated effort by several agencies, one of which is the City of Holdfast Bay.

SA Health is developing a framework for managing cases of severe domestic squalor by the proposed formation of Interagency Teams. At the time of writing, the EHS is maintaining a “*watching brief*” on the properties that are known to be affected by severe domestic squalor.

It should be noted that the SA Public Health Act, in isolation, is not an appropriate instrument for the amelioration of severe domestic squalor.

Skin Penetration / Hairdressing

Hairdressing, Beauty, Tattoo, Body-piercing and other skin penetration premises present a means of transmission of serious disease (e.g. Hepatitis B & C) via both intentional and unintentional skin penetration activities. These premises are subject to monitoring for compliance with Department of Health Guidelines and industry Codes of Practice.

At the last estimate, in the City of Holdfast Bay, there were:

5	Acupuncturists
16	Beauty Therapists
50	Hairdressers
2	Tattooists

EHOs inspect the high risk businesses.

Communicable Diseases

Table – Communicable Disease Control Branch Notifications 3rd Quarter 2013

3rd Quarter 2013	July	Aug	Sep	TOTAL	Year to date
Arbovirus	1		2	3	8
Campylobacter infection	1	4	6	11	37
Cryptosporidium infection	1	1		2	2
Influenza	3	15	18	36	64
Listeria infection				0	0
Meningococcal infection				0	2
Norovirus				0	7
Paratyphoid				0	2
Pertussis		1	1	2	10
Pneumococcal infection		1		1	1
Rotavirus			2	2	11
Salmonella infection	5	1	5	11	20
Shiga toxin-producing E.coli				0	0
Shigella infection				0	0
Suspected food poisoning				0	1
Varicella virus (chicken pox)	1	8	6	15	40

Air Quality/Noise/Water Quality

The Environment Protection Authority (EPA) is the relevant authority for air quality and industrial noise issues. However, there are occasions when, in the interests of customer service, the EHS provides information. Furthermore, where it is deemed that Council involvement will have a beneficial outcome, EHOs will take an advocacy role.

Food Recalls

SA Health occasionally seeks collaboration from EHOs to facilitate the timely recall of unsafe food.

When notified by SA Health, EHOs give immediate priority to confirming that food businesses have reacted appropriately to remove from sale, unsafe food.

Details of the three food recalls for July, August and September 2013:

Product	Reason for Recall	EHO Response
Pasties	Presence of foreign matter (plastic)	No retailers with CHB; no action.
Confectionary	Presence undeclared allergens (milk and soy).	No retailers with CHB; no action.
Confectionary	Presence of undeclared allergen (dairy)	No retailers with CHB; no action.

Schedule of Acronyms

Schedule of Acronyms

Acronym	Long Title
CHB	City of Holdfast Bay
CT	Cooling Tower
EHA	Environmental Health Australia
EHO	Environmental Health Officer
EHS	Environmental Health Section
EPA	Environment Protection Authority
FSP	Food Safety Program
FSSs	Food Safety Standards
HRMWS	High Risk Manufactured Water System
MRS	Manager, Regulatory Services
SIG	Special Interest Group
SRF	Supported Residential Facility
WWS	Warm Water System



Gilbertson Gully Natural Reserve

7 November 2013

Dear Local Resident

MASTER PLAN FOR GILBERTSON GULLY NATURAL RESERVE

Steve Hodge, General Manager City Assets, City of Hold fast Bay advised me October 25 of the following plans for the Gilbertson Gully Natural Reserve:-

- A path network that provides access to the community to view the many benefits of the gullies (both natural and potential structures such as wetlands or stormwater retention areas).
- A detailed planting program that builds on the existing flora and is consistent with Council's Biodiversity Strategy for each of the gullies[Barton & Gilbertson]..
- A plan that identifies opportunities for better use of the areas as natural reserves which may include the provision of seating and shelters.
- Identification of the opportunities for stormwater harvesting and development of concepts that can be incorporated in to the existing land topography that provide for improved water quality, potential for retention and/or harvesting for reuse.
- Appropriate walking access around or through the gullies that where possible meets Disability requirements while also showcasing the natural features of the gullies.
- Information and interpretive signage that informs and educates the community in respect to the natural features of the gullies (flora & fauna) as well as any other signage (Kaurna culture) which may be relevant to these messages.
- Key principal: Considering the existing critical environmental and amenity values of the area and maximising and protecting biodiversity principals embedded in the gullies.

This is virtually the same as the 2002 Plan for the gully, which was unsuccessful due to the Gilbertson Gully Preservation Committee's submission and publicity in the *Guardian* and *The Advertiser*. Numerous residents around the gully have recently contacted Steve Hodge objecting to creating a 'manicured' park with shelters, seating and formal 1.8 metre wide metal/cement treated pathways throughout the gully. It is considered that such structures and works are not appropriate for a woodland setting and will attract vandals - evidenced by the wilful damage of a 4WD vehicle driven over the wooden steps, adjacent the SA Water pipe, about 2-years ago, and haven't been properly repaired/made safe since. Generally, it's felt that more trees should be planted to inhibit the growth of weeds, the gully kept clean and tidy (grass cut) – and left alone. We are surely entitled to know more about the plan and its costs, and be given an opportunity to express our views, before spending \$40,000 of our money on yet another plan (six plans since 1977!) for Gilbertson Gully.

Please let Steve Hodge (Ph: 8229 9940. Email: shodge@holdfast.sa.gov.au), Councillors Jim Huckstepp (Ph: 8298 4770) and/or Lynda Yates (0417 484 717) know what you think about Council's plan to convert our Gilbertson Gully Nature Reserve into a 'manicured' park.

Ivan Winter
2 Vale Road
Seacliff Park SA 5049
Ph: 8296 9497
E: iwinter@senet.com.au

Council Plans for Gilbertson Gully 1977-2013

- Jan 1976: Brighton Council proposed **Rubbish Dump** for Gilbertson Gully (GG). Hence the E&WS water pipe placed on pedestals traversing the north end of the gully 1.5 metres below the surface of the filled area.
- Feb 1976 76 residents elected a six-person committee for the development of **Re-forestation Plan for Gilbertson Gully** to be submitted to Council for approval.. Sept' 1976 Council moved: *“That approval in principle (for the proposed development of Gilbertson Gully) be given for the planting of trees and that eight (8) water-points be provided.”*
- Aug 1982: Council proposed **Redevelopment of Gilbertson Gully**. (4-foot diameter pipe to drain storm-water from the gully; fill northern end for easy maintenance; lift floor of gully by 8-feet; contour slopes to facilitate mowing the weeds). GGPC sent council a petitioner from 132 resident.
- Sept' 1984: Council proposed **Flora & Fauna Park for Gilbertson Gully** (Plants fenced off so that emu's, wallabies & other native animals could live in the reserve)
- Oct 1999: Holdfast Council proposed **Strategic Plan for GG** (to become a Linear Reserve with 'Esplanade' style seating, shelters, dog-poo dispensers, car parks, etc)
- Dec 1999: Holdfast Council proposed **Possible Future Development Plan for GG** (formal playground; barbecues & picnic area; rock retaining walls etc). GGPC's submission.
- May 2001: Holdfast Council proposed **Gilbertson Gully Master Plan** (James Hayter & Associates). Estimated cost of \$25,000.
- April 2001: Holdfast Council proposed **Open Space Strategy Plan - Gilbertson Gully**
- May 2001: Holdfast Council proposed setting up **Friends of Gilbertson Gully** to circumvent GGPC and thus ensure a rep' from Council is involved
- April 2003: **Greening Australia Plan for Gilbertson Gully**. To remove all non-native vegetation to provide more open spaces and more ground cover plants instead of trees.
- May 2006: **Gilbertson Gully Vegetation Management Plan**. 34 Petitioners (Alison Wilmott-Griffiths) rejected proposed removal of all existing non-indigenous flora.
- March 2007: **Greening Australia Gilbertson Gully Re-vegetation & Bush Regeneration Action Plan 2006-10**. Estimated cost of \$30,000.
- May 2013: **Gilbertson Gully Master Plan**. Council awarded SMEC Urban to develop plans for Barton & Gilbertson costing \$40,000. No prior consultation with residents.

There have been approximately eight (8) plans by Council for the re-development of Gilbertson Gully over the period 1982-2013 with an estimated cost to tax/ratepayers of ~\$150,000. None of the plans have been implemented.

19 November 2013

The Presiding Member
Development Policy Advisory Committee
c/- The Department of Planning,
Transport and Infrastructure
GPO Box 1815
ADELAIDE SA 5001

Dear Presiding Member

Ministerial Adelaide Shores Development Plan Amendment for Consultation

The City of Holdfast Bay wishes to thank the State Government for the opportunity to provide formal comments in relation to the draft Adelaide Shores Development Plan Amendment (DPA). Overall, Council understands and supports the intent of the DPA to ensure a more consistent policy approach for Adelaide Shores to allow for the continued development of sporting, recreation, tourism and related activities. We also appreciate that the needs and circumstances affecting Adelaide Shores warrants creation of a unique zone to ensure these aims are met.

Council also provided preliminary comments during drafting of the DPA in late 2012, which we acknowledge have been summarised in the DPA investigations along with comments previously provided by other councils and stakeholders. We also note that the implications of Council's and other stakeholders' comments on the proposed policy approach have also been discussed in the DPA investigations, an approach which is strongly supported and transparent.

As summarised in the DPA investigations, Council's previous comments focused on the need to ensure that the policy approach for Adelaide Shores is consistent with *The 30-Year Plan for Greater Adelaide* (30-Year Plan) as a premier sport and recreation destination and, importantly, continues to facilitate uses and forms of development that provide a complementary function to Glenelg. Glenelg is not only recognised as Adelaide's premier seaside tourist destination, but is also designated by the 30-Year Plan as a major district centre of the southern region (akin to other similar scale centres such as West Lakes and Arndale in Western Adelaide, albeit within a mainstreet setting) and a key transit oriented development site. Glenelg has also faced significant pressure in recent times from continued non-aviation development at Adelaide airport, which occurs through a statutory Master Planning process that is outside of the State's planning system. It is therefore important that allowance for any centre-type activities within the Adelaide Shores site is appropriately considered and justified in the DPA in terms of their potential impacts on the role and function of existing centres.

Council also previously highlighted the need to ensure an appropriate interface between uses and activities at the Adelaide Shores site and adjacent residential areas in Holdfast Bay, including adjacent the Patawalonga at Glenelg North.

Based on these previous comments, our emphasis is therefore on the nature of land uses envisaged by the proposed new Adelaide Shores Zone (which abuts Holdfast Bay) and their justification within the DPA investigations, particularly given that the proposed Zone itself is not currently included within the State's Planning Policy Library.

Firstly, Council supports Objective 2 of the proposed Adelaide Shores Zone that allows for development of *"commercial and retail uses that are associated with and in support of recreation and tourist development"*. Notwithstanding this Objective, however, it is noted that a 'hotel or licensed premises' and 'restaurant' have both been included as envisaged uses in Principle of Development Control (PDC) 1 of the proposed Adelaide Shores Zone without any further qualification. These uses are also not currently envisaged in the Recreation Zone of the Charles Sturt Council Development Plan nor the Community Zone (and Precinct 11 West Beach) within the City of West Torrens Council Development Plan, which both form the bulk of the new Zone, but are generally anticipated within designated and functioning centres such as Glenelg. It is acknowledged, however, that these uses may be appropriate within the Coastal Marina Zone as an adjunct to boating and the marina activities and, accordingly, are anticipated in the existing Recreation (West Beach) Zone.

With specific regard to a hotel or licensed premise, we note that proposed PDC 6 of the Adelaide Shores Zone also encourages development of a hotel or tavern *"...to serve the needs of tourists, visitors and people associated with the recreation activities"*. There is also no clear evidence provided in the DPA investigations to support or justify development of a hotel or tavern within the affected area to service a wider catchment or audience. Indeed, the investigations refer to findings of a Hotel Demand Study, which concluded that given current market pressures the construction of a hotel within the site was not considered viable. In addition, proposed PDCs 3 and 7 of the Adelaide Shores Zone also imply that restaurants should generally be associated with tourist development.

Therefore, consistent with the intent of these PDCs and the stated policy intent of the proposed DPA to introduce more flexible policy for retail and commercial uses that are ancillary to the recreation, sporting and tourism facilities in the new Adelaide Shores Zone, references to a hotel or licensed premises and restaurant should be amended to be envisaged uses only where associated with a recreation, community or tourist development. This is also consistent with the approach applied to other commercial or retail uses such as offices, shops and consulting rooms in the list of envisaged uses in PDC 1 of the proposed Zone. The Desired Character statement should also be amended to reflect this intent and provide greater clarification by removing the words "particularly those" from the first sentence in paragraph 2 as follows:

"Commercial and retail activities, ~~particularly those~~ associated with recreation, sporting or tourism uses are envisaged in the zone..."

In addition to the above, the Desired Character statement for the Adelaide Shores Zone suggests opportunities for commercial development fronting Tapleys Hill Road. While commercial development is not currently defined in the Development Regulations, the Commercial Zone in the South Australian Planning Policy Library anticipates a range of uses that may fall into this category, including bulky goods outlets, service trade premises, petrol filling stations, offices, shops, motor vehicle related businesses and some forms

of light industry. Again, while uses such as offices, shops and consulting rooms that are associated with core recreation, community or tourist development are envisaged in the Zone and acknowledging that 'industry' is proposed to be non-complying, there is no evidence within the DPA investigations to support a wider range of traditional commercial development in this location (eg. bulky goods outlets) to service a wider catchment and this is considered inconsistent with the 30-Year Plan. Council does, however, support the proposed application of the Strategic Transport Routes Overlay to protect the function of Tapleys Hill Road, particularly in light of any future proposals for commercial development fronting this road and the impact that recent commercial and retail activities on airport land have had on the function and efficiency of this road (eg. speed restrictions and need for signalisation). Indeed, the City of Holdfast Bay is proposing inclusion and continuation of this Overlay for Tapleys Hill Road and Brighton Road as part of its Better Development Plans (BDP) DPA.

With regard to interface issues, Council supports proposals in the DPA to require Category 2 notification for developments located within 60 metres from a Residential Zone to ensure appropriate opportunities for nearby residents to comment on proposals. Further, while Council previously raised concerns in relation to interface issues between the Industry Zone in the City of West Torrens (which accommodates the existing waste water treatment plant) and residential areas at Glenelg North, it appreciates that this is beyond the scope and area affected by the Minister's DPA. Council also notes that the existing Industry Zone is covered by an Infrastructure Policy Area, which is reserved for infrastructure as opposed to allowing for traditional industrial uses, and that the West Torrens Council Development Plan includes the General 'Interface between Land Uses' policy module which can be used to address any impacts from future proposals on adjacent residential development. Also, as noted above, industrial land uses are non-complying in the proposed Adelaide Shores Zone.

Finally, as a general observation, it is noted that the policies and envisaged land uses proposed for the Coastal Marina Zone in the West Torrens Council do not align directly with those proposed for the Coastal Marina Zone Land Not Within a Council Area (Metropolitan). It is unclear whether this approach is intentional or whether some reconsideration is required to ensure consistency.

In addition to the more fundamental matters raised above, a number of minor or editorial matters should also be addressed and are provided in the Attachment to this submission.

Council again thanks the Government for providing an opportunity to comment on the draft DPA and wishes to reserve the right to be heard in support of its submission at the public meeting scheduled for 10 December 2013.

Please contact Justin Hensgen, Senior Policy Planner on (08) 8229 9857 or e-mail jhensgen@holdfast.sa.gov.au should you have any queries in relation to Council's submission.

Yours sincerely

Justin Lynch
Chief Executive Officer

ATTACHMENT

Draft Adelaide Shores Development Plan Amendment - Minor or editorial matters

Adelaide Shores Zone

Desired Character

- The first sentence in paragraph 3 of the Desired Character statement relating to commercial opportunities on Tapleys Hill Road is lengthy and should be split into clearer statements for easier interpretation (eg. including a full stop after the words “immediate locality”)
- While paragraph 5 of the Desired Character statement refers to a need to consider possible noise impacts from Adelaide airport, it may be appropriate to also refer to height restrictions for development adjacent to the airport
- The last line in paragraph 7 of the Desired Character statement should refer to both pedestrian and cycling connections beyond the zone

Principles of Development Control

- The word “motel” appears twice in the last dot point relating to tourists parks in the envisaged uses list in PDC 1
- In PDC 6, the words “of the” in the last line should be deleted
- PDC 16 should be amended to read “Internal roads surfaces should be surfaced to prevent dust becoming a nuisance”
- In PDC 20, the hyphen in “Car-parking” should be removed

Coastal Marina Zone (West Torrens Council Development Plan)

Principles of Development Control

- The word “to” should be removed from PDC 4
- PDC 7 of the Coastal Marina Zone should be re-worded to reflect the wording in PDC 13 of the Adelaide Shores Zone
- In PDC 9, the hyphen in “Car-parking” should be removed

Proposed Concept Plan (WeTo/14 & ChSt/26)

- The section of pathway shown in red on the eastern side of the Sturt River in the City of Holdfast Bay Council area is a proposed shared pathway and should therefore be shown in yellow as a ‘Future Bike and Pedestrian Path’



The Aboriginal and
Torres Strait Islander
War Memorial Committee.
Level 13, 200 Victoria Square,
Adelaide SA 5000.
Ph. 08 8226 1193.

6 November 2013

Mr Justin Lynch
Chief Executive Officer
City of Holdfast Bay
PO Box 19
BRIGHTON SA 5048

Dear Mr Lynch

I am writing to thank you for your generosity and encouragement which has resulted in the completion of the Aboriginal and Torres Strait Islander War Memorial and look forward to seeing you at the Dedication Ceremony on Sunday, 10 November 2013.

I am also writing this note to inform you where the additional funds, over and above those used for the Memorial construction and launch ceremony, will be placed.

All funds remaining will be directed toward the Australian Indigenous Education Foundation (AIEF). You will recall that the Memorial Committee indicated that funding a student scholarship was thought to be an appropriate use of any remaining funds. Initial thoughts were that the money may go to the Reginald Saunders Scholarship fund overseen by the RSL. As it turned out that scholarship was considered inappropriate for our needs.

A sub-committee was created and several organisations that offer and manage indigenous scholarships were interviewed and asked to provide submissions. AIEF was by far the most impressive – a view endorsed by Sir Eric Neal who participated in the first interview.

AIEF is a Sydney based not-for-profit organisation which has provided over 400 scholarships to Indigenous students nationwide since 2008. Earlier this year AIEF increased its funding target to \$140 million, which will help educate 7,000 Indigenous students at some of Australia's leading schools and universities and support their transition into meaningful careers.

From what the sub-committee could see they do an excellent job and meet our requirements admirably. As AIEF has Deductible Gift Recipient (DGR) status the money donated to our Memorial Appeal can be re-directed without any legal ramifications.

AIEF is yet to commence operation in South Australia. The funding we provide will allow it to begin in this state and support one scholarship place for fifteen years. AIEF will match our contribution, dollar for dollar, so in effect two scholarships will be offered beginning in 2015. Those scholarships will be for full boarding and tuition at a yet to be

'I am the forgotten soldier'

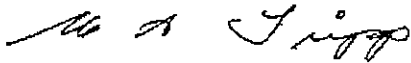


determined South Australian School.

The Aboriginal and Torres Strait Islander War Memorial Committee is thrilled with this outcome and thank you again for the part you played in both the memorial project and the education scholarships that have sprung from it.

Further information about AIEF is enclosed.

Yours sincerely

A handwritten signature in cursive script, appearing to read "Marj Tripp".

MARJ TRIPP
Chairperson

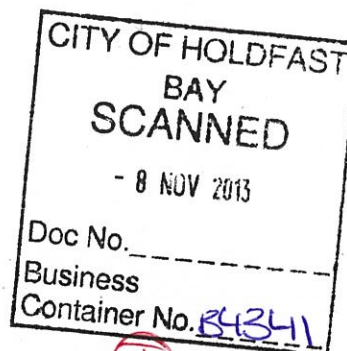
Encl

In reply please quote:322-2 / 2010

5 November 2013



Mr Justin Lynch
Chief Executive Officer
City of Holdfast Bay
PO Box 19
BRIGHTON SA 5048



P 08 7424 7400
F 08 7424 7444
W ecsa.sa.gov.au

Dear Mr Lynch

Re: Elector Representation Review

I have considered the elector representation review the City of Holdfast Bay has submitted for certification.

I have assessed Council's report and I advise that this letter serves as the certificate that the Review has been conducted appropriately and has complied with the requirements of section 12 of the Local Government Act, 1999.

However I note that currently the City of Holdfast Bay has one of the lowest quotas within the metropolitan region and in future council should give more consideration to the principles and matters under section 26 and 33 of the Act, particularly in relation to avoiding over-representation in comparison to councils of a similar size and type.

Section 12 (18) provides for the revised representation arrangements for the City of Holdfast Bay to take effect from the day of the first periodic election held after the publication of the notice in the Gazette.

Council must arrange for a notice to appear in the SA Government Gazette before or by 12 December 2013 to show Council has reviewed their membership structure and notify the result of the review. Please forward a copy of the notice to our office prior to placing in the Government Gazette.

It is the responsibility of the council to prepare detailed ward boundary maps prescribing the alterations for inclusion in the technical description, which must be gazetted as part of the review process.

A full page of the SA Government Gazette should be allocated to each ward with a boundary change to ensure the boundary alterations are readable. Outer ward boundary descriptors are required for each ward with boundary changes.

If you have further concerns please do not hesitate to contact the office to discuss.

Yours sincerely

K Mousley
Electoral Commissioner

Electoral Commission of South Australia
ABN 99 891 752 468
Level 6 / 60 Light Square Adelaide SA 5000
Postal Address GPO Box 646 Adelaide SA 5001

CITY OF HOLDFAST BAY

Review of Elector Representation

NOTICE is hereby given that the City of Holdfast Bay has completed a review of its elector representation arrangements, including all aspects of the composition of the Council and the issue of the division, or potential division, of the area of the council into wards, in accordance with the requirements of Section 12 (4) of the Local Government Act 1999 (the Act).

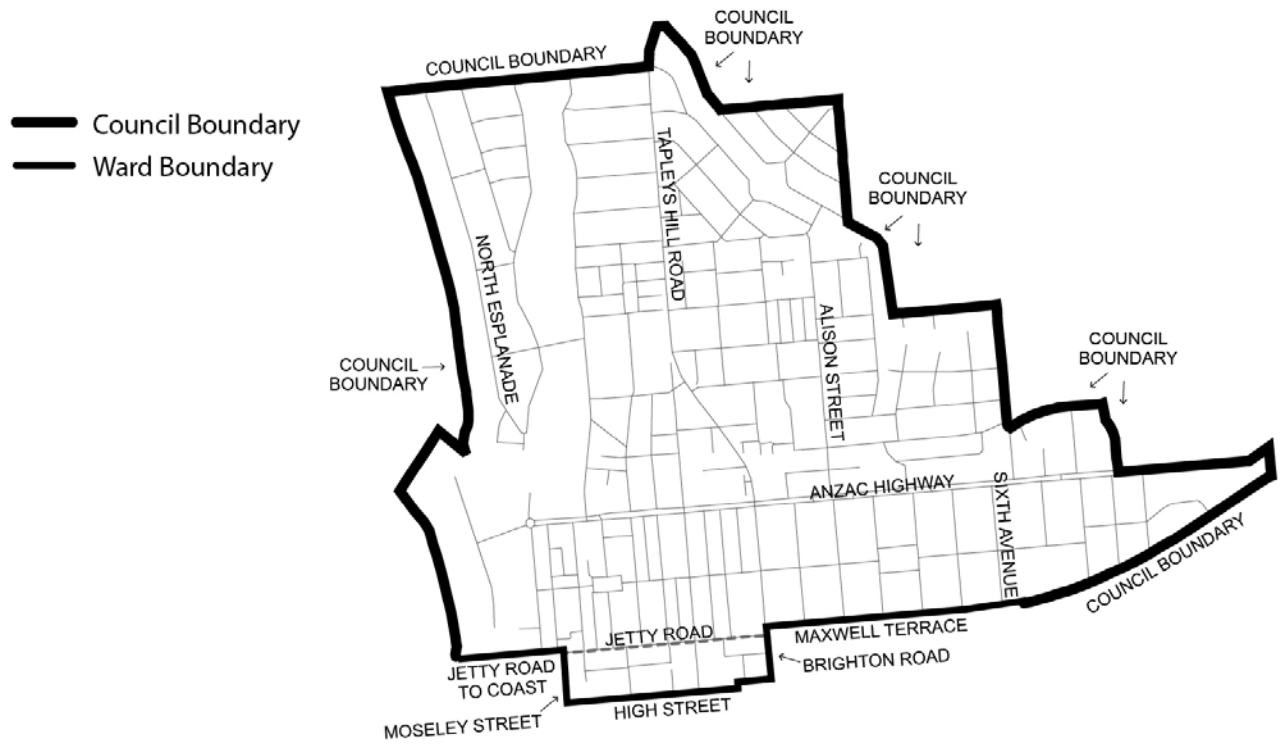
Pursuant to Section 12 (13) (a) of the Act, the Electoral Commissioner has certified that the review undertaken by Council satisfies the requirements of Section 12 of the Act. As such, the following structure will take effect as from polling day of the periodic Local Government election to be held in November 2014.

- The elected Council will comprise an elected Mayor and twelve (12) ward councillors.
- The council area will be divided into four (4) wards, as defined in Schedules One to Four inclusive, with each ward being represented by three (3) ward councillors.
- The wards will be identified as Glenelg, Somerton, Brighton and Seacliff.

SCHEDULE 1

Glenelg Ward

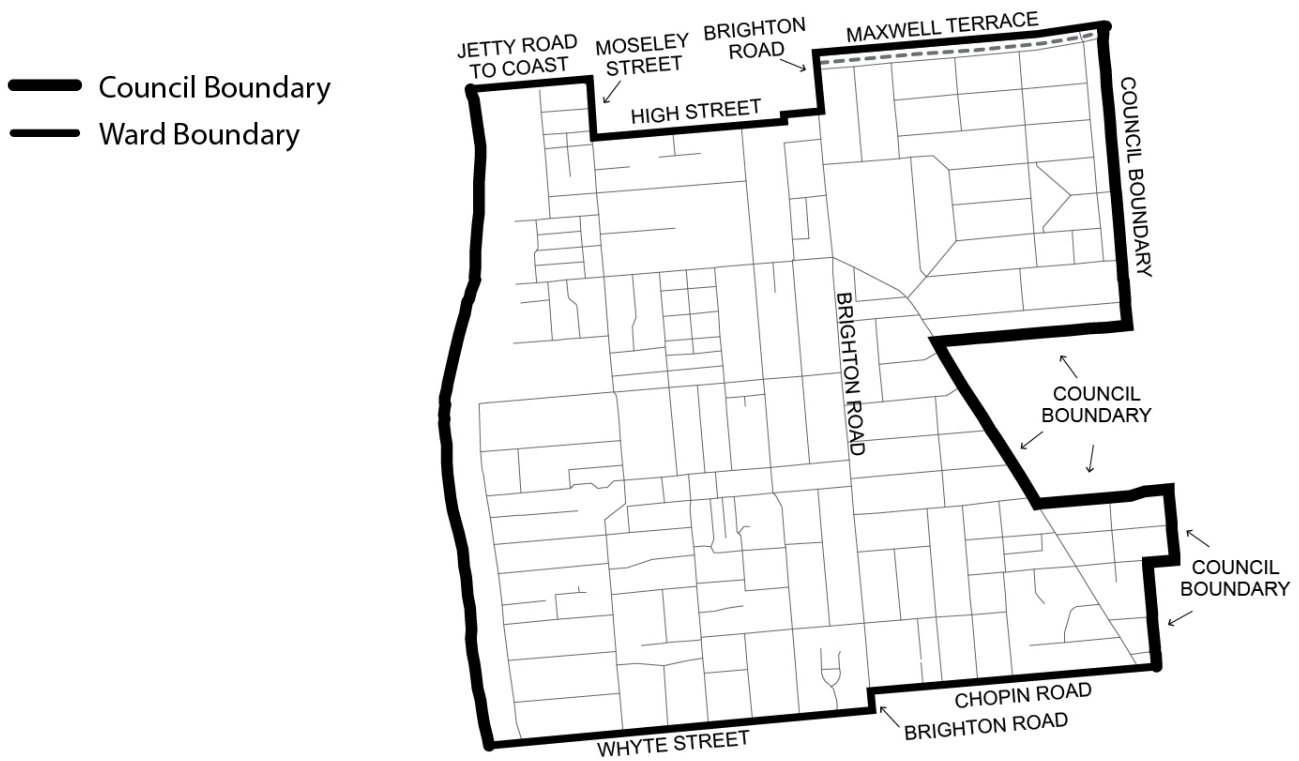
Comprising all the land contained within the bounds of the area defined as the Council boundaries in the north, east and west (the coastline); and Maxwell Terrace, Brighton Road, High Street, Moseley Street and Jetty Road (to the coast) in the south.



SCHEDULE 2

Somerton Ward

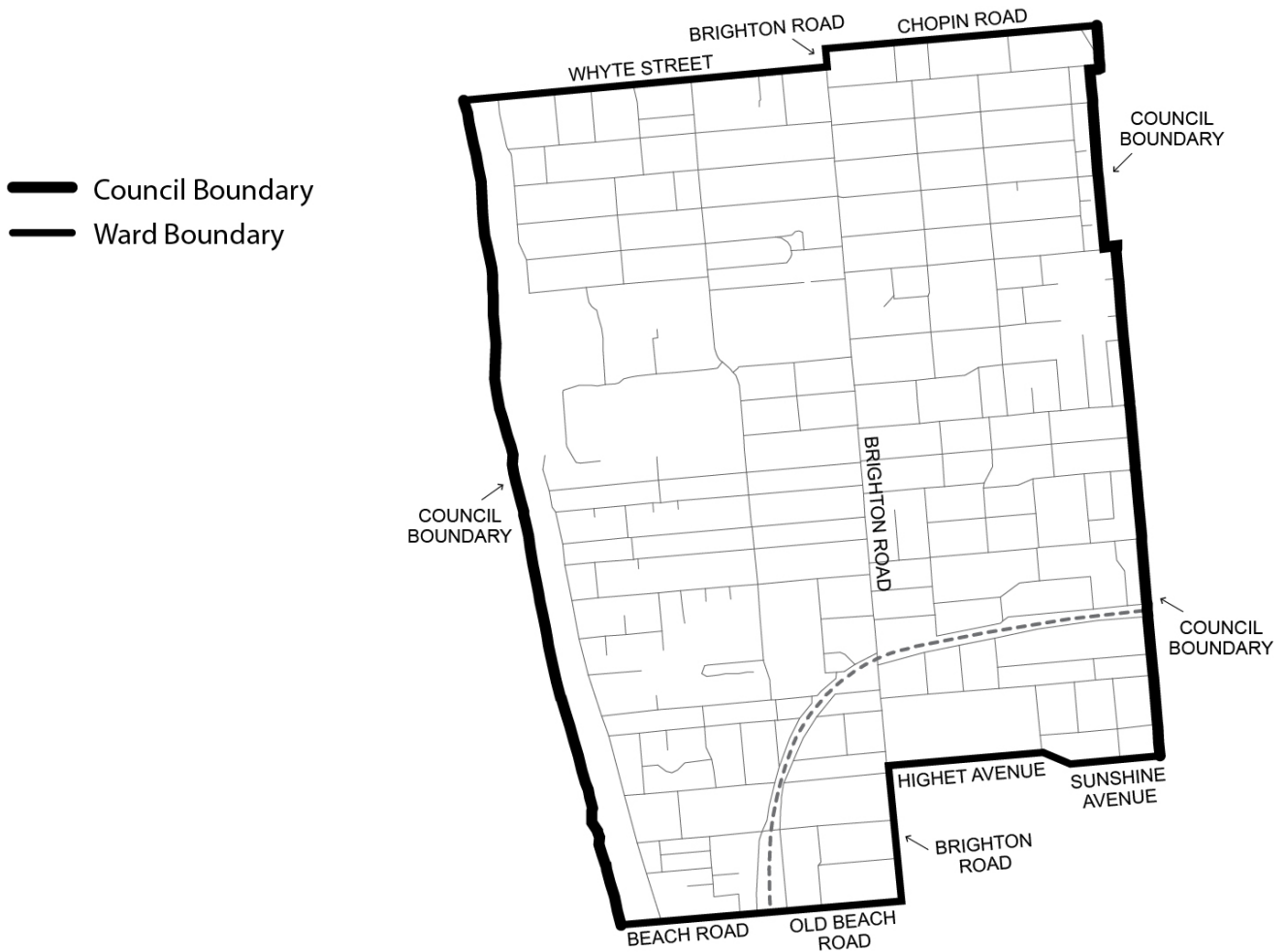
Comprising all the land contained within the bounds of the area defined as Maxwell Terrace, Brighton Road, High Street, Moseley Street and Jetty Road (to the coast) in the north; the Council boundaries in the east (the coastline); and Chopin Road, Brighton Road and Whyte Street (to the coast) in the south.



SCHEDULE 3

Brighton Ward

Comprising all the land contained within the bounds of the area defined as Chopin Road, Brighton Road and Whyte Street (to the coast) in the north; the Council boundaries in the east and west (the coastline); and Sunshine Avenue, Highet Street, Brighton Road, Old Beach Road and Beach Road (to the coast) in the south.



SCHEDULE 4

Seacliff Ward

Comprising all the land contained within the bounds of the area defined as Sunshine Avenue, Hight Street, Brighton Road, Old Beach Road and Beach Road (to the coast) in the north; and the Council boundaries in the south, east and west (the coastline).



J Lynch
Chief Executive Officer

Item No: **14.2**

Subject: **BAY DISCOVERY CENTRE - SPECIAL CIRCUMSTANCES LICENCE APPLICATION**

Date: 26 November 2013

Written By: Liquor Licensing and Community Safety Officer

A/General Manager: City Assets, Mr K O'Neill

SUMMARY

The Bay Discovery Centre hosts numerous exhibitions, events and functions throughout the course of any given year. Limited liquor licences are frequently obtained for these events to provide minimal and restricted beverage services to guests. Consumer and Business Services have increased the cost of these one-off limited liquor licences and due to growing number of events held each year within the Bay Discovery Centre, the expected costs in hosting events now pose to significantly increase. As such, it has now become more financially viable to seek a permanent Special Circumstances Licence to operate from the BDC.

As such, it is proposed to lodge an application for Special Circumstances Licence to operate in accordance with section 40 of the *Liquor Licensing Act 1997* where the supply of liquor is only to occur at private functions within the premises. The proposed hours in which the licence will operate are to be in accordance with Council's current liquor licensing policy. The proposed hours of operation are:

- i) Monday to Saturday between 8:00am and 12:00 midnight the same day;
- ii) Sunday between 11.00am and 8:00pm the same day.

Due to the sporadic nature of these functions/events and how the licence will operate, as a subsequent aspect of the application, a section 97(2) exemption will be sought. The exemption will authorise the licence to operate without a 'Responsible Person' being present at the premises at all times; and only when events are held.

RECOMMENDATION

That Council supports the application for Special Circumstances Licence to supply liquor at the Bay Discovery Centre for private functions ONLY, in accordance with section 40 of the *Liquor Licensing Act 1997*, as well as endorsing the section 97(2) exemption based on the following conditions being imposed on the licence:

1. **The hours in which liquor is served/supplied be restricted to:**
 - i) **Monday to Saturday between 8:00am and 12:00 midnight the same day;**
 - ii) **Sunday between 11.00am and 8:00pm the same day.**

2. **Liquor is to be supplied to persons attending private functions only and no liquor is to be offered for sale to the general public;**
 3. **There will be no promotion of liquor for sale at the licensed premises;**
 4. **That the section 97(2) exemption is granted from the requirements outlined in section 97(1)(a) provided:**
 - a. **the licensing authority be given the right to review the exemption at any time.**
-

COMMUNITY PLAN

A Place that is Safe and Secure
A Place to do Business
A Place that Provides Choices and Enhances Life

COUNCIL POLICY

Liquor Licensing Policy (2011)

STATUTORY PROVISIONS

Liquor Licensing Act 1997
Liquor Licensing (General) Regulations 1997
Development Act 1993

BACKGROUND

Previous Relevant Reports

No previous reports have been submitted to Council relating to liquor licensing and the Bay Discovery Centre

REPORT

The Bay Discovery Centre (BDC) located in Moseley Square Glenelg, hosts numerous art exhibition, private events and functions throughout the course of any given year. The events are licensed [with limited liquor licences] and provide minimal and restricted beverage services to guests.

The cost in obtaining these one-off limited liquor licences increased from \$38.50 to \$75.00 as of 1 July 2013; in effect doubling the Council's costs. Due to the increasing frequency in which events are held within the BDC, it has now become more financially viable to seek a permanent Special Circumstances Licence from Consumer and Business Services (CBS) that will cover the BDC and Mayor's Parlour.

As such, Council's Liquor Licensing and Community Safety Officer intends to lodge an application for Special Circumstances Licence to operate in accordance with section 40 of

the *Liquor Licensing Act 1997* where the supply of liquor is only to occur at private functions within the premises.

Special Circumstances Licence – Section 40

A Special Circumstances Licence is granted by CBS when no other licence category (either with or without an extended trading authorisation) adequately covers the type of business proposed. As the BDC is an exhibition centre/gallery that operates on a sporadic basis, no other category of licence would be appropriate to the operation of the centre.

Hours of Operation

Council's current liquor licensing policy recommends that a licensed premises operating within 100 metres of a residential property have be restricted to operating hours of Monday to Thursday between 8:00am and 12:00 midnight the same day; Friday and Saturday between 8:00am and 1:00am the following day; and Sunday between 11.00am and 12 midnight the same day.

An approved licence under section 40 of the *Liquor Licensing Act 1997* however is only authorised to operate on any day (other than a Sunday) between 5:00am and 12:00 midnight; and on a Sunday between 11:00am and 8:00pm; unless further extended trading authorisations are imposed.

It is recommended that no extended trading authorisation is sought to operate beyond those times outlined in the *Act*. Furthermore, due to the nature of functions and average times in which they occur, it is prudent to apply for lesser hours than prescribed in the *Act*. It is therefore deemed appropriate that the operational hours for BDC's liquor licence be:

- i) Monday to Saturday between 8:00am and 12:00 midnight the same day;
- ii) Sunday between 11.00am and 8:00pm the same day.

Licensed Area

The proposed red-line area for the licence will encompass the entry, exhibition areas and storage facilities on the ground level. The entire first floor and mezzanine level are also to be included in the red-line area. As events often occur within the Mayor's Parlour, it is also suggested this area be included as a subsequent area of this licence. An approximate indication of the proposed red-line area is attached for members' reference.

Refer Attachment 1

Section 97(2) Exemption

In accordance with the *Liquor Licensing Act 1997*, an authorised 'Responsible Person' (RP) must be present on the premises at all times during hours of trade.

However, under specific circumstances a section 97(2) exemption may be granted by the CBS removing this obligation from the licence. Circumstances in which this exemption is granted occurs when the primary function of the business does not relate to the service of liquor (eg hair dressers and other like businesses, book shops, caravan parks, nursing homes and other like residential premises etc).

As the primary function of the BDC is that of an exhibition centre/gallery, and liquor supply will be an ancillary aspect of the business, it is deemed appropriate to seek this exemption as part of the application

Conclusion

As no other licence category adequately reflects the nature of the BDC and that the proposal poses significantly low risk to the amenity of the local area, the application is not deemed to contradict the intention or aims of the City of Holdfast Bay's Liquor Licensing Policy. Therefore it is deemed appropriate that Council apply to CBS for a Special Circumstances Licence.

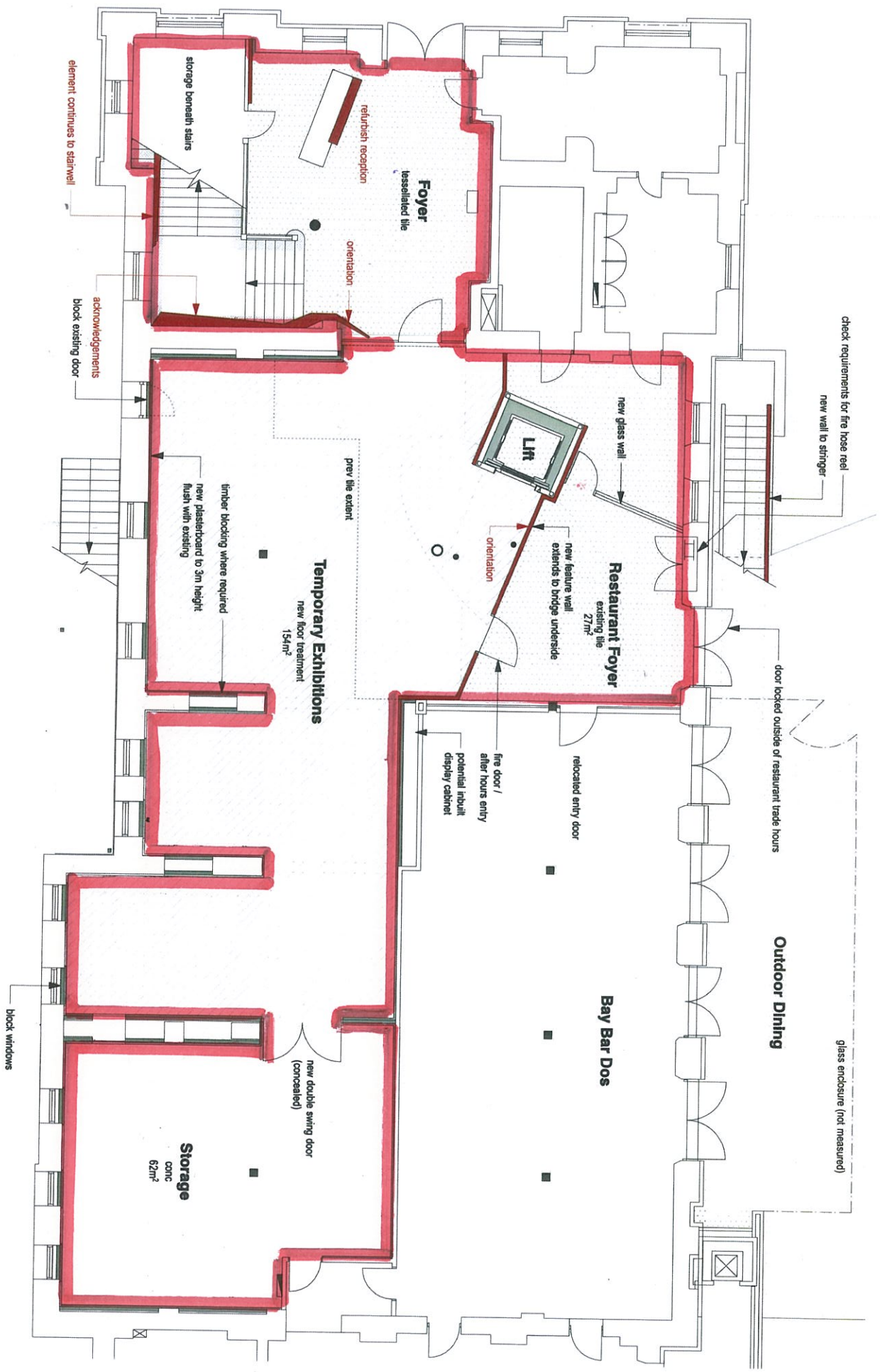
BUDGET

An annual budget allocation is provided to the Development Assessment Unit to deal with matters concerning Liquor Licence proposals. This budget involves engaging the use of legal advisers, if and when required.

Marketing and Tourism have an allocated budgetary amount for the application costs associated with this proposal. The costs to be incurred for this will be approximately \$1,500.00 for advertising and Licence application.

LIFE CYCLE COSTS

Marketing and Tourism will incur any ongoing budgetary amount for the continuation of this licence after its enactment. An annual fee of \$100.00 will be incurred.



mulloyay
 architects interior designers construction advisers

Drawing Title
GROUND FLOOR PLAN
 1:100 @ A3

Client
CITY OF HOLDFAST BAY

Project
BAY DISCOVERY CENTRE UPGRADE

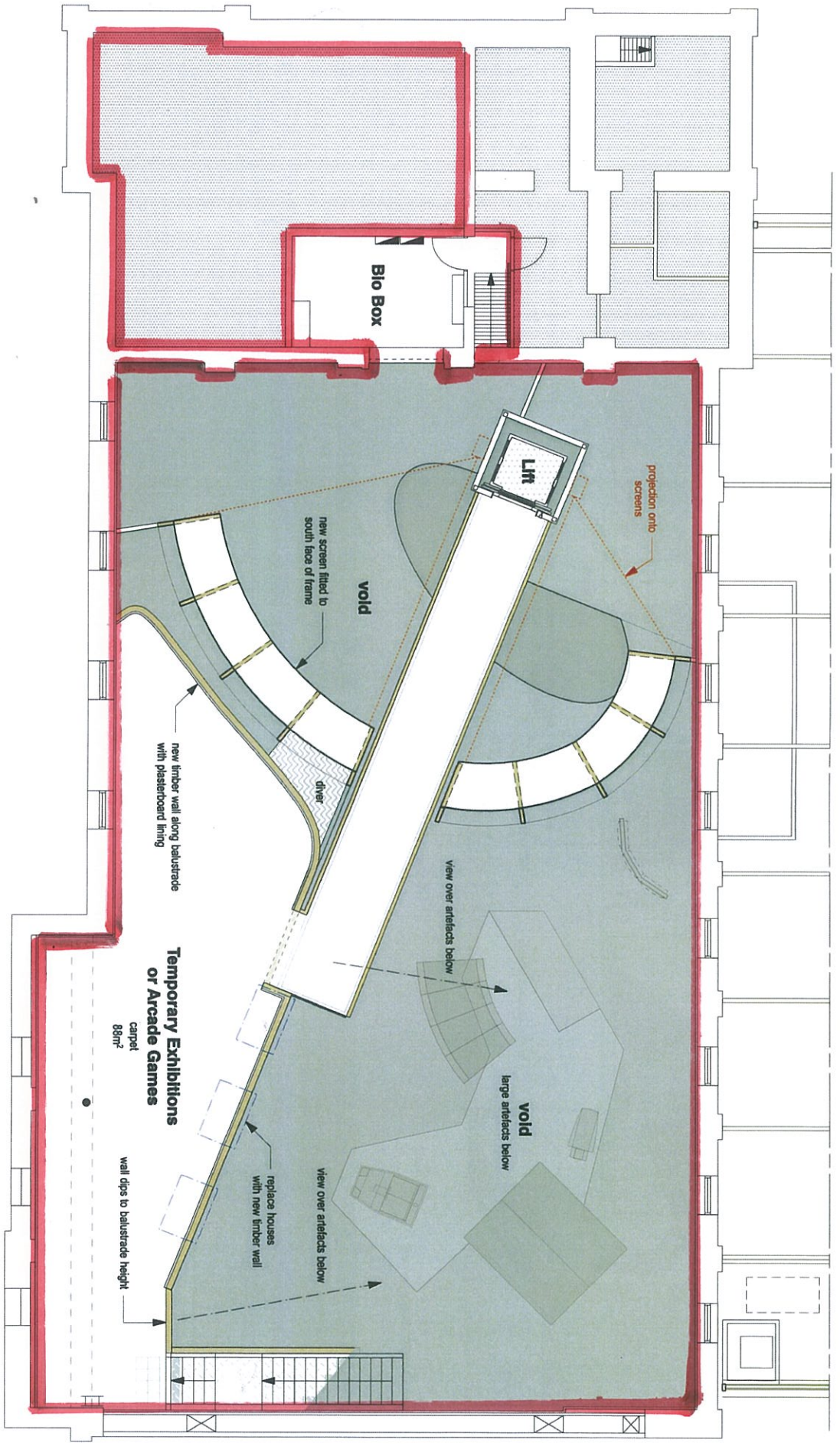
Project No.
HOLD07

Drawing No.
SK.01

Date Issued
FEBRUARY 2011



mulloy
 architects interior designers construction managers



Drawing Title
MEZZANINE FLOOR PLAN
 1:100 @ A3

Client
CITY OF HOLIDAYST BAY

Project
BAY DISCOVERY CENTRE UPGRADE

Project No.
HOLD07

Drawing No.
SK03

Date Issued
FEBRUARY 2011

Item No: **14.3**

Subject: **SOMERTON SURF LIFESAVING CLUB – ALTERATION/VARIATION TO EXISTING LICENSED AREA APPLICATION**

Date: 26 November 2013

Written By: Liquor Licensing and Community Safety Officer

A/General Manager: City Assets, Mr K O’Neill

SUMMARY

The Somerton Surf Lifesaving Club (cnr Repton Road and Esplanade, Somerton Park) currently holds a ‘Club’ category Liquor Licence [No.: 50605006]. The club has approached Council seeking to alter/vary the boundaries of its existing licence red-line area to include an outdoor section adjacent to the boat-store on the western side of the building.

The proposed area will operate on a seasonal basis each year (1 October – 31 March), on Saturday afternoons (only) between the hours of 2:00pm and 6:00pm.

The area will only be accessed by members of the club to offer an alternative while various surf-club related programs and functions are occurring.

The club now seeks landlord consent in order to proceed with the proposed application.

RECOMMENDATION

That Council advise Consumer and Business Services that it supports the Clubs proposal to alter/vary their licence to include a seasonal outdoor area based on the following:

- 1. That the area is only operational between 1 October and 31 March (inclusive) of each year;**
- 2. That the operational hours of the area be between 2:00pm and 6:00pm during its seasonal operation ONLY;**
- 3. That the area is not utilised for the purpose of liquor consumption during any other time(s) of the year;**
- 4. That the area be accessed by members of the club ONLY;**
- 5. That the area is adequately delineated at all times during its use;**

6. That the area is not to be utilised or defined as a 'beer-garden' at any time;
 7. That the club be responsible and accountable for the monitoring of the responsible consumption of alcohol within this area;
 8. That the overall maximum capacity outlined on the licence does not increase;
 9. The proposal be subject to a standard trial period of twelve (12) months from the date of the variation grant, which at the end of this period an assessment and review of the amendment will be made;
 10. The City of Holdfast Bay, the Commissioner of Police and the licensee are granted liberty to apply to the Liquor and Gambling Commissioner to review the variation of hours and associated conditions prior to the conclusion of the twelve (12) month trial period.
-

COMMUNITY PLAN

A Place that is Safe and Secure

COUNCIL POLICY

Liquor Licensing Policy

STATUTORY PROVISIONS

Liquor Licensing Act 1997

Liquor Licensing (General) Regulations 1997

BACKGROUND

Previous Reports

No recent reports have been submitted to council regarding the Somerton Surf Lifesaving Club and Liquor related issues.

REPORT

The Somerton Surf Lifesaving Club seeks an alteration/variation to the existing boundaries of their licensed red-line area. The proposal seeks to include an outdoor section adjacent to the boat-store on the western side of the building.

Refer Attachment 1

The proposed area will operate on a seasonal basis each year (October 1 – March 31), on Saturday afternoons (only) between the hours of 2:00pm and 6:00pm, and only be accessible by members of the club. The purpose of this proposed area is to offer an alternative for members while various surf-club related programs and functions are occurring both inside the premises and on the adjacent beach area.

Conclusion

Due to the proposed seasonal nature of this area, members only access and that no increase to the maximum capacity of the club is to occur, the proposal is deemed to have relatively low risk to the amenity of the area.

The proposed area falls within the boundaries of the clubs existing leased area, so no further Council approvals will be required to support this proposal. Should however, any [semi]permanent structures be implemented to demarcate the area during its use, development approval may be required.

Should Council endorse the application it is recommended that an initial trial period be undertaken to assess any/all impacts the area may cause.

BUDGET

An annual budget allocation is provided to the Development Assessment Unit to deal with matters concerning Liquor Licensing.

LIFE CYCLE COSTS

At this stage, there are no additional costs to Council associated with that contained within this report. Costs may occur at a later stage should Council wish to challenge any liquor licensing related matters in the Commission which may require the assistance of legal advisors.

City of Holdfast Bay

Somerton SLSC
Proposed Licensed Area Alteration/Variation

Map Scale: 1:522
 Created by user
 Friday, 8 November 2013



About this Document	Disclaimer
This map has been created for the purpose of showing basic locality information and is a representation of the data currently held by The City of Holdfast Bay. This information is provided for private use only.	While every effort has been made to ensure the accuracy of the product, Council accepts no responsibility for any errors or omissions. Property boundary line network data is supplied by State Government.

Item No: **14.4**

Subject: **FINDINGS OF DOG PARK COMMUNITY ENGAGEMENT**

Date: 26 November 2013

Written By: General Manager City Services

General Manager: City Services, Ms R Cooper

SUMMARY

In June 2013 Council resolved to develop a dog park at Dulcie Perry Park. Following this, feedback was received from the residents adjacent to the park, who are in strong opposition to the creation of a dog park at this location.

Before continuing further with the project, community engagement was undertaken to gain the views of residents regarding exercising their dogs in the City of Holdfast Bay and ascertaining the demand and community support for a dog park. The results showed very high satisfaction levels of the current spaces and places used for exercising dogs, and minimal community support in the development of a dog park (6 responses only).

RECOMMENDATION

That Council does not proceed further with a detailed design and costing for a Dog Park at Dulcie Perry Park.

COMMUNITY PLAN

A Place with a Quality Lifestyle
A Place for Every Generation
A Place that Values its Natural Environment
A Place that is Well Planned
A Place that Provides Choices and Enhances Life

COUNCIL POLICY

The City of Holdfast Bay has outlined its strategic priorities for open space and public realm via the 'Open Space and Public Realm Strategy'. The Strategy (pg75) outlines specific opportunities for activating parks and reserves for children, young people and families. One relevant opportunity that is identified specific to this Feasibility Study is:

'Dog off lease areas in a number of strategically located parks across the City such as Bob Lewis reserve, Dulcie Perry Park (although play consolidation required) and part of Susan Grace Benny Reserve, as well as on the beaches in accordance with by-laws. Fencing may not be essential'

All reserve areas in this study are categorised as Local Parks and Sporting Reserves in the Land Management Plans, and both support the development of 'off-leash' dog parks where appropriate.

STATUTORY PROVISIONS

Local Government Act (1999)

Dog and Cat Management Act (1995)

By-Law No 5 – Dogs *'To limit the number of dogs that can be kept on premises and to provide for the management and control of dogs within the Council's area'*

BACKGROUND

At the Council meeting on 26 March 2013 Council resolved that the Administration undertake a Feasibility Study into the provision of a dog park in a reserve east of Brighton Rd, between Oakland's Road and Addison Road.

Motion C260313/828

"That Administration explores the feasibility and options of creating a dedicated Dog Park in a reserve east of Brighton Rd, between Oaklands Road and Addison Road."

Further, at the Council meeting on 11 June 2013

Motion C110613/953

That Council agree to progress the development of a Dog Park at Dulcie Perry Park by undertaking the following staged approach the project:

- *A Concept Plan for the reserve is prepared to ensure that the dog off-leash area, playground consolidation, improved landscaping and some additional trees are considered to provide the best outcome for the reserve and the community.*
- *Undertake Engagement with the community on the Concept Plan developed for Dulcie Perry Park, at this stage it is predicted it would be at the inform level.*
- *A detailed design (with costings) is then prepared for the Dog Park.*

REPORT

Prior to committing funds to the detailed design process of this project, it was prudent to conduct community consultation to better understand the community's interest and need for a dog park within the City of Holdfast Bay. A Community Engagement process was undertaken at IPA2 Level 2 Stage – Consult, in September/October 2013. The purpose of the engagement was to gain feedback and a better understanding of residents views regarding exercising their dogs, including ascertaining the demand and community support for a dog park. This engagement also determined the physical activity patterns and behaviours of people within the City of Holdfast Bay. The quantitative and qualitative findings relating to exercising dogs are as follows:

Quantitative Findings

209 submissions were received and of those, 88 (or 42%) own a dog. The most popular suburb for people to exercise their dog in the City of Holdfast Bay is Somerton Park (33%) closely followed by Brighton (28%). The majority of dog owners exercise their dogs either on the beach (35%) or the Esplanade (23%). 10% of respondents exercise their dog at the nearby dog park in Glengowrie.

There is a very high level of satisfaction with exercising dogs in these spaces within the City of Holdfast Bay (79%). There is also very high awareness (93%) of the on and off-leash requirements.

Qualitative Findings

Respondents were asked to provide suggestions or feedback regarding physical activity and exercising their dogs in the City of Holdfast Bay. The qualitative responses are shown in the graph below. The largest response (34%) regarding a single issue is owners collecting their dog faeces from public places and the provision of extra bag dispensers in parks and along the Esplanade.

Of the responses, 17% do not support dogs being allowed off their leash at any time during the day, while 8% do support dogs being allowed off leash. 4% of respondents commented that they didn't believe the times for on and off-leash activity should change with daylight saving.

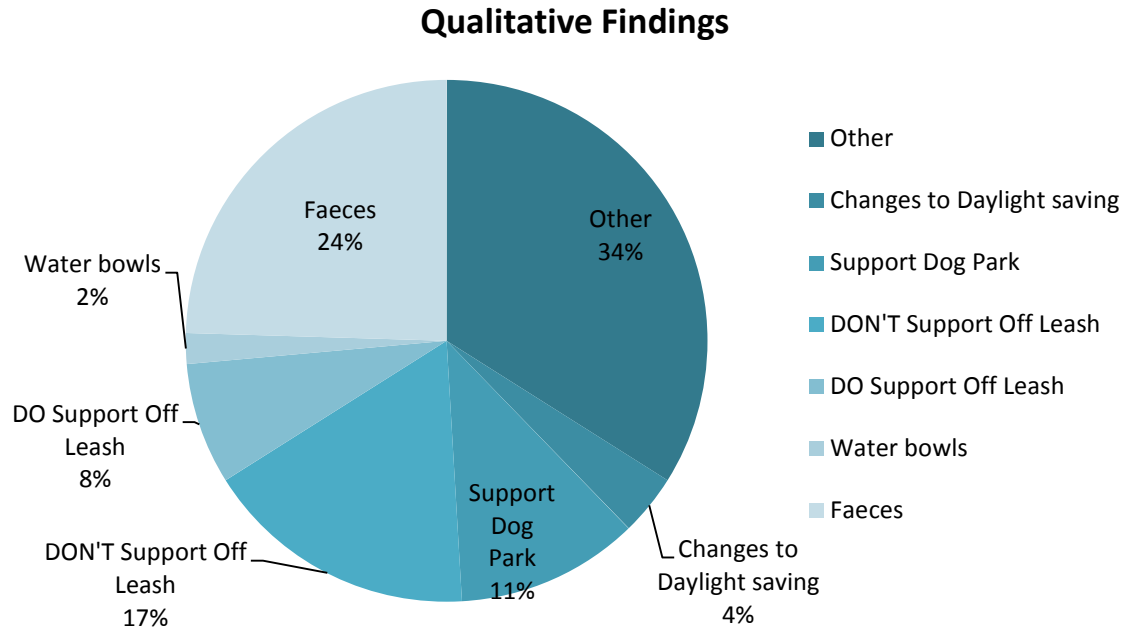


Chart 1: Qualitative Findings

While this chart shows 11% of the qualitative feedback supports the creation of a dog park, it should be noted that this only represents **6 responses from the 208** people who participated in the engagement process. This equates to approx. **0.016% of the CHB population**.

Dog Attacks

The following table outlines the number of recent dog attacks reported to Council:

YEAR	TOTAL	FINES ISSUES	WARNINGS
2012 – 13	9	3	6
2011 - 12	7	2	5

During the same period, Council received zero applications to register a prescribed dog and only received one notification of an unregistered dangerous dog (in 2011 – 12). It is worth noting that a doggy day care service is located at the Holdfast Dog Centre at Brighton to assist with social interaction and relief of boredom of dogs.

A ‘dogs on the beach’ awareness campaign commenced in October 2013 using various media including the Messenger column, Messages on Hold, fact sheets, electronic trailer signage and corflute signage along the Esplanade. This campaign supports the annual dog registration campaign which was held throughout July – August in 2013.

Based on the high levels of satisfaction on the current local environments for exercising dogs, and minimal interest expressed specifically for the creation of a dog park in the City of Holdfast Bay, the majority of dog owners appear comfortable exercising their dogs in the existing available public spaces. Findings from the engagement process also showed that people are more concerned with dog owners being responsible for their own pets, rather than wanting to create a segregated area for dogs.

BUDGET

The feasibility study of June 2013 indicated an initial budget of approx. \$37,000 would be utilised to provide basic infrastructure, including fencing, water fountain, bag dispenser, signage and rubbish bins. However, this would need to be allocated from existing capital works budget, as it has not been set aside as a separate project.

To create a good quality park, it is anticipated that further capital works would be carried out in the 2014/15 financial year. An estimated establishment cost for a dog park based on comparison figures from City of Salisbury is \$90,000.

LIFE CYCLE COSTS

The City of Marion has indicated that the annual maintenance cost of their dog park is approx. \$20,000.

There may also be an increase in demand for the General Inspectors to respond to complaints, education and management of the Dog Park. This cost would also need to be considered at the time if Council proceeds to the detailed design stage.

Item No: **14.5**

Subject: **COUNCIL AND STANDING COMMITTEE MEETING SCHEDULE 2014**

Date: 26 November 2013

Written By: Governance Officer

General Manager: Corporate Services, Mr I Walker

SUMMARY

Council needs to determine its meeting schedule for the period from 1 January 2014 to the Council Elections which will be held on the second Saturday in November 2014. This allows for other committees and the public to be informed of the schedule to minimize conflicts.

The Local Government Act 1999 requires Council to hold at least one meeting per month. Meeting schedules can be reviewed and amended at any time by the Council.

Informal workshops with Elected Members will continue to be scheduled on the first Tuesday of each month and briefings will be held prior to each Council meeting, as required.

RECOMMENDATION

1. **That the Council and Standing Committee meeting schedule for January to November 2014 be as follows:**

• 21 January 2014	• 24 June 2014
• 11 February 2014	• 8 July 2014
• 25 February 2014	• 22 July 2014
• 11 March 2014	• 12 August 2014
• 25 March 2014	• 26 August 2014
• 8 April 2014	• 9 September 2014
• 22 April 2014	• 23 September 2014
• 13 May 2014	• 14 October 2014
• 27 May 2014	• 28 October 2014
• 10 June 2014	

 2. **That the Council continues to hold a 1.5 hour workshop on the first Tuesday (excluding January) of each month and a 45 minute briefing prior to each Council meeting during 2014, as required.**
-

COMMUNITY PLAN

A Place that Provides Value for Money

COUNCIL POLICY

Not applicable.

STATUTORY PROVISIONS

Local Government Act 1999

BACKGROUND

This matter was presented to Council in Report No: 436/12 on 23 October 2012.

REPORT***Legislative Requirements***

The Local Government Act 1999 provides for some minimum requirements in relation to Council's decision making structure, in particular it requires that *"There must be at least one ordinary council meeting per month (S 81)"*

As well as ensuring its decisions are lawful Council should also ensure that it is effective and efficient, and promotes community engagement and confidence in its decision making processes.

Council Meeting Dates

It is proposed that the Council continues to meet on Tuesdays, on the second and fourth Tuesday of each month, except in January 2014.

Local Government Elections will be held on the second Saturday in November in 2014, and this date falls on the 8 November 2014 which does not allow for a meeting to be held in November until after the election has been declared. Members need to also be aware that from September 2014 to the conclusion of the elections Council will be in the Caretaker Period which does not allow certain decisions to be made.

The Chief Executive Officer will call the first meeting of the new Council in November to hold its first meeting during mid to late November depending on the declaration of the election.

January 2013

It is proposed that only one meeting be held in January on the 21 January 2013. This provides Elected Members a break over the Christmas/New Year period and reflects experience that very little business is generated during this period.

Workshops

In 2011 Council commenced meeting three times a month for informal briefings and workshops to discuss matters and seek guidance from Council.

It is proposed to continue workshops for 2014, to enable ongoing engagement with members. These workshops and briefings will be scheduled on the first Tuesday of each month or prior to each Council Meeting. A light meal will be provided prior to each workshop and briefing.

The dates for Council, Standing Committee and Workshops for the period of January 2014 – November 2014 are presented for Council's consideration.

Workshops

- 4 February 2014
- 4 March 2014
- 1 April 2014
- 6 May 2014
- 3 June 2014
- 1 July 2014
- 5 August 2014
- 2 September 2014
- 7 October 2014

Workshops will not be held in January.

Pre Council Meeting Workshops will continue to be held on the Council Meeting Dates listed below.

Council Meeting Dates

- 21 January 2014
- 11 February 2014
- 25 February 2014
- 11 March 2014
- 25 March 2014
- 8 April 2014
- 22 April 2014
- 13 May 2014
- 27 May 2014
- 10 June 2014
- 24 June 2014
- 8 July 2014
- 22 July 2014
- 12 August 2014
- 26 August 2014
- 9 September 2014
- 23 September 2014
- 14 October 2014
- 28 October 2014

The meeting schedule has been adjusted to accommodate any public holidays as necessary.

BUDGET

There are no budget implications associated with this report. The 2013/14 budget includes provision for elected member meals prior to pre council meeting workshops.

LIFE CYCLE COSTS

There are no full life cycle costs associated with this report.

Item No: **14.6**

Subject: **PRIVATELY FUNDED DEVELOPMENT PLAN AMENDMENTS POLICY**

Date: 26 November 2013

Written By: Senior Policy Planner

General Manager: Corporate Services, Ian Walker

SUMMARY

Council has been approached in recent times to initiate a number of privately funded Development Plan Amendments (DPAs) to amend the Holdfast Bay (City) Development Plan. The purpose of this report is to seek Council's endorsement on a formal policy for processing requests for, and entering into arrangements to prepare, privately funded DPAs to investigate amendments to planning policy and zoning.

RECOMMENDATION

That Council adopts the Privately Funded Development Plan Amendments Policy included at Attachment 1.

COMMUNITY PLAN

A Place that is Well Planned

COUNCIL POLICY

Council does not currently have a formal policy to process requests for privately funded Development Plan Amendments (DPAs).

STATUTORY PROVISIONS

Under Sections 24 and 25 of the *Development Act 1993*, only the Minister for Planning or a council can initiate and prepare a DPA to amend policy or zoning in a Development Plan.

A private entity can, however, enter into an agreement with Council or the Minister for the preparation of a specific DPA where all associated costs are covered by the private funder. This process is often used throughout South Australia where policy or rezoning investigations relate to a significant area or parcel of land that is under single ownership or presents substantial opportunity for amalgamation of land to achieve a coordinated development outcome.

The *Local Government Act 1999* provides the ability for councils to develop policies and procedures to achieve their objectives and responsibilities for implementation.

BACKGROUND

Apart from entering into previous arrangements for privately funded DPAs, Council has not previously considered a formal policy on this matter.

REPORT

Council's ability to update and amend its Development Plan is subject to financial and resource availability and agreement with the Minister for Planning on a program of DPAs resulting from period Development Plan Reviews, which occur at least every five years.

It is therefore likely that Council will be approached from time to time by private land owners or third parties to expedite and fund rezoning and policy investigations that have not been identified, prioritised or budgeted for through the Development Plan Review process, or that relate to a significant area of land under single ownership.

Indeed, in addition to its current DPA program, Council is currently in the process of undertaking or initiating privately funded DPAs for the Brighton and Hove District Centre and Minda's North Brighton Campus, as well the Seacliff Park Residential and Centre DPA being undertaken jointly with the City of Marion. In the absence of a formal Council policy, these have required a considerable level of negotiation between Council and the funder to arrive at an agreed and appropriate process.

While privately funded DPAs are a legitimate model that may be used to expedite and resource the preparation of DPA investigations, the Development Act and its Regulations provide limited guidance in relation to the processes behind their initiation and preparation. It is therefore important for Council to have a clear policy framework to ensure openness and transparency in the process and compliance with all statutory processes and obligations under the Act, including ensuring that there are no conflicts of interest in the process. Further, the preparation of any agreed privately funded DPAs will remain the responsibility of Council, and the private funder cannot control or direct the process. Ultimate control also rests with the Minister for Planning to approve any DPA.

Given the number of approaches to Council to initiate privately funded DPAs in recent times, it is now considered timely for Council to establish a consistent approach to processing these requests and to manage expectations of proponents. A draft Privately Funded Development Plan Amendments Policy has therefore been prepared and is located at Attachment 1 for Members' consideration.

Refer Attachment 1

The draft Policy is supported by a procedure document that provides a detailed framework for Council to assess and process requests from private entities or third parties to undertake

privately funded DPAs. A copy of the procedure is located at Attachment 2 for Members' reference.

Refer Attachment 2

The procedure has been based on similar models used by other South Australian councils and includes a requirement for the proponent to first submit a detailed Statement of Justification to Council that clearly outlines and justifies the rationale for the proposed DPA and broad policy outcome that is being sought. This Statement is then assessed against a range of strategic and other criteria including:

- alignment with State and Council strategies and policies, including the South Australian Planning Strategy (currently The 30 Year Plan for Greater Adelaide) and Council's Strategic Management Plans and other plans
- likely social, environmental, economic and physical benefits, including wider benefits beyond the affected site
- capacity for Council to undertake the DPA based on existing staff workloads, available resources and priorities.

The procedure also clarifies Council's requirements and relationships with the private funder should it agree to prepare a privately funded DPA, and outlines the legal arrangements that will be required to be entered into.

BUDGET

While there are no direct budgetary impacts associated with adoption of this Policy, it places an emphasis on achieving a cost neutral outcome for Council when entering into arrangements for privately funded DPAs.

LIFE CYCLE COSTS

There are no life cycle costs associated with adoption of this Policy.

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

1. PREAMBLE

Council has an obligation to ensure its Development Plan remains relevant and up to date to enable the City of Holdfast Bay to develop in an orderly and effective manner, and ensure that potential conflicts and impacts from development are minimised. High quality development also contributes to the wellbeing, prosperity and general amenity of the City.

Under Sections 24 and 25 of the *Development Act 1993*, only the relevant Minister or a Council can prepare a Development Plan Amendment (DPA) to amend a Development Plan. There is no mechanism for a private entity or other third party to initiate or make changes to a Development Plan.

A private entity can, however, enter into an agreement with the Minister or Council for the preparation of a specific DPA where all associated costs are covered by the private funder, but the preparation of the DPA remains the responsibility of Council and the Minister.

1.1 Background

A privately funded DPA refers to when a third party funds the investigation work required to change Development Plan zoning and/or policy, and Council (or the Minister) undertakes the preparation of the DPA in accordance with its obligations under the *Development Act 1993*.

Privately funded DPAs are a legitimate model that may be used to expedite and resource the preparation of a DPA, particularly where:

- (a) its preparation has not been budgeted for or identified as a priority by the Minister or Council through the periodic Development Plan Review process under Section 30 of the *Development Act 1993*, and/or
- (b) policy or rezoning investigations relate to a significant area or parcel of land that is under single ownership or presents substantial opportunity for amalgamation of land to achieve a coordinated development outcome.

PRIVATELY FUNDED DEVELOPMENT PLAN AMENDMENTS POLICY

1.2 *Purpose*

The purpose of this policy and its accompanying procedure is to guide Council in the assessment and processing of requests from private entities or third parties to undertake privately funded DPAs in order to ensure openness and transparency in the process, well considered and consistent decision making and that Council meets its obligations under the *Development Act 1993*.

1.3 *Scope*

This policy applies when a private entity or third party seeks to fund investigations required for Council to initiate or make changes to the Holdfast Bay (City) Development Plan as part of a privately funded DPA in the City of Holdfast Bay.

1.4 *Definitions*

Development Plan is a document that contains the planning controls that guide what can and cannot be developed in a council area. Planning authorities use these planning controls to assess new development proposals.

Development Plan Amendment (DPA) is a document that describes proposed changes to a Development Plan. The DPA process involves a series of stages and approvals, and includes undertaking investigations to inform the proposed zoning or policy changes.

Statement of Intent (SOI) is a document that outlines the scope, timing, consultation requirements and nature of investigations to be carried out in preparing a Development Plan Amendment. Council is required to prepare a SOI under Section 25(1) of the *Development Act 1993* to reach agreement with the Minister for Planning to initiate a Development Plan Amendment.

Private funder means one or more private persons or organisations proposing to fund the undertaking of a Development Plan Amendment where they may benefit from any changes to zoning or development policies resulting from the Amendment.

Development Plan Review is a process required under Section 30 of the *Development 1993*, whereby all councils must periodically review their Development Plan at least every five years to ensure it remains up to date and aligns with the State's Planning Strategy.

1.5 *Strategic Reference*

A Place that is Well Planned.

Future Directions: Develop policies and projects to take advantage of opportunities created by the State's Planning Strategy "30 Year Plan for Greater Adelaide".

PRIVATELY FUNDED DEVELOPMENT PLAN AMENDMENTS POLICY

Action Focus For 2012 to 2015: Develop and implement plans and policies to guide the future development of public and private developments, community hubs and open spaces...

2. POLICY STATEMENT

- 2.1 Council's ability to update and amend its Development Plan is subject to financial and resource availability, and agreement with the Minister for Planning on a program of Development Plan Amendments resulting from periodic Development Plan reviews.
- 2.2 Council acknowledges that it may be approached from time to time by private entities or third parties to expedite rezoning and policy investigations that have not been identified, prioritised and/or budgeted for through the Development Plan Review process.
- 2.3 In considering requests to initiate and prepare privately funded DPAs, Council will ensure compliance with all statutory processes and obligations under the *Development Act 1993*. This will include identification of personnel who will provide professional advice to Council on any agreed DPA for the purposes of section 25(4) of the *Development Act 1993* and its Regulations, and assurance that no-one directly involved in the preparation of the DPA has a conflict of interest.
- 2.4 Preparation of any agreed privately funded DPAs will remain the responsibility of the Council, with the final version of the DPA to be determined by the Minister responsible for administering the *Development Act 1993*.
- 2.5 A legal instrument in the form of a Deed of Agreement will be required to be entered into between Council and any private funder. The Deed will outline the heads of agreement and legal procedures, including the roles of the parties, legal requirements and procedures, and project and financial management.
- 2.6 This Policy is supported by a Procedure document that outlines the process that Council will follow for considering requests for privately funded DPAs, including strategic (and other) criteria, legal and financial arrangements, and project management and procurement of independent advice to meet legislative requirements and ensure openness and transparency in the process.

3. REFERENCES

3.1 Legislation

- *Development Act 1993*
- *Development Regulations 2008*
- *Local Government Act 1999*

3.2 Other References

- Privately Funded Development Plan Amendments Procedure.

Trim Container	Click here to enter text.
Trim Document Number:	B2756
First Issued / Approved:	Click here to enter text.
Last Reviewed:	Click here to enter text.
Next Review:	Click here to enter text.
Parent Policy	Privately Funded Development Plan Amendments
TRIM Container	Click here to enter text.
Responsible Officer:	Manager Organisational Sustainability
Date placed on Intranet	Click here to enter text.

1. PREAMBLE

1.1 Background

A privately funded Development Plan Amendment (DPA) refers to when a third party funds the investigation work required to change Development Plan zoning and/or policy, and Council (or the Minister) undertakes the preparation of the DPA in accordance with its obligations under the *Development Act 1993*.

Privately funded DPAs are a legitimate model that may be used to expedite and resource the preparation of a DPA, particularly where its preparation has not been budgeted for or identified as a priority by the Minister or Council through the periodic Development Plan Review process under Section 30 of the *Development Act 1993*.

1.2 Purpose

The purpose of this procedure is to provide a framework to guide Council in assessing and processing requests from private entities or third parties to undertake privately funded DPAs, and clarify Council's requirements and relationships with the potential private funder. This will ensure openness and transparency in the process, well considered and consistent decision making and that Council meets its obligations under the *Development Act 1993*.

1.3 Scope

This procedure applies when a private entity or third party seeks to fund investigations required to initiate or make changes to the Holdfast Bay (City) Development Plan as part of a privately funded DPA in the City of Holdfast Bay, which is being considered under Council's Privately Funded Development Plan Amendments Policy.

PRIVATELY FUNDED DEVELOPMENT PLAN AMENDMENTS PROCEDURE

1.4 Definitions

Development Plan is a document that contains the planning controls that guide what can and cannot be developed in a council area. Planning authorities use these planning controls to assess new development proposals.

Development Plan Amendment (DPA) is a document that describes proposed changes to a Development Plan. The DPA process involves a series of stages and approvals, and includes undertaking investigations to inform the proposed zoning or policy changes.

Statement of Intent (SOI) is a document that outlines the scope, timing, consultation requirements and nature of investigations to be carried out in preparing a Development Plan Amendment. Council is required to prepare a SOI under Section 25(1) of the *Development Act 1993* to reach agreement with the Minister for Planning to initiate a Development Plan Amendment.

Private funder means one or more private persons or organisations proposing to fund the undertaking of a Development Plan Amendment where they may benefit from any changes to zoning or development policies resulting from the Amendment.

Statement of Justification is a document to be submitted to Council under this Procedure and its overarching Policy to justify a request for Council to consider initiating a privately funded Development Plan Amendment. This Statement will be assessed and considered against the criteria outlined in this Procedure.

Development Plan Review is a process required under Section 30 of the *Development 1993*, whereby all councils must periodically review their Development Plan at least every five years to ensure it remains up to date and aligns with the State's Planning Strategy. This process results in preparation of a *Strategic Directions Report* and program of Development Plan Amendments for agreement with the Minister for Planning.

Planning Strategy is a document empowered under Section 22 of the *Development Act 1993* that outlines the State Government's direction for land use change and development in South Australia. The relevant volume applying to the City of Holdfast Bay is currently *The 30-Year Plan for Greater Adelaide*.

Strategic Management Plans refers to a suite of documents described under Section 122 of the *Local Government Act 1999* that serve several inter-related purposes and identify Council's forecasts and objectives for its area

PRIVATELY FUNDED DEVELOPMENT PLAN AMENDMENTS PROCEDURE

over a period of at least 4 years. Council's must comprehensively review these plans within 2 years of each general election of the council.

2. PROCESS

The process for assessing and processing requests to undertake privately funded DPAs is provided below and summarised in the flow chart in the Appendix.

2.1 Statement of Justification

In submitting a request for Council to consider initiating a privately funded DPA, a 'Statement of Justification' will first be submitted for Council's consideration.

This Statement will be assessed against a range of criteria set out in clause 2.2 below (and accordingly should respond to this criteria) and must clearly outline:

- (a) the reason(s) the DPA is needed, and
- (b) the broad policy and/or rezoning outcome that is being sought.

Details of any previous technical, design, master planning or other investigations that have been undertaken that may support the proposal should also be provided.

2.2 Assessment Criteria

In order to determine whether or not Council should proceed to initiate investigations for a privately funded DPA, the details and proposed outcomes provided in the Statement of Justification will be assessed against the following criteria:

Strategic alignment

- (a) The proposal is consistent with the Planning Strategy for South Australia (currently *The 30-Year Plan for Greater Adelaide*)
- (b) The proposal is consistent with key Council strategic and policy documents, including its Strategic Management Plans
- (c) Appropriate consideration has been given to likely social, environmental, economic and physical benefits and costs arising from the proposal

PRIVATELY FUNDED DEVELOPMENT PLAN AMENDMENTS PROCEDURE

Other Considerations:

- (d) The policy outcome or investigations being sought have been identified in Council's Strategic Directions Report (as part of Council's last Section 30 Development Plan Review)
- (e) The proposal could facilitate wider precinct or area benefits and investigations (ie. beyond the affected site or area)
- (f) The proposed DPA is on the Council's planning policy program (as agreed with the Minister) or could be reasonably incorporated.

In undertaking the assessment against the above criteria, the following should be noted:

- If the proposed policy or zoning outcome is not consistent with the South Australian Planning Strategy, Council will not proceed
- The proposal should be consistent with Council's strategic directions and policy documents. In the absence of local strategic direction, consideration could be given to the party funding further strategic work, with more favourable consideration given where it can be demonstrated that there are significant social, environmental, economic or physical (built environment) benefits associated with the proposed policy outcome
- The proposal must be considered along with the timing of other DPAs and priorities identified in Council's current DPA program, and as agreed with the Minister as part of the Section 30 Development Plan Review process. The capacity for Council to process privately funded DPAs will be influenced by existing workloads, available resources and priorities. Importantly, while aspects of the DPA process can be outsourced, Council staff will be responsible for project management, reporting, procurement and managing consultation. An emphasis will therefore be placed on current work commitments and capacities.

2.3 **Project Management and Procurement Process**

If Council agrees to initiate a privately funded DPA process, Council will maintain ultimate control of the DPA and seek qualified and independent advice in accordance with its obligations under the *Development Act 1993*.

Council will therefore engage its own independent consultant(s) in accordance with Council's Procurement (Contract and Tendering) Policy to review background documents, prepare the Statement of Intent (SOI) and undertake the DPA. The private funder is to have no role in the tender or selection of consultants to undertake any of the associated DPA work, or in assessing the work or findings of the consultants, or in Council's

PRIVATELY FUNDED DEVELOPMENT PLAN AMENDMENTS PROCEDURE

consideration of the DPA at any time after a legal funding agreement has been entered into as outlined in clause 2.4 below.

The consultant(s) undertaking the privately funded DPA will report directly to Council staff and/or Council's nominated project manager. As part of the procurement process, the consultant will be required to confirm that there is no conflict in interest in providing these services to Council.

Key stages of the DPA will be presented to Council for consideration prior to being submitted to the Minister for agreement or approval (where required). This includes the SOI, Public and Agency Consultation, draft documents, hearing of public submissions and Approval.

2.4 Legal Arrangements

A formal Deed of Agreement shall be entered into between Council and the private funder. The Deed will outline the heads of agreement and legal procedures, including the roles of the parties, legislative requirements and procedures, and project and financial management.

Fundamental considerations in preparing the Deed include the following:

Project management

- Provision to seek specific experts or technical advice as required and independent review of background documents, with related expenses to be wholly funded by the private funder
- Broadly outline the nature of investigations to be undertaken and to be considered in preparing the SOI and DPA, which will form the basis of the consultant's brief
- Provision to refer to the consultant's brief to define the work to be undertaken by Council's appointed consultants to prepare the DPA.

Terms, roles and expectations

- There shall be no expectation that the privately funded DPA will lead to any pre-determined outcome and, at all times, the DPA and Council's handling of the process will be subject to the requirements of the *Development Act 1993* and its Regulations
- An acknowledgement that while Council may initiate the DPA, the final version of the DPA will be determined by the Minister responsible for administering the *Development Act 1993* and Council does not have control over what the final version of the DPA might be

PRIVATELY FUNDED DEVELOPMENT PLAN AMENDMENTS PROCEDURE

- An acknowledgement that Council may decide not to proceed with the DPA based on investigations formed following the SOI, or recommend alterations or decline to proceed with the DPA following statutory consultation
- An ability for Council to continue with the DPA (at its own expense) and use any materials prepared if the private funder decides to withdraw from the process at any stage
- The private funder must acknowledge that the authorisation of the DPA incorporating the rezoning or policy change contemplated by the Deed does not give the private funder, or any person with an interest in the property, any additional rights under the *Development Act 1993*. The private funder must also acknowledge that Council or any other relevant planning authority must assess any subsequent development application in respect to the subject land or area affected in accordance with the current development control procedures in the Development Act
- The SOI and draft DPA must clearly state that the DPA is privately funded and confirm that there will be no conflict of interest in its preparation
- The private funder will have no rights to control or direct any process in the preparation of, or investigations required to inform, the DPA, other than through a written and/or verbal submission as part of the statutory public consultation process
- The legal instrument may, however, include a forum for facilitating ongoing regular communication between Council and the private funder.

Funding obligations and arrangements

- The private funder shall pay the full cost of Council's independent consultants to prepare the DPA and may also be required to contribute additional funds for Council staff time to manage the DPA process. The agreed amount will depend on the complexity and level of Council staff involvement in managing the project, with an emphasis on achieving a cost neutral outcome for Council
- The private funder will also fund any legal costs associated with preparation of the DPA, including legal review, legal proceedings and dispute resolution, or judicial review proceedings in relation to the DPA process
- The dollar figure of the financial contribution that will be provided by the private funder to Council to prepare the SOI and draft DPA should be expressed as a maximum figure. Any increases to this figure during the DPA process shall be by mutual agreement

PRIVATELY FUNDED DEVELOPMENT PLAN AMENDMENTS PROCEDURE

- The payment schedule for the consultant undertaking the DPA will be devised to minimise the financial risk to Council
- If scheduled payments are not received by Council from the private funder, work on the project will immediately cease
- For higher value or cost DPAs, payment in advance or a bank guarantee may be required.

3. REFERENCES

3.1 Legislation

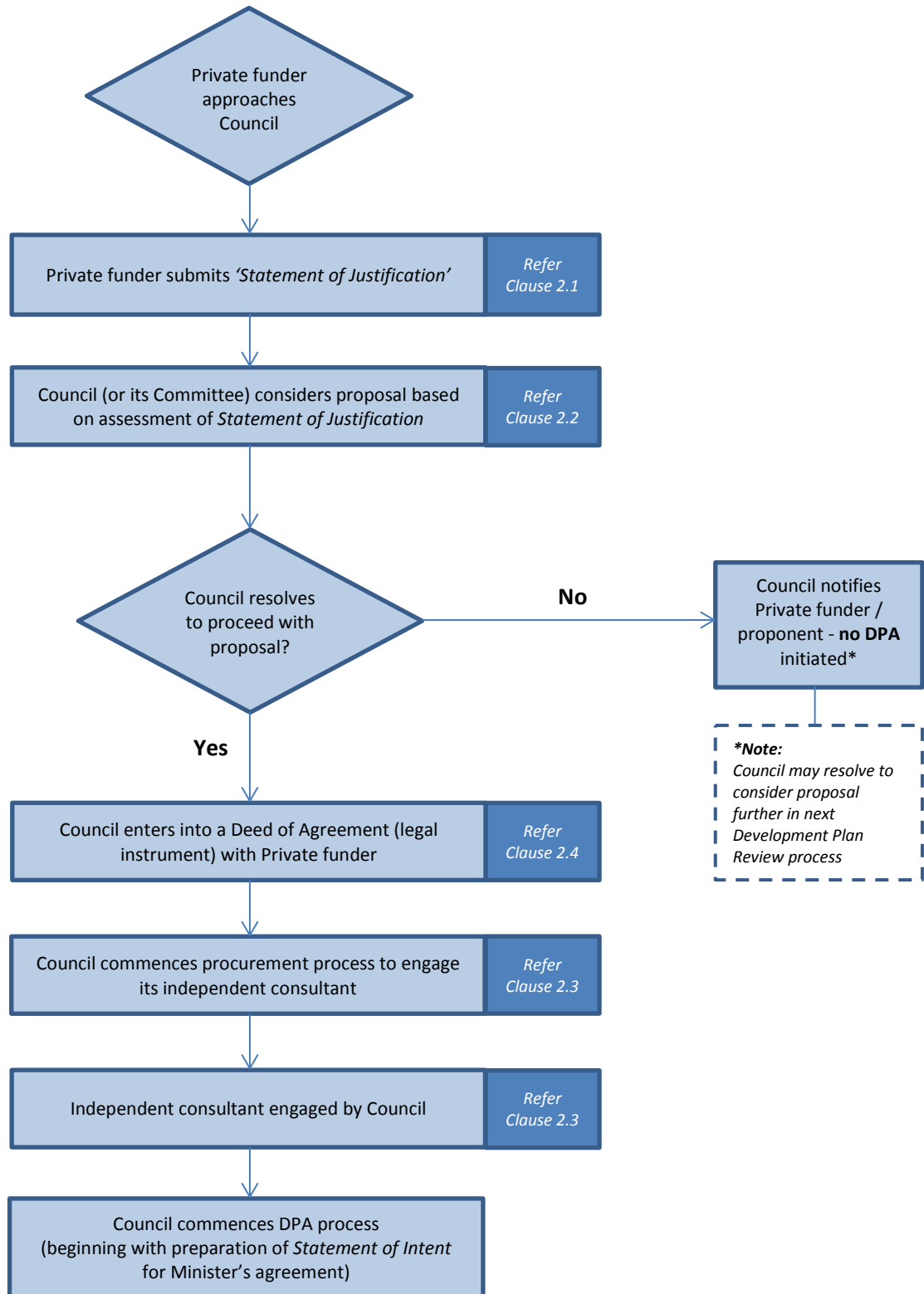
- *Development Act 1993*
- *Development Regulations 2008*
- *Local Government Act 1999*

3.2 Other References

- Privately Funded Development Plan Amendments Policy
- *Development Plan Amendment Practitioners Guide* (and associated templates), Government of South Australia

PRIVATE FUNDED DEVELOPMENT PLAN AMENDMENTS

APPENDIX - Private Funded Development Plan Amendments Procedure Flowchart



Item No: **14.7**

Subject: **APPOINTMENT OF DEPUTY MAYOR**

Date: 26 November 2013

Written By: Governance Officer

General Manager: Corporate Services, Mr I Walker

SUMMARY

Under Section 51 of the *Local Government Act 1999* the Council may appoint a Deputy Mayor for a term not exceeding four years.

Council has previously made appointments of Deputy Mayor for a term of one year. It is Council's prerogative to choose another term. Council last appointed Councillor Rosemary Clancy as Deputy Mayor for a term of 1 year in October 2012. This position will fall vacant and Council may choose to make a new appointment for a term not exceeding two years being the current life of the Council.

In the absence of the Mayor, the Deputy Mayor may act in the office of Mayor.

RECOMMENDATION

That Councillor _____ be appointed Deputy Mayor for the period from 1 December 2013 to 8 November 2014 (Election Day).

COMMUNITY PLAN

A Place that Provides Value for Money

COUNCIL POLICY

Not applicable.

STATUTORY PROVISIONS

Local Government Act 1999, Section 51

BACKGROUND

Council considered this matter at its inaugural meeting on 23 November 2010, where it appointed Councillor Clancy for a term of one year and has subsequently reappointed Councillor Clancy as Deputy Mayor in October 2012.

REPORT

Under Section 51 of the *Local Government Act 1999*, if the Council has a Mayor, there may also be, if the Council so resolves, a Deputy Mayor. In the absence of the Mayor, the Deputy Mayor may act in the office of the Mayor. If there is to be a Deputy Mayor, he or she will be chosen by the Members of the Council from amongst their numbers and will hold office for a term determined by the Council but not exceeding four years.

Role of Deputy Mayor

The role of the Deputy Mayor is to:

- Chair the meetings of Council in the absence of the Mayor; and
- Act in the position of Mayor when the Mayor is absent, and exercise the powers and perform the functions of the Mayor.

Remuneration of Deputy Mayor

The Remuneration Tribunal of South Australia in its Determination No. 6 of 2010, stated that:

“3.3.1 The annual allowance for deputy mayor ... will be equal to one and a quarter (1.25) times the annual allowance for councillors of that council.”

As the City of Holdfast Bay is a Group Two Council, as determined by the Remuneration Tribunal, the annual allowance for the Deputy Mayor is \$17,500 plus indexation.

BUDGET

There are no budget implications associated with this report. The 2013/14 budget includes provision for payment of an allowance to a Deputy Mayor.

LIFE CYCLE COSTS

There are no full life cycle costs associated with this report.

Item No: **14.8**

Subject: **DOVER SQUARE TENNIS CLUB INC - RENEWAL OF LEASE**

Date: 26 November 2013

Written By: Strategic Property Officer

General Manager: Corporate Services, Mr I Walker

SUMMARY

The Dover Square Tennis Club incorporated has been occupying the premises located at Folkstone Road Brighton South for a number of years, with the existing lease expiring on 31 December 2011.

Subject to the approval of Council, a new lease for a period of five years from 1 January 2012 was offered to and accepted by the Dover Square Tennis Club incorporated.

RECOMMENDATION

That approval be granted to enter into a new lease with the Dover Square Tennis Club Inc for a term of five years from 1 January 2012 to 31 December 2016 over portion of the land contained in Certificates of Title Volume 5558 Folio 563 and Volume 5805 Folio 398, as detailed on Attachment 1.

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

Local Government Act, 1999
Retail and Commercial Leases Act, 1995

BACKGROUND

The lease to the Dover Square Tennis Club Incorporated commenced on 1 January 2007 for a period of five years until 31 December 2011. The lease had an option to renew for a period of 5 years from 1 January 2012. The exercising of this option to renew was at the option of the club and at the time the club did not exercise this option to renew under the terms of the existing lease.

REPORT

Subject to the approval of Council a new lease for a period of five (5) years was offered to the Dover Square Tennis Club Incorporated from 1 January 2012. The Dover Square Tennis Club has accepted the proposal to enter into a new five year lease from 1 January 2012.

The Dover Square Tennis Club has been in occupation of these premises for some considerable time and during the period of occupancy has demonstrated that it is a worthwhile tenant.

The leased area is detailed in attachment 1.

Refer Attachment 1

The Dover Square Tennis Club incorporated has recently provided copies of the following documents:

- Certificate of Incorporation
- Constitution
- Minutes of the last Annual General Meeting
- Statement of Revenue and Expenses to 5 June 2013.

Copies of these documents are contained in attachment 2.

Refer Attachment 2

BUDGET

There is an allowance in the 2013/14 budget for the rental payable under this new lease. The rental payable under the terms of this lease is \$605.00 per annum.

LIFE CYCLE COSTS

Under the terms of the new lease the City of Holdfast Bay will be responsible for the structural maintenance of this facility. The renewal of the major structural components of the building is provided within Council's asset management plans.

About this Document

This map has been created for the purpose of showing basic locality information and is a representation of the data currently held by The City of Holdfast Bay. This information is provided for private use only.

Disclaimer

While every effort has been made to ensure the accuracy of the product, Council accepts no responsibility for any errors or omissions. Property boundary line network data is supplied by State Government.

Dover Square Tennis Club Leased Area

Map Scale: 1:460.7
Created by user
Monday, 19 November



ANNUAL GENERAL MEETING
DOVER SQUARE TENNIS CLUB INC.
HELD ON SUNDAY JULY 7th 2013

PRESENT: Narelle & Paul Hodgson, Genevieve Dawson, Paulina May, Sue Dobson, Jacob May, Pat Hodgson, Michelle Hodgson, Ann & Bob Barnes, Rob May, Yuki Tamaka, Jill Treloar, Mandy Quinlan, Michael Fairlie, Cameron Dehan, Adrian Costar, Jordan Allen, Adam Gray, Shane Murphy, Justin Tredwell.

APOLIGIES: Aileen Merrett.

MINUTES FROM LAST A.G.M. 2012 – NOT AVAILABLE

President's report – Received and read

Treasurer's report – Received and read

ALL POSITIONS VACANT: - handed over to conduct the voting of new committee.

NOMINATIONS ARE CALLED FOR:

PRESIDENT: Adam Grey – Nominated by Ann (Seconded by Pat)
VICE PRESIDENT: Paulina May – Nominated by Pat (Seconded by Shane)
SECRETARY: Ann Barnes – Nominated by Narelle (Seconded by Serge)
TREASURER: Sue Dobson – Nominated by Paulina (Seconded by Bob May)
CLUB CAPTAIN: Justin Tredwell – Nominated by Adam (Seconded by Narelle)
SENIOR CO-ORDINATOR: Rob May – Nominated by Shane (Seconded by Justin)
JUNIOR CO-ORDINATOR: Mandy Quinlan Girls – Nominated by Narelle (Seconded by Adam)
JUNIOR CO-ORDINATOR: Justin Tredwell Boys – Nominated by Adam (Seconded by Mandy)
MAINTENANCE
CO-ORDINATOR: Pat Hodgson – Nominated by Narelle (Seconded by Michelle)

All positions were filled and the President Adam Grey conducted the meeting.

Business Arising: Future use of courts at Seaview/Seacombe is pending Council discussion on Possible upgrade and maintance.

Fees for 2013/2014 season to be set at next committee meeting in approx two or Three weeks.

MEETING CLOSED.

DSTC Statement of Revenue & Expenses

05/06/2012-05/06/2013

Revenue		Expenses	
Subscriptions	\$0.00	Tennis operations	\$6,810.00
Senior	\$0.00	Player / team rego	\$1,754.80
Junior	\$0.00	Balls	\$0.00
Concession	\$0.00	External court hire	\$0.00
Family	\$0.00	Tennis club advertising	\$0.00
Midweek ladies	\$0.00	Non-fundraiser catering	\$452.50
Winter	\$0.00	Awards / gifts	\$206.00
sub-total	\$23,205.00	Sundry expenses	\$821.82
Fridge sales	\$667.00	Coaching Expenses	\$4,000.00
Fur clothing sales	\$0.00	sub-total	\$14,045.12
BBQ's	\$0.00	Fundraising	\$0.00
Chocolates	\$3,835.00	Raffles	\$0.00
Quiz night	\$0.00	Frogs	\$2,549.55
Pizza night	\$0.00	Pizza night	\$0.00
80th celebrations	\$350.00	Quiz night	\$0.00
sub-total	\$4,852.00	Tournament	\$0.00
Hall hire	\$2,879.00	80th celebrations	\$667.16
Fac sub-total	\$2,879.00	sub-total	\$3,216.71
Oth Miscellaneous	\$0.00	Facilities	\$220.00
Interest	\$835.87	Tennis club maintenance	\$346.55
sub-total	\$835.87	Tennis club capital expenditure	\$2,849.34
Total receipts	\$31,771.87	Hall maintenance	\$327.00
		Hall capital expenditure	\$970.99
		Rent	\$2,758.30
		Insurance	\$2,200.40
		Utilities	\$9,672.58
		sub-total	\$26,934.41
		Total payments	\$26,934.41

No. of Association

9162R



ASSOCIATIONS INCORPORATION ACT, 1956

**CERTIFICATE OF INCORPORATION
OF AN ASSOCIATION**

It is hereby certified that.....

DOVER SQUARE TENNIS CLUB INCORPORATED

is incorporated under the provisions of the Associations Incorporation Act, 1956-

Given under the seal of the Commission at Adelaide in the State of South Australia

this 23rd day of May 19 84.

A handwritten signature in dark ink, appearing to be "M. D. ...".

Commissioner for Corporate Affairs

1950
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Associations Incorporation Act, 1956.

DECLARATION VERIFYING RULES OF AN ASSOCIATION.

I, Robert Andrew Hill of 20 Mortimer Terrace, Brighton, South Australia - Draftsman DO SOLEMNLY AND SINCERELY DECLARE:-

1. That I am the person making application for the incorporation of the Dover Square Tennis Club.

2. That the document hereunto annexed and marked 'A' is a true and correct copy of the rules of the said association.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Oaths Act, 1936.

Declared and subscribed at

Dover Gardens

this 7 day of *May* 1984

before me =

Robert Hill

Signature of Declarant



[Signature]

Justice of the Peace

A Justice of the Peace in and for the State of South Australia.

DOVER SQUARE TENNIS CLUBRULES

1. (A) The club shall be called the Dover Square Tennis Club and shall use the tennis courts situated on the Dover Square.
(B) The objects and purposes of the Club are:
 - i. To promote, advance and foster the game of tennis in the Brighton Area.
 - ii. To own and deal with any real and personal property for the purposes of the Club.
 - iii. To promote and conduct forms of recreation and amusement other than tennis for the members of the Club and to do any acts necessary for those purposes.
2. The club shall be affiliated with the Glenelg District Tennis Association.
3. The club colours shall be two blues.
4. The Annual General Meeting of the club shall be held in August and 14 days notice in writing shall be given to all members. The meeting shall appoint all officers and committees for the following year, receive the Secretary's Report and Financial Statement and attend to any other business brought forward.
5. The officers of the club shall consist of President, Vice-President, Secretary, Treasurer, Two Auditors, Club Captain and Vice Captain.
6. The committee shall consist-
 - (A) The Management Committee to consist of President, Vice-President, Immediate past President, Secretary, Treasurer and three Members. Any five shall constitute a quorum.
 - (B) The Selection committee which shall consist of the following-
 - i. For the first match Club Captain, Vice Captain, woman member (permanent selector) plus two others.
 - ii. For all other matches, the Captain or Vice-Captain of each team, plus one woman member elected at the Annual General Meeting and Secretary.
 - (C) The social Committee, which shall consist of President, Secretary, Treasurer and four members with power to add an additional six others.

6. (D) Two delegates to the Glenelg District Tennis Association and one Proxy.

7. DUTIES OF OFFICERS.

- (A) President - To preside at all meetings of the club with the exception of the selection committee and to have a casting vote if required.
- (B) Vice-President - To carry out the duties of the President in his absence.
- (C) Secretary - To carry out all usual Secretarial duties of the club.
- (D) Treasurer - To manage the finances of the club.
- (E) Auditors - To check the membership roll and inspect and certify the correctness of the accounts.
- (F) Club Captains - To organise tennis and to be in charge in all ways of the courts at all times apart from match days.
- (G) Vice captain - To assist the Captain and to carry out the duties of the Captain in his absence.

8. DUTIES OF COMMITTEES

- (A) THE MANAGEMENT COMMITTEE -
To manage all affairs of the club including i. Finance, ii. Works, iii. Grading of teams, iv. Disputes etc.
- (B) THE SELECTION COMMITTEE
To select each team on its merits each week.
- (C) THE SOCIAL COMMITTEE
To attend to the raising of funds and organising entertainments
- (D) DELEGATES
To represent the club at meetings of the Glenelg District Tennis Association and to vote at such meetings as directed by the club.

9. DUTIES OF THE CAPTAIN

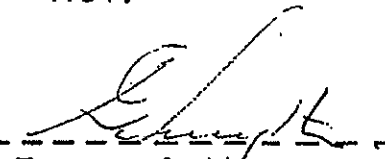
The captain of each team shall be elected by the team concerned prior to the first match and their duties will be -

i. Control of players and courts etc. on a match day. ii. Ensure that all association rules relating to match play are adhered to.

10. At the commencement of the season intending members shall fill in a form applying for membership and stating whether they are available for match play. Any alterations in availability to be given to the selection committee in writing.
11. Subscriptions fixed at the Annual General Meeting become due on the following day and no person will be permitted to play on the courts without payment of subscriptions after the first of October.
12. VOTING - Only full financial members shall be entitled to a vote at General meetings.
13. A Junior member shall be defined as a member under the age of 16 as at 1st September or a full time attendant at a Secondary School or full time Tertiary student.
14. Should any member be guilty of any conduct which, in the opinion of the management committee is detrimental to the best interests of the club, the management committee may call on such person to show cause why he or she should not be disciplined. The person against whom the complaint is made shall be furnished with a full copy of the charge made against them and may appear at a management committee meeting when the question is considered. No charge shall be investigated unless five members of the management committee are present. Any member suspended, forfeits club rights during suspension.
15. Life membership may be presented at Annual General Meeting and persons so honoured shall have all the privileges of the club.
16. General Meetings shall be called by the President or any eight financial members may demand the President to call a General Meeting. Such demand must be made in writing, setting out the reasons for the meeting. Fourteen days' notice must be given to all members and the meeting must be held within three weeks of the President being notified.

17. No rule of the club shall be altered or rescinded at the Annual General Meeting or any special meeting convened for that purpose except by fourteen days' notice being given to all members, specifying the object of the meeting.
18. All members shall be supplied with a copy of the constitution.

This is the document marked 'A' and referred to in the annexed declaration of Robert Andrew Hill made before me on the *27th* day of *May* 1984.


Justice of the Peace.

DOVER SQUARE TENNIS CLUB INC

RULES

1. (a) The Club shall be called the Dover Square Tennis Club Inc. and shall use the tennis courts situated on the Dover Square.
(b) The objects and purposes of the Club are:-
 - (i) to promote, advance and foster the game of tennis in the Brighton area.
 - (ii) to own and deal with any real and personal property for the purposes of the Club.
 - (iii) to promote and conduct forms of recreation and amusement other than tennis for the members of the Club and to do any acts necessary for those purposes.
2. The Club shall be affiliated with the Glenelg District Tennis Association.
3. The Club colours shall be two blues.
4. The Annual General Meeting of the Club shall be held as soon as practicable following completion of Finals matches and prior to July 31st. 14 days notice, in writing, shall be given to all members. The meeting shall appoint all officers and committees for the following year, receive the Secretary's report and Financial Statement, and attend to any other business brought forward.
5. The officers of the Club shall consist of President, Vice-President, Secretary, Treasurer, one Auditor, Club Captain and Vice Captain.
6. The Committee shall consist of:-
 - (a) **The Management Committee:-** to consist of President, Vice President, Secretary, Treasurer, Junior Development Coordinator, Chairman of the Social Committee, Equipment and Maintenance Coordinator and Club Captain. Any five shall constitute a quorum.
 - (b) **The Selection Committee:-** which shall consist of the following:-
 - (i) for the first match - Club Captain, Vice Captain, Permanent Selector, President and Secretary.
 - (ii) for all other matches - Club Captain, Captain or Vice Captain of each team and Permanent Selector.
 - (c) **The Social Committee:-** The Chairman of the Social Committee shall be elected at the Annual General Meeting and will be responsible for forming a Social Committee.
 - (d) Two delegates to the Glenelg District Tennis Association and one proxy delegate to be elected by the Committee from its own body at the first meeting after the Annual General Meeting.

7. **Duties of Officers:-**

- (a) **President:-** To preside at all General Committee Meetings and to have a casting vote if required. To coordinate the smooth running of the Club.
- (b) **Vice-President:-** To carry out the duties of the President in his absence. Also responsible for fund raising and sponsorship and to be one of the Glenelg District Tennis Association delegates.
- (c) **Secretary:-** To carry out all usual secretarial duties of the Club.
- (d) **Treasurer:-** To manage the finances of the Club.
- (e) **Auditor:-** To check the membership roll and inspect and certify the correctness of the accounts.
- (f) **Club Captain:-** To be responsible for the proper selection of all teams and control of courts during practice times.
- (g) **Vice Captain:-** To assist the Captain and to carry out the duties of the Captain in his absence.
- (h) **Junior Development Coordinator:-** To be responsible for all junior activities including coaching and organisation of Saturday morning teams.
- (i) **Chairman of the Social Committee:-** Responsible for forming a Social Committee for the raising of funds and organising entertainment.
- (j) **Equipment and Maintenance Coordinator:-** Responsible for all the property of the club and the proper maintenance of that property.

8. **Duties of Committees:-**

- (a) **The Management Committees:-** To manage all affairs of the Club including:-
 - (i) Finance
 - (ii) Works
 - (iii) Grading of Teams
 - (iv) Disputes etc.
- (b) **The Selection Committee:-** To select each team on its merits each week.
- (c) **The Social Committee:-** To attend to the raising of funds and organising entertainment.

- (d) **Delegates:-** To represent the Club at meetings of the Glenelg District Tennis Association and to vote at such meetings as directed by the Club.
- (e) The Management Committee may appoint any club member to fill a casual vacancy, and such a committee member shall hold office until the next Annual General Meeting of the Club.
- (f) The Management Committee may nominate any club member to act as Public Officer for purposes of the Associations Incorporation Act 1985 (as amended).

9. **Duties of the Captain:-**

The Captain of each team shall be elected by the team concerned prior to the first match and their duties will be:-

- (i) control of players and courts etc. on a match day
 - (ii) to ensure that all association rules relating to match play are adhered to.
10. At the commencement of the season intending members shall fill in a form applying for membership and stating whether they are available for match play. Any alterations in availability to be given to the Selection Committee in writing.
 11. Subscriptions fixed at the Annual General Meeting become due on the following day and no person will be permitted to play on the courts without payment of subscriptions after 30th November.
 12. **Voting:-** only full financial members shall be entitled to a vote at general meetings.
 13. A junior member shall be defined as any member representing the Club in the junior competition of the Glenelg Districts Tennis Association.
 14. Should any member be guilty of any conduct which, in the opinion of the Management Committee is detrimental to the best interests of the Club, the Management Committee may call on such person to show cause why he or she should not be disciplined. The person against whom the complaint is made shall be furnished with a full copy of the charge made against them and may appear at a Management Committee Meeting when the question is considered. No charge shall be investigated unless five members of the Management Committee are present. Any member suspended, forfeits Club rights during suspension.

15. Life membership may be presented at the Annual General Meeting and persons so honoured shall have all the privileges of the Club.

Life membership will be considered for members of the Club who have been members for 15 years and served on the management Committee for 10 of those years. The Management Committee may also exercise its own discretion in nominating life membership for other club members, based on other services to the Club.
16. General meetings shall be called by the President or any eight financial members may demand the President to call a general meeting. Such demand must be made in writing, setting out the reasons for the meeting. Fourteen days notice must be given to all members and the meeting must be held within three weeks of the President being notified.
17. No rule of the Club shall be altered or rescinded at the Annual General Meeting or any special meeting convened for that purpose except by fourteen days notice being given to all members, specifying the object of the meeting.
18. All members shall be supplied with a copy of the constitution.
19. Ten (10) members present, either personally or by proxy, shall constitute a quorum at any General Meeting of the Club, including the Annual General Meeting.
20. Minutes of all proceedings of the Club and of the Management Committee shall be kept in minute books. Such minutes must be signed by the President of the meeting at which the proceedings took place, or by the President at the next succeeding meeting. The signing of these minutes by the President will be evidence of the meeting having been held, the proceedings at the meeting having occurred, and any appointments at the meeting shall be deemed to be valid.
21. The Club shall keep such accounting records as are necessary to correctly record and explain the financial transactions and financial position of the Club.
22. The assets and income of the Club shall be applied solely in furtherance of its objects and no portion shall be distributed directly or indirectly to its members except as bonafide compensation for services rendered or expenses incurred on behalf of the Club.
23. In the event of the Club being dissolved, the amounts which remain after such dissolution and the satisfaction of all debts and liabilities, shall be paid and applied by the Management Committee to any fund, institution or authority, which is a non-profit organisation.

DOVER SQUARE TENNIS CLUB INC.R U L E S

1. (a) The Club shall be called the Dover Square Tennis Club Inc. and shall use the tennis courts situated on the Dover Square.
(b) The objects and purposes of the Club are :
 - i) to promote, advance and foster the game of tennis in the Brighton area.
 - ii) To own and deal with any real and personal property for the purposes of the Club.
 - iii) to promote and conduct forms of recreation and amusement other than tennis for the members of the Club and to do any acts necessary for those purposes.
2. The Club shall be affiliated with the Glenelg District Tennis Association.
3. The Club colours shall be two blues.
4. The Annual General Meeting of the Club shall be held as soon as practicable following completion of Finals matches and prior to July 31st. 14 days notice, in writing, shall be given to all members. The meeting shall appoint all officers and committees for the following year, receive the Secretary's report and Financial Statement, and attend to any other business brought forward.
5. The officers of the Club shall consist of President, Vice-President, Secretary, Treasurer, one Auditor, Club Captain and Vice Captain.
6. The Committee shall consist of -
 - (a) the Management committee to consist of President, Vice-President, Secretary, Treasurer, Junior Development Co-ordinator, Chairman of the Social Committee, Equipment & Maintenance Co-ordinator and Club Captain. Any five shall constitute a quorum.
 - (b) the Selection Committee which shall consist of the following
 - i) for the first match - Club Captain, Vice Captain, Permanent Selector, President and Secretary.
 - ii) for all other matches - Club Captain, Captain or Vice Captain of each team and permanent Selector.

6. (c) the Social Committee. The Chairman of the Social Committee shall be elected at the Annual General Meeting and will be responsible for forming a Social Committee.
- (d) two delegates to the Glenelg District Tennis Association and one proxy delegate to be elected by the Committee from its own body at the first meeting after the Annual General Meeting.

7. Duties of Officers

- (a) President - To preside at all general Committee meetings and to have a casting vote if required. To co-ordinate the smooth running of the Club.
- (b) Vice-President - To carry out the duties of the President in his absence. Also responsible for fund raising and sponsorship and to be one of the Glenelg District Tennis Association delegates.
- (c) Secretary - To carry out all usual secretarial duties of the Club.
- (d) Treasurer - To manage the finances of the Club.
- (e) Auditor - To check the membership roll and inspect and certify the correctness of the accounts.
- (f) Club Captain - To be responsible for the proper selection of all teams and control of courts during practice times.
- (g) Vice Captain - To assist the Captain and to carry out the duties of the Captain in his absence.
- (h) Junior Development Co-ordinator - To be responsible for all junior activities including coaching and organisation of Saturday morning teams.
- (i) Chairman of the Social Committee - Responsible for forming a Social Committee for the raising of funds and organising entertainment.
- (j) Equipment and Maintenance Co-ordinator - Responsible for all the property of the Club and the proper maintenance of that property.

8. Duties of Committees

- (a) The Management Committee - To manage all affairs of the Club including
i) Finance, ii) Works, iii) Grading of Teams, iv) Disputes, etc.
- (b) The Selection Committee - To select each team on its merits each week.
- (c) The Social Committee - To attend to the raising of funds and organising entertainments.

8. (d) Delegates - To represent the Club at meetings of the Glenelg District Tennis Association and to vote at such meetings as directed by the Club.

⇒ insert S (e) and S (f).

9. Duties of the Captain

The captain of each team shall be elected by the team concerned prior to the first match and their duties will be -

- i) control of players and courts etc. on a match day.
- ii) to ensure that all association rules relating to match play are adhered to.

10. At the commencement of the season intending members shall fill in a form applying for membership and stating whether they are available for match play. Any alterations in availability to be given to the Selection Committee in writing.

11. Subscriptions fixed at the Annual General Meeting become due on the following day and no person will be permitted to play on the courts without payment of subscriptions after the first of October.

12. Voting - Only full financial members shall be entitled to a vote at general meetings.

13. A junior member shall be defined as a member under the age of 16 as at 1st September or a full time attendant at a Secondary School or full-time Tertiary student.

14. Should any member be guilty of any conduct which, in the opinion of the Management Committee is detrimental to the best interests of the Club, the Management Committee may call on such person to show cause why he or she should not be disciplined. The person against whom the complaint is made shall be furnished with a full copy of the charge made against them and may appear at a Management Committee Meeting when the question is considered. No charge shall be investigated unless five members of the Management Committee are present. Any member suspended, forfeits Club rights during suspension.

15. Life membership may be presented at the Annual General Meeting and persons so honoured shall have all the privileges of the Club.

⇒ insert additions to this rule.

16. General meetings shall be called by the President or any eight financial members may demand the President to call a general meeting. Such demand must be made in writing, setting out the reasons for the meeting.

Fourteen days' notice must be given to all members and the meeting must be held within three weeks of the President being notified.

17. No rule of the Club shall be altered or rescinded at the Annual General Meeting or any special meeting convened for that purpose except by fourteen days' notice being given to all members, specifying the object of the meeting.
18. All members shall be supplied with a copy of the constitution.

Ⓢ Inset Rules 19, 20, 21, 23

**DOVER SQUARE TENNIS CLUB
MINUTES OF THE ANNUAL GENERAL MEETING HELD ON
29 AUGUST 2010 AT 11:00 AM.**

APOLOGIES: Neil O'Dea, Narelle Hodgson, Jill Treloar

MINUTES OF LAST ANNUAL GENERAL MEETING

Read and confirmed. It was moved and seconded that the minutes be accepted.

BUSINESS ARISING

Nil

REPORTS

The President, Secretary and Treasurer presented their annual reports.

President

Continue to work with the council to secure funding for lights. Spoke to Councillor John Huestead, A formal request was made to Council re lighting. They are currently in the budget process and will notify us later in the year regarding this matter.

Continue fund raising throughout the year

Treasurer

Tabled Summary of revenue and expenses, Bank reconciliation.

The current membership is up on previous years.

Fundraising is up to \$2000

The budget for lights at Dover Square will be between \$10,000 and \$15,000 of our own money for two courts and the total cost could be up to \$50,000

Secretary

Been to GDTA meeting regarding season dates. A guide for several alternate programs has been tabled to members for their opinions and will vote at the next GDTA meeting with most popular dates.

General Business

Fees - To be reviewed

Courts facility - Look at 5 + 5 year lease

Open Day - Cancelled this year due to too many juniors and not enough Courts to accommodate the juniors we already have.

ELECTION OF OFFICE BEARERS

President	Adam Gray
Vice President	Paul Hodgson
Secretary	Shane Murphy
Treasurer	Jarrad Murphy
Club Captain	Justin Tredwell
Vice Club Captain	TBA
Junior Coordinator	Mandy Quinlan
Equipment & Mtce Coordinator	Pat Hodgson
Social Coordinator	Christie Hansbury, Bill
Permanent Selector	Removed
Auditor	TBA
Patron	Jack Lynch, Ken Rolland

There will be a committee meeting on 2/9/2010 at the Dover Square Club Rooms

Meeting closed at 12:30pm

June 2013 - 6 July 2013

DATE	ITEM	IN	OUT
6	Opening Balance	19,974.96	
1.6	Cleaning		423.19
1.6	Water - Marion Council		147.65
7.6	ESC		206.-
3.6	Subs	125.-	
20.6	Hall Hire - Tai Chi	220.-	
14.6	Subs	250.-	
15.6	Pat - expenses		192.40
		595.-	969.24
		19974.96	
		- 969.24	
		+ 595.-	
		19600.72	
July	Inv / WD to 0.65102 010245161		172.81
		19427.91	
		e/f	

6 July - 6 August 2013

IN

OUT

6.7 Opening Balance cf 19427.91

9.7 Hall Hire - MJ Hendry 300 -

19.7 " " Anne Ford. 150 -

29.7 Subs shultz 125 -

1.8 Subs Pollard 125 -

1.8 Subs Woollett 125 -

2.8 Subs Goddard 125 -

5.8 Subs Wilson 125 -

1075

19427.91

1075 -

cf

20502.91

cf 20502.91

6 August - 6 Sept 13.

IN

OUT

		IN	OUT
4.8.	Subs Greenfield	125 -	
15.8	Chq - Grant	5000 -	
15.8	Subs Williams	125 -	
20.8	Subs Johns-Thompson	125 -	
20.8	Int WID - phone expenses		200 -
26.8	Subs Jacobson	125 -	
26.8	Subs Jacobson	125 -	
4.9	Subs Rigidon	125 -	
		<u>5750 -</u>	<u>200 -</u>

20502.91

200 -

20302.91

5750

cf

26052.91

+ Term Deposit amt

20798.15

46851.06

Sept - 6 Oct 13

		IN	OUT
.9	AGL.		265 06
.9	Intrnet wld ClubT shirts embroidery		252 -
.9	" " GST for "		25 20
1.9	" " actual shirts		306 90
6.9	Hall Hire - Shillabeer	95 -	
3.9	Subs Doe	125 -	
3.9	Coaching Fees Justin		1440 -
3.9	Chq 113634 Hold Bay Insurance		751 70
5.9	Subs Pollara	125 -	
7.9	Hall Hire Taichi	370 -	
2.10	Chq 113655 Pat - Net Sewing	2	3 80 =
			2
		715 -	3130 86
		26052 91	
		- 3130 86	
		<u>22922 05</u>	
		+ 715	
		<u>23637 05</u>	
	cif		
	+ Term Dep Amd		
		+ 20798 15	
		<u>44435 10</u>	

Stewart, further to email sent 31-10-13,
Please find enclosed

- a copy of constitution for
Dover Square Tennis Club

- copy of financial records
for current financial year
to date.

Thanks, Regards Sue Dobson

Item No: **14.9**

Subject: **KAURI PARADE AND BARWELL AVENUE SEACLIFF – LIONS CLUB OF BRIGHTON INC - LEASE**

Date: 26 November 2013

Written By: Strategic Property Officer

General Manager: Corporate Services, Mr I Walker

SUMMARY

The Lions Club of Brighton Inc has been occupying portion of the premises located on the corner of Kauri Parade and Barwell Avenue Seacliff for a number of years without a formal lease.

Subject to the approval of Council, a new lease for a period of five years from 1 November 2013 was offered to and accepted by the Lions Club of Brighton Inc The Lions Club of Brighton Inc.

RECOMMENDATION

That approval be granted to enter into a new lease with the Lions Club of Brighton Inc for a term of five years from 1 November 2013 to 31 October 2018 over portion of the land contained allotment 62 in DP54730 in Certificates of Title Volume 5828 Folio 590.

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

Local Government Act, 1999
Retail and Commercial Leases Act, 1995

BACKGROUND

The Lions Club of Brighton Inc has been using portion of this site for storage purposes from some years without a formal lease. Recent discussions with the Lions Club of Brighton Inc have resulted in a lease for 5 years from 1 November 2013 being offered. Previously no rental was paid for the use of this site and under this new arrangement a rental of \$250 per annum will be payable

REPORT

Subject to the approval of Council a new lease for a period of five (5) years was offered to the Lions Club of Brighton Inc from 1 November 2013. The Lions Club of Brighton Club Inc has accepted the proposal to enter into a new five year lease from 1 November 2013.

The Lions Club of Brighton Inc has been in occupation of these premises for some considerable time without having a formal lease and during that time has kept the premises in a clean and tidy condition and has demonstrated that it is a worthwhile tenant.

The leased area is detailed in attachment 1.

Refer Attachment 1

The Lions Club of Brighton Inc has previously provided copies of the following documents:

- Certificate of Currency for Public Liability insurance
- Constitution
- Statement of Revenue and Expenses to 5 June 2013.

Copies of these documents are contained in attachment 2.

Refer Attachment 2

BUDGET

There is an allowance in the 2013/14 budget for the rental payable under this new lease. The rental payable under the terms of this lease is \$250.00 per annum.

LIFE CYCLE COSTS

Under the terms of the new lease the City of Holdfast Bay will be responsible for the structural maintenance of this facility. The renewal of the major structural components of the building is provided within Council's asset management plans.

About this Document

This map has been created for the purpose of showing basic locality information and is a representation of the data currently held by The City of Holdfast Bay. This information is provided for private use only.

Disclaimer

While every effort has been made to ensure the accuracy of the product, Council accepts no responsibility for any errors or omissions. Property boundary line network data is supplied by State Government.



Imagery - January 2012





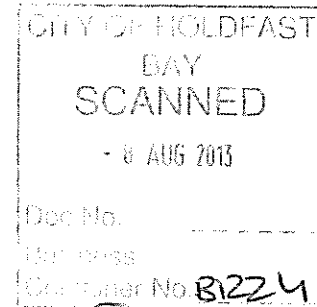
LIONS CLUB OF BRIGHTON Inc District 201C2

PO Box 288
Brighton, SA, 5048
ABN: 99533575873

President: Kofi Adifi
Secretary: Bill Watts
Treasurer: Frank Simpson

5th August 2013.

Stewart Galliford
City of Holdfast Bay
PO Box 19
Brighton SA 5048



Dear Sir,

Please find enclosed the information you have requested relating to the Lions Club's Lease of the premises on Tweeddale Avenue, Brighton.

Lions do not hold an Annual General Meeting per se. The practice internationally is for all clubs to conduct a nominations meeting in March to nominate the club officers and board for the following year commencing in the July. An election meeting is held in April to confirm the nominations and the formal handover to the incoming President and board is held toward the end of June or early July. This has been the practice since 1917. Accordingly, in lieu of the minutes of the AGM, I have enclosed the Club's Handover bulleting with the names of the incoming board.

Please note: All Lions clubs have a standard club constitution that is universal and compliant with the Lions Clubs International constitution, this has not changed in many years. In Australia all clubs are compulsorily insured via the Lions Insurance programme with JUA Underwriters and all clubs pay a common premium that is levied on the membership of every club on a per capita basis. We provide the Holdfast Bay City Council with this information every year; however Council can access this information directly via the Australian Lions website:

www.lionsclubs.org.au.

Yours sincerely

Bill Watts
Secretary



holdfast.sa.gov.au

Brighton Civic Centre 24 Jetty Road, Brighton SA 5048

PO Box 19 Brighton SA 5048

P 08 8229 9999 F 08 8298 4561

Glenelg Customer Service Centre and Library

2 Colley Terrace, Glenelg SA 5045

19 April 2013

Lions Club of Brighton Inc
Secretary
PO Box 288
Brighton SA 5048

Dear Sir/Madam

Insurance Certificate and Financial Statements

In accordance with your lease/licence agreement of Council owned premises at Tweedale Avenue, South Brighton, Council now requires that you forward copies of:

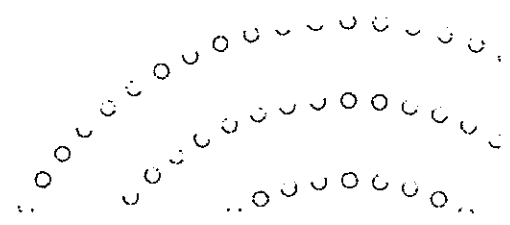
- ✓ The Club's/Organisation's latest financial statements/annual report (including the balance sheets and auditor's report);
- ✓ A copy of the current Certificate of Currency for Public Liability Insurance;
- ✓ A copy of the current Certificate of Currency for Contents Insurance;
- ✓ A copy of the current constitution;
- A copy of the minutes from the last Annual general Meeting.

For those Club's/Organisation's whose leases/licences contain a clause within the "Special Conditions" section of the lease/licence agreement relating to a requirement to:

- Undertake maintenance expenditure of no less than a specified amount; or
- Set aside a specific amount of anticipated future maintenance expenditure,

~~Council required you to provide these Documents to:~~

City of Holdfast Bay
Attention: Stewart Galliford
PO Box 19
Brighton SA 5048





ace insurance

ACE Insurance Limited
Multinational Unit Australia
Level 16
600 Bourke Street
Melbourne VIC
Australia 3000

ACE Insurance Limited
Multinational Unit Australia
GPO BOX 1863
Melbourne VIC
Australia 3001

+61 3 9623 7222 tel
+61 3 9629 5058 fax

www.aceinsurance.com.au

CERTIFICATE OF CURRENCY

Date of Issue: 14 August 2012

Issuing Office: Melbourne

To Whom It May Concern

Insured: The International Association of Lions Club

Class: Public & Products Liability

Policy Period: From: 1st September 2012 local standard time
To: 1st September 2013 standard time, subject to annual renewal

Cover: Subject to the terms, exclusions, definitions, conditions and limitations of this Policy ACE shall indemnify the Insured for all sums which the Insured shall be legally liable to pay compensation in respect of Personal Injury, or Property Damage, occurring within the Policy Territory during the Policy Period as a result of an Occurrence happening in connection with the business of the Insured

Policy Number: 01CL440469

Limit of Liability: AUD 1,000,000 any one Occurrence and AUD 1,000,000 in the Aggregate

Participation: ACE Insurance – 100%

Signed:

For Manager

CONCISE SCHEDULE OF INSURANCES FOR LIONS CLUBS.

Nothing in this summary may be construed to extend, alter, vary or waive any provision of the various policies and, if unusual situations arise which require further explanation, enquiries should be directed to the Lions Insurance Programme Consultant or in the event of the lack of an early response, to the Broker or any member of the Insurance Committee.

Insurance cover for Lions Clubs in Multiple District 201 is arranged or can be purchased in three different ways. The three ways are as set out below. **PLEASE NOTE THAT ALL PREMIUMS QUOTED INCLUDE THE GST AT THE CURRENT RATE.**

1. Insurances charged on the Semi Annual Dues Account to all Clubs.

The premiums for the policies arranged under this section by the MD Council are paid from part of the individual dues which Lions pay to Multiple District through their respective Districts and from premiums shown on the semi-annual dues account. The annual Multiple District Convention determines the maximum insurance premiums which Lions are required to pay and this amount cannot be exceeded without the approval of Delegates at a Multiple District Convention.

TYPE OF POLICY	INTEREST INSURED	SUM INSURED	COMMENTS
1(a) Public Liability	Legal Liability to the General Public in respect of negligence.	US\$1,000,000	Covers all Lions Club activities, subject to policy exclusions
	Legal Liability to the General Public in respect of negligence. TOTAL SUM INSURED	AUS\$19,000,000 in excess of the above US\$1,000,000 Total overall US/AUS\$20,000,000	This is a second layer cover over the above policy.
1(b) Personal Accident	On all Lions, Leos, Lionesses, Accompanying Partners and Voluntary Workers whilst attending any officially constituted Lions Activity or Meeting. (Subject to Exclusions.)	\$50,000 Capital Benefits. Up to \$450 per week for 104 weeks. Subject to proof of income. Additional Expenses following an accident up to \$2,000.	Subject to a 5 day franchise. Premium \$9.35 per member.
1(c) General Property (Regalia.)	Lions Club Regalia and Equipment used in the administration of your Club (excluding project equipment and road signs) anywhere in Australia & PNG.	Clubs \$3,500 Districts \$7,500	Subject to \$50.00 excess. Premium: \$16.50 per club. Refer to Summary for more details
1(d) Fidelity Guarantee	Misappropriation of goods or monies, the property of Lions Clubs, by club members anywhere in Australia and PNG	\$150,000	Members: \$1,000 Excess. Secretaries and Treasurers : Nil Excess. Premium \$22.00 per Club.
1(e) Directors and Officers Liability	Legal Liability of officers of Lions Clubs for personal actions brought against them for actual or alleged inappropriate actionable conduct.	\$1,000,000 any one loss \$5,000,000 any one year	Refer to Summary for outline of policy conditions.
1(f) Workers Compensation	Insurance of employees is a statutory requirement in every State or Territory and the MD Council has arranged a policy in each State, except Victoria and South Australia, to cover casual employees of any Lions Club or District, eg waiters at functions, gate attendants and the like. In South Australia and Victoria, Workcover exists and all Clubs in those States must ensure that they register under the conditions and requirements of the SA Act if they employ any labour. The MD 201 Insurance Committee is unable to assist you in this regard. PERMANENT OR PERMANENT-CASUAL EMPLOYEES ARE NOT COVERED.		
1(g) Loss of Cash	Cash in transit, including whilst at any meeting or project site.	\$10,000	Premium \$11.00 per club, including Leo and Lioness Clubs. Subject to \$50 excess.
	Loss through hold-up.	\$10,000	
	Whilst in member's home for 48 hours plus any intervening non-banking period	\$10,000	

SUMMARY OF INSURANCES FOR LIONS

2. Project Insurances Paid By Multiple District Council or From Specific Project Funds

TYPE OF POLICY	INTEREST INSURED	SUM INSURED	COMMENTS
2(a) General Property	Christmas Cakes, Puddings, Fudge and Lion Mints stocks anywhere in Australia and Papua New Guinea	\$50,000	Subject to a \$50 excess
2(b) Travel Insurance	Youth Exchange Programme travel insurance for outgoing Youth and Chaperons	See Youth Exchange brochure	Premium is included in programme cost
2(c) Personal Accident	Youth of the Year Quest	\$30,000 Capital Benefits. Up to \$150 per week subject to proof of income.	Covers Entrants from the District finals to the National finals and round Australia trip.
<p>2(d) Miss Personality Quest Entrants Personal Accident Insurance Cover. (or Other Similar Quests) All insurance requirements for each state quest are the responsibility of each state committee. If any assistance is required, contact PDG Bob Korotcoff. EACH STATE COMMITTEE SHOULD REVIEW THEIR INSURANCE PROGRAMME TO ENSURE ADEQUATE PROTECTION. J U A Underwriting Agency Pty Limited provides a Personal Accident Insurance facility for entrants and their voluntary workers on the following basis: Cover: \$30,000 capital benefits; up to \$250 per week subject to proof of income. Premium: \$7.70 entrants only or \$12.65 Entrants and their Voluntary Workers. To arrange this cover, the Quest Organisers should send a cheque for the appropriate premium based on the estimated number of entrants to PDG Bob Korotcoff. At the conclusion of that year's Quest, the actual number of Entrants should be advised and the premium will be adjusted accordingly.</p>			

3. Optional Extra Insurances

The following insurances are optional and only apply if your Club has forwarded an optional additional insurance application and has paid the respective premium.

TYPE OF POLICY	INTEREST INSURED	SUM INSURED	COMMENTS
3(a) Personal Accident	Increase the \$50,000 Capital Benefit or the \$450 Weekly Benefit	See section 3(a) of the Summary	Must cover all members of the Club
	Lions members aged 76 to 80 inclusive	\$50,000 capital Up to \$450 per week	Premium \$13.75 per Lion. Names MUST be supplied
	Lions members aged 81 to 85 inclusive	\$50,000 capital Up to \$450 per week	Premium \$27.50 per Lion. Names MUST be supplied
3(b) General Property (Project Equipment)	Project equipment or stock of any kind, Catering Caravans or BBQ Trailers.	As requested	All details must be supplied on back of Optional Additional Insurances application form for quote
3(c) Cash-A-Can	Scales used for this project - insurance as required by owners	\$1,000	Premium \$11.00 per set of scales. See Optional Application.
3(d) Motor Vehicle Excess Reimbursement.	Reimbursement of Excess and Loss of No Claim Bonus whilst using private vehicles on Lions Clubs projects	Up to \$2,000.00	Club membership:- up to 15: \$ 82.50 up to 20 \$110.00 up to 25 \$137.50 up to 30 \$148.50 31 and over \$165.00
3(e) Travel Insurance	Members & Families of MD201	Various as per Policy Wording	Available to all members of MD201 and their families. Provides Travel insurance facilities whilst travelling Overseas.

SUMMARY OF INSURANCES FOR LIONS

WHAT IS NOT COVERED?

The following ARE NOT insured. If cover is required, please contact the Lions Australia Insurance Programme Consultant, PDG Bob Korotcoff or a Member of the MD201 Insurance Committee and complete the Optional Additional Insurances Application:-

- Items borrowed or hired including property owned by members.
- Pluvius insurance or Event Cancellation.
- Project Equipment of any kind, including Buildings.
- Any business activity of your club - i.e. opportunity shop or raffle prizes (Note: Public Liability still insured.)
- Catering Caravans, trailers or members' motor vehicles, including any excess paid on members' own policy for damage to own vehicle unless club has purchased special excess optional policy.

SUMMARY OF POLICY CONDITIONS

1. INSURANCES CHARGED ON SEMI ANNUAL DUES ACCOUNT

1(a) PUBLIC LIABILITY

This policy is arranged on a World-wide basis by The International Association of Lions Clubs and neither the MD 201 Council, the Insurance Committee nor the Brokers have any control or authority over this policy.

Lion, Leo and Lioness directors, officers, employees and members are included as additional insureds for liability incurred whilst acting in such capacities. Volunteer workers are included as additional insureds for liability incurred whilst working on Lions' projects.

Clubs must make sure that all activities undertaken are approved by the board and recorded in the Minutes.

NOTE: Provided certain proper steps are taken by the sponsoring Lions Club, then Ladies Auxiliaries are included as Additional Insureds. Proof must be available that the Lions Club owns and controls the Auxiliary.

If there is any doubt, you should seek detailed advice from PDG Bob Korotcoff.

Persons or organisations, public or private, granting use of premises for Lions activities are included as Additional Insureds for their liability arising out of the use of such premises by Lions, except when liability is due to sole negligence of the person or organisation granting such use. Premises are defined as real property including structures thereon. Also included as Additional Insureds are States or political subdivisions who issue permits to a named insured for liability arising out of the named insured's activities under such a permit.

Limit of Liability

US\$ 1,000,000 combined single limit per occurrence, bodily injury and property damage. Regardless of the number of insureds under the policy, the Company's limit of liability is US\$1,000,000 for bodily injury to one or more persons in one occurrence; US\$1,000,000 for damage to property in one occurrence - subject, however, to a combined maximum liability of US\$1,000,000 per occurrence.

Additional Public Liability Insurance

As the sum insured under the Worldwide Liability policy is only US\$1,000,000, and in view of the awards frequently handed down by the Courts, and the fact that owners of premises often demand higher coverage, the MD201 Council has arranged an excess layer of AUS\$ 19,000,000. This cover follows the worldwide policy completely. The premium is partially paid from the MD201 Insurance Fund and the balance is recovered from Individual Clubs via the semi-annual dues.

Coverage (General Liability)

The policy covers the insured, including Lions, Lioness and Leo Clubs, Districts, individual members and volunteer workers, for amounts which they shall become legally obligated to pay as damages to third parties because of bodily injury or property damage caused by an occurrence arising out of, or in the course of, Lions' functions or activities.

Automobile Liability

Liability for the use of automobiles (including buses and trailers) owned by a named insured is not covered. The liability of a Lions organisation (named insured) for the use of rented, hired or non-owned automobiles (including member's automobiles) is covered, but only as excess over the owner's insurance.

If a Lions organisation owns an automobile, the vehicle must be separately insured. Coverage IS NOT provided for the liability of the owner or operator of any automobile or for physical damage to any automobile used in connection with Lions' Activities.

Exclusions

SUMMARY OF INSURANCES FOR LIONS

The policy is a standard Comprehensive General Liability form and contains the exclusions usual to such insurance. Liability arising out of the operation, maintenance or use of automobiles owned by a named insured is not covered. Liability arising out of the operation, use or maintenance of aircraft is not covered. Liability arising out of the operation, maintenance or use of watercraft owned by a named insured is not covered. The policy is excess over any other valid and collectable insurance policy.

Special Activities

In general, the policy applies to most operations and activities of Clubs and Districts with the exception of the operation, use or maintenance of aircraft, automobiles owned by the Club or District and certain watercraft. However, we emphasise that proper certificates of insurance should be obtained from any organisation or person who conducts or participates in any activity sponsored by Lions. Concessionaires or any parties conducting functions for Lions should carry their own liability insurance and their policy should also name the Club, District and International as additional named insureds in connection with the particular event being sponsored. Make sure that any concessionaires provide you with the following information:

name of insurer, sum insured, due date, policy number.

Owners of premises used by Lions are included as additional named insureds under our policy in respect of their liability for your use of their premises. Where necessary, certificates of insurance can be issued and if required, you should contact PDG Bob Korotcoff to obtain these. Remember, **if you are asked for proof of public liability insurance, contact PDG Bob Korotcoff who will issue the necessary Certificates. BUT PLEASE ALLOW AT LEAST TEN (10) DAYS NOTICE FOR PROCESSING.**

These Certificates can also be downloaded from the Lions Insurance Web Site. Log onto www.lionsinsurance.com.au and go to Forms/Certificates and then download the Certificates for the ACE Insurance Co and the QBE Insurance Co.

Claims

When a claim arises, **DO NOT admit liability or suggest that compensation will be offered.** If correspondence or any other communication is received indicating that a third party feels a Lion member, Club, or District is responsible for damage or injury, an immediate report should be made. Notification of any incident which might result in a claim should be given immediately to PDG Bob Korotcoff who in these instances would represent the Insurance Committee, and on your behalf, he will report the situation to the Insurers, and will guide you in what actions you are to take. Satisfactory claim settlements can best be made by those properly trained for this function. No Lion or Lion's Representative should enter into negotiations with a third party unless requested to do so by the ACE Insurance Company or the Lions Australia Insurance Programme Consultant, PDG Bob Korotcoff.

1 (b) LIONS PERSONAL ACCIDENT POLICY

This policy covers against accident only and there is no cover should an insured person become ill whilst at a function or a project. The insured persons are members of Lions Clubs, Lioness Clubs, Leo Clubs and Accompanying Partners in MD201, as well as voluntary workers, as defined, whilst:

- (a) Actually attending any officially constituted Lions/Lioness/Leo's function or project anywhere in Australia, Papua New Guinea, Mandated Territories or Norfolk Island.
- (b) Travelling from their residence, place of business or temporary residence to any venue, place of function (including convention venues) until return to their place of residence or business, (excluding voluntary workers.)
- (c) Overseas for the purpose of attending an International Convention as a Delegate.

The definition of an accompanying partner for the purpose of this cover is *the person who normally and regularly accompanies a Lion, Lioness or Leo to a Lions function.* This policy covers an accompanying partner if she/he was injured whilst travelling to or from a Lions club social evening or Convention, even if the Lions Club has not formally adopted an auxiliary as an Official Club Activity.

The definition of a voluntary worker is *the person who offers his/her services in a voluntary capacity to any Lions, Lioness or Leo club, such services being accepted by an authorised officer of the Club, or a person who is invited by a duly authorised officer or official of the club to perform services in a voluntary capacity for the club.* He/she is **NOT COVERED** whilst travelling to or from the project.

SPECIFIC SECTIONS OF THE POLICY

SUMMARY OF INSURANCES FOR LIONS

Sections 1 & 2 of the Personal Accident Policy cover death or permanent disablement as defined as a result of an accident. Limited to \$50,000 (unless Extra Optional Extra Sum Insured has been purchased).

Section 3 of the policy covers temporary disability of 6 or more days up to \$450.00 per week (unless Extra Optional Sum Insured has been purchased.) There is no Partial Disability Benefit payable.

Section 4 covers additional expenses, not otherwise recoverable and subject to the provisions of the Health Act 1983 and subsequent amendments, are claimable up to a limit of \$2,000 for any one accident. It must be stressed that recovery must first be made from any health fund, ie Medicare or similar fund, before this policy will respond. Funeral benefits up to a limit of \$1,000 after any recovery from any other source are claimable. Under the Health Acts 1983, insurers are prohibited from reimbursing any gap shortfall. The Limit of \$ 2,000 can be increased to \$ 5,000 upon payment of an Additional Premium of \$ 5.00 per member.

When, as a result of injury and commencing within 30 days of sustaining such injury, the insured person is wholly, necessarily and continuously disabled and is thereby prevented from performing each and every duty pertaining to his/her regular business or occupation and is required to be under regular care and attendance of a legally qualified Medical Practitioner, other than himself/herself, the company will pay the weekly compensation for the period of such disability following the franchise period of five (5) days which shall be payable for the maximum number of weeks as stated in the schedule of compensation. The weekly compensation for temporary total disability is up to \$450.00 per week for 104 weeks.

Exclusions and General Notes

This policy shall not apply to any event, fatal or non-fatal, caused by or resulting from:

1. Any sickness or disease.
2. Directly or indirectly attributed to a person being rendered less capable than usual of taking care of themselves by the taking of alcohol or drugs other than under medical supervision, or intentional self-injury or suicide.
3. War, invasion or civil war.
4. Naval, military or air force service or operation.
5. Childbirth, pregnancy or miscarriage.
6. Racing any motor propelled conveyance, including reliability trials or rallies, hang gliding, rodeos, competitive winter sports, polo, underwater diving and mountaineering, kite or glider flying.
7. Air travel, other than as a passenger in any properly licensed aircraft.
8. Voluntary workers whilst travelling to or from club projects.
9. Persons under the age of 15 years (unless a member of a Leo Club) and over the age of 75 years, but this Exclusion shall not apply in respect to policy Section (4) Additional Expenses. (To include members aged 76 to 85 (inclusive) for Capital and Weekly Benefits an additional premium is charged under the Optional Covers. See Section 3(a).

This policy has been written with the knowledge of normal Lions club activities, and will not cover every hazardous activity. It does cover football, swimming, golf etc. If your club is contemplating any unusual activity, where the risk could be classified as hazardous, then it is in your club's interests to contact PDG Bob Korotcoff or a member of the Insurance Committee for an interpretation **BEFORE THE EVENT**.

This policy has a franchise period of five (5) days, which means that no compensation will be payable unless the certified period of disability exceeds five (5) days. An accident causing five (5) or less days certified disability will not be claimable, but a period of six (6) days or more is claimable in full.

Weekly Benefits are calculated at \$450 or on the basis of the injured person's average weekly earnings for the past twelve months, whichever is the less. A non-wage earner may, however, claim reasonable expenses necessarily incurred, such as a nurse or a housekeeper, up to the additional expense limit of \$2,000.

Where an injured party is not in receipt of a weekly income, the policy will pay a benefit of \$50.00 per week, with a limit of \$500, to cover out of pocket incidental costs. Incapacity must still be certified by a Medical Practitioner.

In the event of death, the maximum benefit the Underwriters will pay to any individual injured person is the selected death benefit so that if a capital benefit has already been paid for an injury, and the injured person subsequently dies as a result of the injury, within the time specified in the policy, then the Underwriters will only pay the balance between what has been paid and the selected death benefit.

The attention of Club Secretaries is drawn to the limit of the Underwriters as follows:

- Aggregate any one aircraft other than a single engine aircraft or helicopter: \$3,000,000.

SUMMARY OF INSURANCES FOR LIONS

- Single engine aircraft or helicopter: \$150,000.

On the basis of \$50,000 cover on any one life, this only allows for a limited number of people to be covered. If a large party from a Club or District travel on the same aircraft, it is important that the Lions Australia Insurance Programme Consultant be informed with sufficient time for him to arrange excess cover.

Claims Procedure

The club must advise PDG Bob Korotcoff, who will notify J U A Underwriting Agency Pty Limited, as soon as practicable, (and no later than 30 days) that an accident has occurred and he will send a special claim form to the Club Secretary for completion. If the injury is serious, it is advisable that notification is given by e-mail, telephone or facsimile indicating the name of the injured person and the nature of the injuries. A Claim Form can be downloaded from the Lions Website.

Weekly Benefits are not normally paid by the Underwriters until after the period of disability is completed. However, where the disability is longer than a few weeks, and the club so requests, arrangements can be made for the Underwriters to pay every four weeks upon submission of a Medical Certificate.

It is important that the club official who signs the claim form on behalf of the club is satisfied that the injury did in fact occur in circumstances that would be claimable under this policy. In the event of a coronial enquiry, settlement of any loss will be withheld until the findings of the enquiry are handed down. If there is any doubt, please contact PDG Bob Korotcoff.

1c) General Property (Regalia)

This policy covers all items of regalia and administration equipment (excluding road signs) belonging to Lions Clubs and Districts and which are normally used for their meetings and/or normal administration purposes. It is important to note that the policy contemplates only equipment, regalia and the like usual to club meetings and /or administration purposes which do not involve particular plant, equipment or stock-in-trade used for projects. This policy DOES NOT cover: stock of an opportunity shop or any commercial enterprise. It would not insure goods assembled over a period and held in a store for a Trash & Treasure Market. Nor does it cover merry-go-rounds, trains, stalls etc. This property must be insured under a special policy for which the Lions Australia Insurance Programme Consultant will provide a quote if requested. Member's Property i.e. Computers, Cameras and the Like, not otherwise insured and whilst being used on the business of the Club, limited to \$ 500.00 any one Loss is insured.

Other Exclusions are: any type of motor vehicle, including member's vehicles, breakage of items of a brittle nature, cash or negotiable securities.

Only property owned by the Club or District is insured. The policy DOES NOT cover property leased, hired or on loan. To insure these items, please contact PDG Bob Korotcoff.

Sum Insured

The limit under the policy is \$3,500 for any one Club and \$7,500 for any one District, and the policy conditions include a "Co-insurance Clause" which requires that the Sum Insured represents the true total value of regalia, etc, on hand. If, in fact, a club is shown to own regalia in excess of \$3,500, then it would be at a considerable disadvantage in the event of a claim for they would have to carry a portion of the loss themselves. This Policy is subject to a \$50.00 Excess.

1(d) Fidelity Guarantee (Bonding)

This policy covers mis-appropriation of cash, and the theft of goods or equipment, by a club member.

SUM INSURED: \$150,000 any one Loss.

EXCESS: For Club Secretaries and Treasurers, there is NO EXCESS.

For any other Club member, there is a \$1,000.00 Excess.

PREMIUM: Each Club is billed by their District Cabinet Treasurer in July of each year an amount of \$22.00 for this cover.

The Policy covers: (a) All Lions, Lionesses and Leos in good standing.

(b) All District Cabinet Secretaries and Treasurers.

In view of recent experiences, it is strongly recommended that all club boards request that their treasurers table a copy of the bank statements at each board meeting so as to certify that the funds are in fact, in the bank. If a Club or District suspects that there has been a loss of funds through mis-appropriation, they should inform PDG Bob Korotcoff immediately and he will guide the Club or District on what steps should be taken. It is also necessary to report the matter to the

SUMMARY OF INSURANCES FOR LIONS

Police and there must be a successful Prosecution.

1(e) Directors and Officers Liability

This policy provides cover for office bearers if they have an action taken against them either individually or severally for inappropriate conduct pertaining to such things as discrimination, slander, sexual harassment, termination or rejection of membership.

NOTE: This cover DOES NOT apply to Lions Foundations or commercial ventures of Districts or Clubs, ie caravan parks, opportunity shops etc

Claims Procedure

In the event of a District, Club or any officer of a club becoming aware of any suggestion of an action being brought against any officer, it is important that the matter be reported immediately to the Lions Australia Insurance Programme Consultant, PDG Bob Korotcoff, or if he is not available, to Mr Michael O'Brien of our brokers, J U A Underwriting Agency Pty Limited. Sydney.

1(f) Workers Compensation

In each State or Territory, where allowed by legislation, the Multiple District Council has arranged for a Workers Compensation policy to cover **CASUAL WORKERS**. Coverage is in accordance with the Respective Workers Compensation Act.

These policies **ONLY** cover casual employees and should any Club or District employ labour on a permanent basis, it is necessary to arrange your own workers compensation policy. If any assistance or advice is required, contact PDG Bob Korotcoff. Clubs in Victoria or South Australia who employ Staff must make their own arrangements for this Cover.

1 (g) Loss of Cash

This Policy provides cover for all Lions, Lioness & Leo Clubs for Loss of Cash.

Sum Insured: (a) \$10,000 any one claim for loss of cash in transit.
(b) \$10,000 for loss of cash through hold up or theft from any meeting or project site.
(c) \$10,000 whilst cash is at a private residence of any member for 48 hours, plus any intervening non-banking period.

Premium: \$ 11.00 per club.

Excess: \$ 50.00 each and every Claim.

The sum insured can be increased to \$20,000 upon payment of an extra \$13.75 per club. Should a loss occur, contact PDG Bob Korotcoff as soon as possible. He will supply a claim form.

Cash relating to on-going projects such as bingo or cash-a-can is covered, provided the cash is specifically drawn from the bank immediately prior to the project and re-banked no later than 48 hours plus any intervening period. However, note that the policy would not operate if the money is kept on a week-to-week basis without being subject to specific banking withdrawals and deposits. The Insurance Committee strongly recommends that Clubs arrange bank night safe facilities if collections from a project are high.

Cash at members' homes is covered but only up to 48 hours plus any intervening non-banking period. **IT MUST BE BANKED PROMPTLY.** Lion Mint money is also covered, but not whilst in the dispensers at sales outlets.

Clubs are requested to ensure that cash is not left in unattended vehicles and /or stalls. By leaving your Vehicle unlocked, you could jeopardize any claim.

2 INSURANCES ON MD PROJECTS AND PAID BY MD COUNCIL OR FROM SPECIFIC PROJECT FUNDS.

2(a) Christmas Cakes, Puddings, Fudge and Lion Mints Stocks.

The MD Council has arranged a policy to cover stocks of the above merchandise for any Club or District in Australia and Papua New Guinea.

Sum Insured: \$ 50,000 any one loss or location. **EXCESS** is \$50.00 any one loss.

Events Covered: Fire, lightning, storm and tempest, rainwater, water damage, flood, impact damage, explosion, aircraft, riots, strikes, civil commotion, malicious damage, earthquake, sprinkler leakage and burglary. Vermin damage or infestation is not covered.

SUMMARY OF INSURANCES FOR LIONS

The premium is paid from the Council's Project Fund. Should a loss occur, notify the Lions Australia Insurance Programme Consultant PDG Bob Korotcoff as soon as possible.

Stock of prizes for Lucky Number activities is not covered under this policy. If your club operates this style of fundraiser, you must arrange your own insurance. This can be arranged by contacting PDG Bob Korotcoff.

2 (b) Travel Insurance for Outgoing Youth Exchange Programme

For participants in this programme going overseas travel insurance is automatically arranged by the MD201 Youth Exchange Committee through J U A Underwriting Agency Pty Limited and the premium is included in the cost of the programme. Before departure, each youth and chaperon is supplied with a copy of the policy wording and instructions on what to do in the event of an incident that would give cause for a claim to be made. Facilities are available to increase the cover upon contact with PDG Bob Korotcoff.

No travel insurance is arranged for Youth Exchange Programmes within Australia on a District/Club to District/Club basis. With respect to any incoming Youth Exchange Hosting Programme, no insurance cover has been arranged by the MD201 Council as this is the responsibility of the overseas Sponsoring Club or District.

For further advice on this programme, contact should be made with PDG Bob Korotcoff or the Chairman of the MD 201 Youth Exchange Committee.

2 (c) Youth of the Year Quest

Once the contestants reach the District level of the Quest, a special Personal Accident policy has been arranged by the MD Council to cover them as they travel within Australia. This policy carries a Capital Benefit of \$30,000 and Weekly Benefits of up to \$150.00 (subject to proof of income.) There is no coverage on personal belongings. The premium is paid from the Quest project funds at MD level.

3 OPTIONAL EXTRA INSURANCES AS NEEDED AND PAID BY INDIVIDUAL CLUBS

Applications for cover under this method must be made on the optional application form which will be posted to every Club each July/August and which must be completed and returned with your cheque to PDG Bob Korotcoff. A copy of the application form is printed at the end of this summary. Please ensure that your club considers these insurance covers.

3 (a) Personal Accident - Increased Benefits

Realising that some clubs may require higher sums insured, the following covers are available upon application to the Broker. It must be stressed that increased benefits are only available on a TOTAL MEMBERSHIP basis and not to Individual Lions, Leos or Lionesses.

EVENT "A" - To increase capital benefits from \$50,000 to:

\$60,000	an extra \$2.20	per Member.
\$70,000	an extra \$4.40	per Member.
\$80,000	an extra \$6.60	per Member.
\$90,000	an extra \$8.80	per Member.
\$100,000	an extra \$11.00	per Member.

EVENT "B" - To increase weekly benefits from \$450 per week to \$600 per week an extra \$2.20 per member is payable.

As an example, if a Club has 25 members, and wants to increase the Capital Benefits to \$70,000 and the Weekly Benefits to \$600, the additional premium payable would be \$165.00. The MD Insurance Committee strongly recommends that clubs discuss this situation at a business meeting and records the Club's decision in the Club's Minutes.

Personal Accident Insurance Cover for Members Aged 76 - 85 Inclusive

The personal accident policy covers only Section 4 - additional expenses, and does not cover capital and weekly benefits to members over the age of 75. Cover for capital and weekly benefits for Lions aged 76 - 85 inclusive is available on an optional basis upon payment of an extra premium shown below. The name and age of the member must be supplied on the optional application form. Unfortunately, it is not possible to insure members once they attain the age of 86. BUT they are still covered for Section 4 - Additional Expenses- benefits regardless of age.

PREMIUMS: 76 - 80 (inclusive) \$13.75 per named member. 81 - 85 (inclusive) \$27.50 per named member.

3 (b) Loss of Cash

SUMMARY OF INSURANCES FOR LIONS

The standard sum insured of \$ 10,000 can be increased to \$20,000 and the premium for this extra sum insured is \$13.75 per club.

3 (c) Travel Insurance.

A special Travel Insurance facility for Overseas Visits by Members of MD201 and their families. Coverage is comparable to other Travel Policies that are available on the Open Market and premiums are most attractive.

Details of the benefits are available upon request and any enquiries should be directed to PDG Bob Korotcoff.

3 (d) Reimbursement of Excess and Loss of No Claim Bonus Insurance

A special policy has been arranged to cover any excess a member has to pay under their Private Motor vehicle Comprehensive policy whilst his/her private vehicle is damaged whilst using that vehicle on Lions Clubs Projects. This cover is now available on an Optional basis and the premium is detailed elsewhere in this summary. Cover is **NOT** available if a vehicle is damaged whilst such vehicle is being driven to or from or whilst parked when the member is attending a dinner meeting. **The Member's Motor Vehicle MUST BE fully insured under a Motor Vehicle Comprehensive Policy.**

3 (e) Cash-a-Can Scales Insurance

A special insurance policy is available to cover the scales on loan to clubs who operate this collection project.

PREMIUM: \$11.00 per set of Scales. To obtain this cover, complete the optional additional insurance form and send it to PDG Bob Korotcoff together with your cheque.

3 (f) General Property Insurance on Project Equipment

As detailed earlier, there is no automatic insurance coverage on project equipment. Therefore, any Club that owns project equipment and stock for use on fund raising projects should arrange their own insurance policy. This cover can be organised by sending full details and values to PDG Bob Korotcoff who will forward a quotation. Application for this cover will be found on the reverse side of the optional additional insurance form. This cover can also be arranged for items on hire or loan to the Club or District.

3 (g) Regalia for Lioness and Leo Clubs. General Property insurance on Lioness and Leo Clubs' Regalia and Club administration equipment on the same basis as for Lions Clubs is now included in the Lions Club's Policy.

All Contact Addresses for the Insurance Programme Consultant and the Members of the MD 201 Insurance Committee are listed in the previous Section of this Directory.

LIONS RISK MANAGEMENT STATEMENTS

Safety

The Multiple District 201 Council of Governors believes that it is possible to eliminate the great majority of accidents and injuries that occur to Lions and their voluntary helpers. Indeed, accident free projects should be the constant aim of all Clubs.

It is clearly recognised that the safety of all Lions and volunteers is of prime importance. Clubs, therefore, should make every attempt to reduce the possibility of accidents on all projects and at meetings, including whilst travelling to and from activities and meetings.

Each Club should plan projects with safety in mind. Members should not attempt physical activities for which they are not capable or for which make them or their fellow Lions or volunteers susceptible to injury. Every Club should appoint a projects safety/security officer whose function shall be to advise the board in relation to safety and security aspects of a project. Total accident prevention is not possible until every Lion understands that he or she has a vital role to play in the prevention of accidents and has an obligation to act and work safely at all times, not only for his or her safety, but for the general safety of others. Please recognise your responsibility to yourself, your families, your fellow Lions and to others.

The Club Safety/Security Officer should complete the Safety Check List which can be downloaded from the Lions Insurance Website – www.lionsinsurance.com.au

Security

Clubs and members should be security conscious and have appropriate security arrangements in place and take adequate precautions when handling and storing cash. Remember that cash should be banked as soon as possible after a function or project, but in any case within 48 hours or on the next banking day. **Money or other valuables should not be left in unattended motor vehicles, tents, halls or in stalls.**

SUMMARY OF INSURANCES FOR LIONS

It is also strongly recommended that the Board of each Club requires that their Treasurer tables a copy of the bank statements at each Board meeting so as to certify the bank balances. Every Board has a responsible in this regard.

Liabilities

We are living in a Society where an injured or offended party is looking to take action against somebody. Clubs and members must take care that they do not do, or fail to do, something which could render them liable for an action against them. Particular care should be taken by clubs when terminating or refusing membership or refusing transfers from other Clubs. If in doubt, it is strongly recommended that contact be made with the Lions Insurance Programme Consultant for assistance and advice.

June, 2012

STANDARD FORM

LIONS CLUB

**CONSTITUTION
AND BY-LAWS**



The Lions Club of

*Chartered by and
under the jurisdiction of*

**THE
INTERNATIONAL
ASSOCIATION
OF
LIONS CLUBS**

STANDARD CLUB CONSTITUTION

INDEX

ARTICLE I

Name, Slogan and Motto

SEC. 1 - NAME	3
SEC. 2 - SLOGAN	3
SEC. 3 - MOTTO	3

ARTICLE II

Purposes	3
----------------	---

ARTICLE III

Membership

SEC. 1 - ELIGIBILITY FOR CLUB MEMBERSHIP ...	3
SEC. 2 - MEMBERSHIP INVITATION	3

ARTICLE IV

Forfeiture of Membership	4
--------------------------------	---

ARTICLE V

Club Branch Program

SEC. 1 - BRANCH FORMATION	4
SEC. 2 - MEMBERSHIP IN PARENT CLUB	4
SEC. 3 - FUNDRAISING	4
SEC. 4 - DISSOLUTION	4

ARTICLE VI

Officers

SEC. 1 - OFFICERS	4
SEC. 2 - REMOVAL	4

ARTICLE VII

Board of Directors

SEC. 1 - MEMBERS	5
SEC. 2 - QUORUM	5
SEC. 3 - DUTIES AND POWERS	5

ARTICLE VIII

Delegates to International and District Conventions

SEC. 1 - DELEGATE ENTITLEMENT INTERNATIONAL CONVENTIONS	6
SEC. 2 - DELEGATE ENTITLEMENT DISTRICT/ MULTIPLE DISTRICT CONVENTIONS ...	6

ARTICLE IX

Dispute Resolution	7
--------------------------	---

ARTICLE X

Amendments

SEC. 1 - AMENDING PROCEDURE	7
SEC. 2 - NOTICE	7

BY-LAWS

ARTICLE I

Membership Categories

SEC. 1 - MEMBERSHIP CATEGORIES	8
SEC. 2 - DUAL MEMBERSHIP	10
SEC. 3 - RESIGNATIONS	10
SEC. 4 - REINSTATEMENT OF MEMBERSHIP	10
SEC. 5 - TRANSFER MEMBERSHIP	10
SEC. 6 - FAILURE TO PAY	10
SEC. 7 - ATTENDANCE	11

ARTICLE II

Officers

SEC. 1 - DUTIES	11
SEC. 2 - ELIGIBILITY FOR OFFICE	13
SEC. 3 - COMPENSATION	13

ARTICLE III

Meetings and Quorum Requirements

SEC. 1 - REGULAR MEETINGS	13
SEC. 2 - SPECIAL MEETINGS	13
SEC. 3 - CHARTER ANNIVERSARY	14
SEC. 4 - ANNUAL MEETING	14
SEC. 5 - QUORUM	14
SEC. 6 - GOOD STANDING	14
SEC. 7 - BOARD OF DIRECTORS REGULAR MEETINGS	14
SEC. 8 - BOARD OF DIRECTORS SPECIAL MEETINGS	14

ARTICLE IV

Elections and Filling Vacancies

SEC. 1 - NOMINATION MEETING	14
SEC. 2 - NOMINATING COMMITTEE	15
SEC. 3 - NOMINEE UNABLE TO SERVE	15
SEC. 4 - ELECTION COMMITTEE	15
SEC. 5 - ANNUAL ELECTION	15
SEC. 6 - MEMBERSHIP COMMITTEE	15
SEC. 7 - DIRECTORS ELECTION	15
SEC. 8 - BALLOT	16
SEC. 9 - VACANCY	16
SEC. 10 - REPLACEMENT	16

ARTICLE V

Fees and Dues

SEC. 1 - ENTRANCE FEE	17
SEC. 2 - ANNUAL DUES	17

ARTICLE VI

Branch Club Administration

SEC. 1 - COORDINATOR/VICE COORDINATOR ..	18
SEC. 2 - LIAISON	18
SEC. 3 - VOTING ENTITLEMENT	18

ARTICLE VII

Committees

SEC. 1 - STANDING COMMITTEES	18
SEC. 2 - SPECIAL COMMITTEES	19
SEC. 3 - PRESIDENT EX-OFFICIO	19
SEC. 4 - COMPOSITION	19
SEC. 5 - COMMITTEE REPORTING	19

ARTICLE VIII

Parliamentary Practices	19
-------------------------------	----

ARTICLE IX

Miscellaneous

SEC. 1 - EMBLEM, COLORS	19
SEC. 2 - FISCAL YEAR	20
SEC. 3 - HONORARY MAILING LIST	20
SEC. 4 - PARTISAN POLITICS/RELIGION	20
SEC. 5 - PERSONAL BENEFIT	20
SEC. 6 - SOLICITATION OF FUNDS	20

ARTICLE X

Amendments

SEC. 1 - AMENDING PROCEDURE	20
SEC. 2 - NOTICE	20

EXHIBIT A - MEMBERSHIP CATEGORIES CHART ..	21
--	----

Constitution and By-Laws



The Lions Club of

Chartered by
and under the jurisdiction of

THE INTERNATIONAL ASSOCIATION OF LIONS CLUBS

*This standard form is recommended for adoption by the
Lions club as its official local club Constitution and
By-Laws.*

*Immediately upon adoption by the club, a permanent copy
of this Constitution and By-Laws is to be filed by the
secretary in his/her record book.*

*This Standard Form Club Constitution and By-Laws, and all
amendments thereto, shall be in full force and effect and
govern the operation of any Lions club that has not adopt-
ed its own Constitution and By-Laws.*

*The International Board of Directors shall and hereby does
declare as policy that with respect to any matter of club
operations which is consistent with the International
Constitution and By-Laws and is not covered by the consti-
tution and by-laws of the respective club and is covered by
the Standard Form Lions Club Constitution and By-Laws
that the provisions of the latter shall govern and control.*

**STANDARD LIONS CLUB
ORGANIZATION PLAN**

**Officers and Directors
(Board of Directors)**

President
Secretary
Treasurer

1st Vice President
2nd Vice President
3rd Vice President
Lion Tamer

Tail Twister (Optional)
Immediate Past President
2 Directors (First Year)
2 Directors (Second Year)
Membership Director

Administrative Committees

Attendance
Constitution and By-Laws
Convention
Finance
Information Technology
Lions Information
Membership
Program
Public Relations
Bulletin Editor
Greeter
Leadership Development

Activities Committees

Youth Outreach
Diabetes Awareness
Sight Conservation and Work With the Blind
Hearing and Speech Action and
Work With the Deaf
Environmental Services
Leo Club Program
Youth Exchange Program
Lioness Club Program
International Relations Program

Other activities of Lionism for which committees may be appointed are: Citizenship Services, Educational Services, Health Services, Social Services, Recreational Services, Public Services and International Youth Camps.

STANDARD CLUB CONSTITUTION

ARTICLE I Name, Slogan and Motto

Section 1. **NAME.** The name of this organization shall be the Lions Club of _____, chartered by, and under the jurisdiction of Lions Clubs International.

Section 2. **SLOGAN.** Its slogan shall be: Liberty, Intelligence, Our Nation's Safety.

Section 3. **MOTTO.** Its motto shall be: We Serve.

ARTICLE II Purposes

The purposes of this club shall be:

- (a) To create and foster a spirit of understanding among the peoples of the world.
- (b) To promote the principles of good government and good citizenship.
- (c) To take an active interest in the civic, cultural, social and moral welfare of the community.
- (d) To unite the members in the bonds of friendship, good fellowship and mutual understanding.
- (e) To provide a forum for the open discussion of all matters of public interest; provided, however, that partisan politics and sectarian religion shall not be debated by club members.
- (f) To encourage service-minded people to serve their community without personal financial reward, and to encourage efficiency and promote high ethical standards in commerce, industry, professions, public works and private endeavors.

ARTICLE III Membership

Section 1. **ELIGIBILITY FOR CLUB MEMBERSHIP.** Subject to the provisions of Article I of the by-laws, any person of legal majority and good moral character and good reputation in his/her community, may be granted membership in this Lions club. Wherever the male gender or pronoun presently appear in this constitution and by-laws, it shall be interpreted to mean both male and female persons.

Section 2. **MEMBERSHIP BY INVITATION.** Membership in this Lions club shall be acquired by invitation only. Nominations shall be made on forms provided by the international office, which shall be signed by a member in good standing who shall act as sponsor, and be submitted to the membership chairman or the club secretary, who, after investigation by the membership committee, shall submit

the same to the board of directors. If approved by a majority of said board, the prospect may then be invited to become a member of this club. A properly filled out membership form duly signed, as well as, the entrance fee and dues must be in the hands of the secretary before the member is reported to and officially recognized by the association as a Lion member.

ARTICLE IV
Forfeiture of Membership

Any member may be expelled from the club for cause by a two-thirds vote of the entire board of directors.

ARTICLE V
Club Branch Program

Section 1. **BRANCH FORMATION.** Clubs may form branches to permit the expansion of Lionism into locations where and when circumstances do not support the formation of a charter club. The branch shall meet as a committee of the parent club and shall conduct service activities in its community.

Section 2. **MEMBERSHIP IN PARENT CLUB.** The members of the branch shall be granted membership in the parent club and the branch by membership invitation issued by the board of directors of the parent club. Membership shall be in one of the categories listed in Article I of the By-Laws.

Section 3. **FUNDRAISING.** Activity or public welfare monies raised by the branch by asking for public support shall be held in a fund established to record such purpose. They shall be distributed in the branch community unless otherwise specified. The board of directors of the parent club may authorize the branch coordinator to countersign checks and vouchers authorized for payment by the parent club's board of directors.

Section 4. **DISSOLUTION.** The branch may be disbanded by a two-thirds vote of the entire board of directors of the parent club.

ARTICLE VI
Officers

Section 1. **OFFICERS.** The officers of this club shall be a president, immediate past president, the vice president(s), secretary, treasurer, Lion tamer (optional), tail twister (optional), membership director and all other elected directors.

Section 2. **REMOVAL.** Any officer of this club may be removed from office for good cause by two-thirds (2/3) vote of the entire club membership.

- (i) It shall name and appoint, subject to approval of the club membership, the delegates and alternates of this club to district (single, sub- or multiple) and international conventions.
- (j) It shall maintain at least two (2) separate funds governed by generally accepted accounting practices. The first fund to record administrative monies such as dues, tail twisting fines and other internally raised club funds. A second fund shall be established to record activity or public welfare monies raised by asking support from the public. Disbursement from such funds shall be in strict compliance with Section (g) of this article.

ARTICLE VIII

Delegates to International and District Conventions

Section 1. DELEGATE ENTITLEMENT INTERNATIONAL CONVENTION. Inasmuch as Lions Clubs International is governed by Lions clubs in convention assembled, and in order that this club may have its voice in association matters, this club shall have power to pay the necessary expenses of its delegates to each annual convention of the association. This club shall be entitled in any convention of this association, to one (1) delegate and one (1) alternate for every twenty-five (25), or major fraction thereof, of its members as shown by the records of the international office on the first day of the month last preceding that month during which the convention is held, provided, however, that this club shall be entitled to at least one (1) delegate and one (1) alternate. The major fraction referred to in this section shall be thirteen (13) or more members. The selection of each such delegate and alternate shall be evidenced by a certificate signed by the president or secretary or any other duly authorized officer of this club, or, in the event no such club officer is in attendance at the convention, by the district governor-elect of the district (single or sub-) of which this club is a member.

Section 2. DELEGATE ENTITLEMENT DISTRICT/MULTIPLE DISTRICT CONVENTION. Inasmuch as all district matters are presented and adopted at the district (single, sub- and multiple) conventions, this club shall be entitled to send its full quota of delegates to all such conventions and have power to pay the necessary expenses of such delegates attending such conventions. This club shall be entitled in each annual convention of its district (single or sub- and multiple) to one (1) delegate and one (1) alternate for each ten (10) members who have been enrolled for at least one year and a day in this club, or major fraction thereof, of this club as shown by the records of the international office on the first day of the month last preceding that month during which the convention is held, provided, however, that this club shall be entitled to at least one (1) delegate and one (1) alternate. Each certified delegate present in person shall be entitled to cast one (1) vote of his/her

choice for each office to be filled by, and one (1) vote of his/her choice on each question submitted to, the respective convention. The major fraction referred to in this section shall be five (5) or more members.

ARTICLE IX
Dispute Resolution

All disputes arising between any member or members, or a former member or members, and the club, or any officer on the board of the club, relative to membership, or the interpretation, breach of, or application of the club's constitution and by-laws, or the expulsion of any member from the club, or any other matter whatsoever which cannot be satisfactorily resolved through other means, shall be settled by dispute resolution.

Any party to the dispute may file a written request with the district governor asking that dispute resolution take place. Within fifteen (15) days of receipt, the district governor shall appoint a conciliator to hear the dispute. The conciliator shall be a past district governor who is currently a member in good standing of a club in good standing, other than a club which is a party to the dispute, in the district in which the dispute arises. The selected conciliator shall be acceptable to the parties. Upon being selected, the conciliator shall arrange a meeting of the parties for the purpose of conciliating the dispute. The meeting shall be scheduled within thirty (30) days of the appointment of the conciliator. If such conciliation efforts are unsuccessful, the conciliator shall have the authority to issue his or her decision relative to the dispute, which decision shall be final and binding on all parties.

ARTICLE X
Amendments

Section 1. **AMENDING PROCEDURE.** This constitution may be amended at any regular or special meeting of this club, at which a quorum is present, by the affirmative vote of two-thirds (2/3) of the members present in person and voting, provided that the board has previously considered the merits of the amendments.

Section 2. **NOTICE.** No amendment shall be put to vote, unless written notice, stating the proposed amendment shall have been mailed or delivered personally to each member of this club at least fourteen (14) calendar days prior to the meeting at which the vote on the proposed amendment is to be taken.

BY-LAWS

ARTICLE I Membership

Section 1. MEMBERSHIP CATEGORIES.

- (a) **ACTIVE:** A member entitled to all rights and privileges and subject to all obligations which membership in a Lions club confers or implies. Without limiting such rights and obligations, such rights shall include eligibility to seek, if otherwise qualified, any office in this club, district or association and the right to vote on all matters requiring a vote of the membership; and such obligations shall include regular attendance, prompt payment of dues, participation in club activities and conduct reflecting a favorable image of this Lions club in the community.
- (b) **MEMBER-AT-LARGE:** A member of this club who has moved from the community, or because of health or other legitimate reason, is unable regularly to attend club meetings and desires to retain membership in this club, and upon whom the board of directors of this club desires to confer this status. This status shall be reviewed each six months by the board of directors of this club. A Member-at-Large shall not be eligible to hold office or to vote in district or international meetings or conventions, but shall pay such dues as the local club may charge, which dues shall include district and international dues.
- (c) **HONORARY:** An individual, not a member of this Lions club, having performed outstanding service for the community or this Lions club, upon whom this club desires to confer special distinction. This club shall pay entrance fees and international and district dues on such a member, who may attend meetings, but shall not be entitled to any privileges of active membership.
- (d) **PRIVILEGED:** A member of this club who has been a Lion fifteen or more years, who, because of illness, infirmities, advanced age or other legitimate reason, as determined by the board of directors of this club, must relinquish his/her active status. A Privileged Member shall pay such dues as the local club may charge, which dues shall include district and international dues. He/she shall have the right to vote and be entitled to all other privileges of membership except the right to hold club, district or international office.

- (e) **LIFE MEMBER:** Any member of this club who has maintained Active membership as a Lion for 20 or more years and has rendered outstanding service to this club, his/her community, or this Association; or any member who is critically ill; or any member of this club who has maintained such active membership for 15 or more years and is at least 70 years of age may be granted Life Membership in this club upon:
- (a) recommendation of this club to the association,
 - (b) payment to the association of US\$300.00, or its equivalent in the respective national currency, by this club in lieu of all future dues to the association, and
 - (c) approval by the International Board of Directors. Nothing herein shall prevent this club from charging a Life Member such dues as it shall deem proper.

A Life Member shall have all privileges of active membership so long as he/she fulfills all obligations thereof.

A Life Member who desires to relocate and receives an invitation to join another Lions club shall automatically become a Life Member of said club.

- (f) **ASSOCIATE MEMBER:** A member who holds his/her primary membership in another Lions club but maintains a residence or is employed in the community served by this club. This status may be conferred by the invitation of the board of directors and shall be reviewed annually. The club shall not report an Associate Member on its Membership and Activities Report.

An Associate Member may be eligible to vote on club matters, at meetings where he/she is present in person, but may not represent the club as a delegate at district (single, sub-, provisional and/or multiple) or international conventions. He/she shall not be eligible to hold club, district or international office, nor district, multiple district or international committee assignments through this club. International and district (single, sub-, provisional and/or multiple) dues shall not be assessed on the Associate; PROVIDED, however, nothing shall prevent this club from assessing an Associate such dues as it shall deem proper.

- (g) **AFFILIATE MEMBER:** A quality individual of the community who currently is not able to fully participate as an Active member of the club but desires to support the club and its community service initiatives and be affiliated with the club. This status

may be conferred by the invitation of the club's board of directors.

An Affiliate Member may be eligible to vote on club matters at meetings where he/she is present in person, but may not represent the club as a delegate at district (single, sub, transitional, provisional, and/or multiple) or international conventions.

He/she shall not be eligible to hold club, district or international office, nor district, multiple district or international committee assignment. An Affiliate Member shall be required to pay district, international and such dues as the local club may charge.

Section 2. DUAL MEMBERSHIP. No person shall simultaneously hold membership, other than honorary or associate, in this and any other Lions club; and no person shall simultaneously hold membership, other than honorary or affiliate, in this Lions club and any other service club of like character.

Section 3. RESIGNATIONS. Any member may resign from this club, and said resignation shall become effective upon acceptance by the board of directors. The board may withhold acceptance, however, until all indebtedness has been paid, all club funds and property have been returned, and all right to the use of the name "LIONS," the emblem and other insignia of this club and this association have been surrendered.

Section 4. REINSTATEMENT OF MEMBERSHIP. Any member dropped from membership in good standing may be reinstated by the club's board of directors, and will retain their prior Lions service record as part of their total Lions service record.

Section 5. TRANSFER MEMBERSHIP. This club may grant membership on a transfer basis to one who has terminated or is terminating his/her membership in another Lions club, provided that a member is in good standing at the time of transfer requested. If more than six (6) months have elapsed between termination of his/her membership in another club and submittal of completed transfer member form or current membership card, he/she may acquire membership in this club only under the provisions of Section 2 of Article III of the constitution.

Section 6. FAILURE TO PAY. The secretary shall submit to the board of directors the name of any member who fails to pay any indebtedness due this club within 60 days after receipt from the secretary of written notice. The board shall thereafter decide whether the member shall be dropped from or retained on the roster.

- (4) Have custody and keep and maintain general records of this club, including records of minutes of club and board meetings; attendance; committee appointments; elections; member information, addresses and telephone numbers of members; members club accounts;
 - (5) Arrange for issuance, in cooperation with the treasurer, quarterly or semi-annual statements to each member for dues and other financial obligations owed to this club, collect and turn the same over to the club treasurer and obtain a receipt;
 - (6) Give bond for the faithful discharge of his/her office in such sum and with such surety as determined by the board of directors.
- e. **Treasurer.** He/she shall:
- (1) Receive all monies, from the secretary and otherwise, and deposit the same in a bank or banks recommended by the finance committee and approved by the board of directors;
 - (2) Pay out monies in payment of club obligations only on authority given by the board of directors. All checks and vouchers shall be signed by the treasurer and countersigned by one other officer, determined by the board of directors;
 - (3) Have custody and keep and maintain general records of club receipts and disbursements;
 - (4) Prepare and submit monthly and semi-annual financial reports to the international office of the association and the board of directors of this club;
 - (5) Give bond for the faithful discharge of his/her office in such sum and with such surety as determined by the board of directors.
- f. **Membership Director.** The membership director shall be the chairman of the membership committee. The responsibilities for this position shall be:
- (1) Development of a growth program specifically for the club and presented to the board of directors for approval.
 - (2) Regular encouragement at club meeting to bring in new quality members.
 - (3) Ensuring implementation of proper recruitment and retention procedures.
 - (4) Preparation and implementation of orientation sessions.
 - (5) Reporting to the board of directors on ways to reduce the loss of members.
 - (6) Coordination with other club committees in fulfilling these responsibilities.
 - (7) Serving as a member of the zone level membership committee.

- g. *Lion Tamer (Optional)*. The Lion tamer shall have charge of and be responsible for the property and paraphernalia of the club, including flags, banners, gong, gavel, song books and button board. He/she shall put each in its proper place before each meeting and return the same to the proper storage area after each meeting. He/she shall act as sergeant-at-arms at meetings, see that those present are properly seated, and distribute bulletins, favors and literature as required at club and board meetings. He/she shall give special attention to assure that each new member sits with a different group at each meeting so that he/she can become better acquainted.
- h. *Tail Twister (Optional)*. He/she shall promote harmony, good fellowship, life and enthusiasm in the meetings through appropriate stunts and games and the judicious imposition of fines on club members. There shall be no ruling from his/her decision in imposing a fine, provided, however, that no fine shall exceed an amount fixed by the board of directors of this club, and no member shall be fined more than twice at any one meeting. The tail twister (optional) may not be fined except by the unanimous vote of all members present. All monies collected by the tail twister (optional) shall be immediately turned over to the treasurer and a receipt be given.

Section 2. **ELIGIBILITY FOR OFFICE**. No person shall be eligible to hold office in this club unless he/she is an active member in good standing.

Section 3. **COMPENSATION**. No officer shall receive any compensation for any service rendered to this club in his/her official capacity with the exception of the secretary, whose compensation, if any, shall be fixed by the board of directors.

ARTICLE III Meetings and Quorum Requirements

Section 1. **REGULAR MEETINGS**. Regular meetings of this club shall be held at times and places recommended by the board of directors, and approved by the club. All meetings shall begin and end, promptly, at the regular set times. Except as otherwise specifically provided in this constitution and by-laws, notice of regular meetings shall be given in such manner as the board of directors deems proper. *(It is recommended that clubs meet at least twice each month.)*

Section 2. **SPECIAL MEETINGS**. Special meetings of the club may be called by the president, in his/her discre-

tion, and shall be called by the president when requested by the board of directors, at a time and place determined by the person or body requesting the same. Notice of special meetings setting forth the purpose, time and place shall be given to each member of this club, by mail or personal delivery, at least ten (10) days prior to the date thereof.

Section 3. CHARTER ANNIVERSARY. A charter night anniversary meeting of this club may be held each year, at which time special attention shall be devoted to the purposes and ethics of Lionism, and the history of this club.

Section 4. ANNUAL MEETING. An annual meeting of this club shall be held in conjunction with the close of each Lions' year at a time and place determined by the board of directors, at which meeting the final reports of the retiring officers shall be read and newly elected officers shall be installed.

Section 5. QUORUM. The presence in person of a majority of the members in good standing shall be necessary for a quorum at any meeting of this club. Except as otherwise specifically provided, the act of a majority of the members present at any meeting shall be the act and decision of the entire club

Section 6. GOOD STANDING. Any member who fails to pay any indebtedness due this club within sixty (60) days after receipt of written notice from the secretary shall forfeit his/her good standing and shall so remain until such indebtedness is paid in full. Only members in good standing may exercise the voting privilege and hold office in this club.

Section 7. BOARD OF DIRECTORS REGULAR MEETINGS. Regular meetings of the board of directors shall be held at such times and places as the board shall determine. *(It is recommended that the board of directors meet at least once each month.)*

Section 8. BOARD OF DIRECTORS SPECIAL MEETINGS. Special meetings of the board of directors shall be held when called by the president, or when requested by three (3) or more members of the board of directors, at such time and place as the president shall determine.

ARTICLE IV Elections and Filling Vacancies

The officers of this club, excluding the immediate past president, shall be elected as follows:

Section 1. NOMINATION MEETING. A nomination meeting shall be held in March of each year, with the date and place of such meeting to be determined by the board of directors and notice mailed to each member of this club at

least fourteen (14) calendar days prior to the date of the meeting.

Section 2. NOMINATING COMMITTEE. The president shall appoint a nominating committee which shall submit the names of candidates for the various club offices to the club at the nomination meeting. At this meeting, nominations for all offices to be filled in the succeeding year may also be made from the floor.

Section 3. NOMINEE UNABLE TO SERVE. If in the interim between the nomination meeting and the election meeting any nominee is unable for any reason to serve in the office to which he/she was nominated and for which office there was no other nominee, the nominating committee shall submit, at the election meeting, names of additional nominees for that office.

Section 4. ELECTION COMMITTEE. An election meeting shall be held no later than April 15 of each year, at a time and place determined by the board of directors, and fourteen (14) calendar days prior written notice shall be given to each member of the club by the secretary, by mail or personal delivery. Such notice shall include the names of all nominees approved at the preceding nomination meeting, and, subject to Section 3 above, a statement that these nominees will be voted upon at this election meeting. No nominations may be made from the floor at the election meeting.

Section 5. ANNUAL ELECTION. Subject to the provisions of Section 8 of this Article all officers, other than directors, shall be elected annually and shall take office on July 1st, and shall hold office for one year from that date, or until their successors shall have been elected and qualified.

Section 6. MEMBERSHIP COMMITTEE. A membership committee shall be composed of three elected members for a three year term. Initially three members will be elected. One member shall serve for one (1) year, the second member for two (2) years and the third member for three (3) years. Each year thereafter, a new member will be elected. Each member shall serve for three (3) continuous years on a rotation system. The first year member shall be a member of the committee, the second year member shall be its vice chairman and the third year member shall serve as its chairman and as membership director on the club's board of directors. The first-year member is encouraged to focus on membership development, the second-year member is encouraged to focus on retention and leadership, while the third-year member (chairman) is encouraged to focus on extension.

Section 7. DIRECTORS ELECTION. One-half of the directors shall be elected annually and shall take office on

the July 1st next following their election, and shall hold office for two (2) years from that time, or until their successors shall have been elected and qualified, with the exception that at the first election held after the adoption of this constitution and by-laws, one-half of the directors shall be elected for two year terms and the other one-half of the directors shall be elected for one year terms.

Section 8. **BALLOT.** The election shall be by ballot by those present and qualified to vote. A plurality vote shall be necessary to elect.

Section 9. **VACANCY.** If the office of president or of any vice president shall become vacant for any reason, the vice presidents shall advance in office, according to their rank. In the event such provision for advancement shall fail to fill the office of president, or any office of vice president, the board of directors shall thereon call a special election, giving each member in good standing prior fourteen (14) calendar days notice of the time and place, which time and place shall be determined by said board, and such office shall be filled at said election meeting.

In the event of a vacancy in any other office, the board of directors shall appoint a member to fill the unexpired term.

In the event vacancies shall be of such number as to reduce the number of directors to less than the number required for a quorum, the membership of the club shall have power to fill such vacancies by an election held at any regular meeting of the club upon prior notice, and in the manner, specified in Section 10 hereinafter. Such notice may be given by any remaining officer or director, but if none, then by any member.

Section 10. **REPLACEMENT OF OFFICERS-ELECT.** In the event any officer-elect, before his/her term of office commences, is unable or refuses for any reason to serve therein, the president may call a special nomination and election meeting to elect a replacement for such officer-elect. Fourteen (14) calendar days prior notice of such meeting, setting forth the purpose, time and place shall be given to each member, by mail or personal delivery. The election shall be held immediately after nominations have been closed and a plurality vote shall be necessary for election.

ARTICLE V
Fees and Dues

~~REVISE-~~

AS PER SCHEDULE ATTACHED APPROVED AT AN ANNUAL MEETING TO BE DETERMINED BY THE CLUB.

Section 1. **ENTRANCE FEE.** Each new, reinstated and transfer member shall pay an entrance fee of \$ _____ which fee shall include the current association entrance fee and be collected before such member is enrolled as a member of this club and before the secretary may report such member to Lions Clubs International; provided, however, that the board of directors may elect to waive all or any part of the club portion of said entrance fee as to any member granted membership by transfer or reinstatement within six (6) months of termination of his/her prior Lions club membership.

Section 2. **ANNUAL DUES.** Each member of this club shall pay the following indicated regular annual dues which dues shall include an amount to cover current international and district (single or sub- and multiple) dues (to defray the subscription price of THE LION Magazine, administrative and annual convention costs of the association and similar district costs) and shall be paid in advance at such times as the board of directors shall determine:

Active	\$ _____
Member-at-Large	\$ _____
Honorary	\$ _____
Privileged	\$ _____
Life	\$ _____

Each associate member of this club shall pay the following indicated annual dues in advance at such times as the board of directors shall determine.

Associate	\$ _____
-----------	----------

Each affiliate member of this club shall pay the following indicated annual dues in advance at such times as the board of directors shall determine.

Affiliate	\$ _____
-----------	----------

The treasurer of this club shall remit international and district (single or sub- and multiple) dues to the parties, and at the times, specified in the respective international and district (single or multiple) constitution and by-laws.

ARTICLE VI
Branch Club Administration

Section 1. COORDINATOR/VICE COORDINATOR. The members comprising the branch shall elect a coordinator and vice coordinator. The coordinator shall also be a member of the parent club's board of directors and be encouraged to attend general and/or board meetings of the parent club to provide branch records and a report of planned branch activities, a monthly financial report and coordinate efforts to encourage open discussion and effective communication between the branch and parent club. Members of the branch are encouraged to attend scheduled meetings of the parent club.

Section 2. LIAISON. The parent club shall designate a member of the parent club to oversee the progress of the branch and provide assistance to the branch, when necessary. The member serving in this capacity shall also serve as the third officer of the branch.

Section 3. VOTING ENTITLEMENT. The members of the branch may vote on activities of the branch and are voting members of the parent club, when in attendance at meetings of the parent club. Branch members shall be calculated in parent club meeting quorum requirements only when present in person at the parent club meeting. Attendance at branch meetings fulfills regular club attendance requirements.

ARTICLE VII
Committees

Section 1. STANDING COMMITTEES. The following standing committees may be appointed by the president, except for the members and chairman of the membership committee, who are elected. (See Article IV, Sections 6 and 7)

- (a) **Administrative Committees:**
- Attendance
 - Bulletin Editor
 - Constitution and By-Laws
 - Convention
 - Finance
 - Greeter
 - Information Technology
 - Leadership Development
 - Lions Information
 - Membership
 - Program
 - Public Relations

- (b) **Activities Committees:**
Diabetes Awareness
Environmental Services
Hearing and Speech Action and Work with the Deaf
International Relations Program
Leo Club Program
Lioness Club Program
Sight Conservation and Work with the Blind
Youth Exchange Program
Youth Outreach

Other activities of Lionism for which committees may be appointed are: Citizenship Services; Educational Services; Health Services; Social Services; Recreational Services; Public Services; and International Youth Camps.

Section 2. SPECIAL COMMITTEES. From time to time, the president may appoint, with the approval of the board of directors, such special committees as may be necessary in his/her judgment or the judgment of the board of directors.

Section 3. PRESIDENT EX-OFFICIO. The president shall be an ex-officio member of all committees.

Section 4. COMPOSITION. All committees shall consist of a chairman, and subject to Section 2 above, as many members as shall be considered necessary by the president.

Section 5. COMMITTEE REPORTING. Each committee, through its chairman, should be encouraged as necessary to report, either verbally or in writing, each month to the board of directors.

ARTICLE VIII Parliamentary Practices

Except as otherwise specifically provided in this constitution and by-laws, all questions of order or procedure with respect to any meeting or action of this club, its board of directors or any committee appointed hereunder shall be determined in accordance with ROBERT'S RULES OF ORDER, NEWLY REVISED, as revised from time to time.

ARTICLE IX Miscellaneous

Section 1. EMBLEM, COLORS. The emblem and colors of this club shall be the same as the emblem and colors of Lions Clubs International.

Section 2. **FISCAL YEAR.** The fiscal year of this club shall be July 1 through June 30.

Section 3. **HONORARY MAILING LIST.** Lions Clubs International and the district governor shall be included on the mailing list of this club.

Section 4. **PARTISAN POLITICS/RELIGION.** This club shall not endorse or recommend any candidate for public office, nor shall partisan politics or sectarian religion be debated by members in meetings of this club.

Section 5. **PERSONAL BENEFIT.** Except to further his/her progress in Lionism, no officer or member of this club shall use his/her membership as a means of furthering any personal, political, or other aspiration, nor shall the club, as a whole, take part in any movement not in keeping with its purposes and objects.

Section 6. **SOLICITATION OF FUNDS.** No funds shall be solicited from members of the club during meetings by any individual or individuals who are not members of the club. Any suggestion or proposition made at any meeting of this club calling for the expenditure of money for other than the regular obligations shall be referred to the appropriate committee or to the board of directors.

ARTICLE X Amendments

Section 1. **AMENDING PROCEDURE.** These by-laws may be altered, amended or repealed at any regular or special meeting of this club at which a quorum is present, by the vote of a majority of the members present in person and voting.

Section 2. **NOTICE.** No amendment shall be put to vote unless written notice stating the proposed amendment, shall have been mailed or delivered personally to each member at least fourteen (14) calendar days prior to the meeting at which the vote on the amendment is to be taken.

EXHIBIT A

MEMBERSHIP CATEGORY CHART

OBLIGATIONS

CATEGORY	REGULAR ATTENDANCE	PROMPT PAYMENT OF DUES (CLUB, DISTRICT AND INTERNATIONAL)	PARTICIPATION IN CLUB ACTIVITIES	CONDUCT REFLECTING FAVORABLE IMAGE
ACTIVE	YES	YES	YES	YES
AFFILIATE	NO	YES	YES, WHEN ABLE	YES
ASSOCIATE	YES, PRIMARY CLUB NO, SECONDARY CLUB	YES, CLUB ONLY	YES, WHEN ABLE	YES
HONORARY	NO	NO, CLUB PAY APPLICABLE INT'L AND DISTRICT DUES	NO	YES
LIFE	NO	YES, DISTRICT & CLUB ONLY- NO INT'L DUES OBLIGATIONS	YES, WHEN ABLE	YES
MEMBER AT LARGE	NO	YES	YES, WHEN ABLE	YES
PRIVILEGED	NO	YES	YES, WHEN ABLE	YES

RIGHTS AND PRIVILEGES

CATEGORY	ELIGIBILITY TO SEEK CLUB DISTRICT OR INT'L OFFICE	VOTING PRIVILEGES	DELEGATE AT DISTRICT OR INT'L CONVENTION
ACTIVE	YES	YES	YES
AFFILIATE	NO	CLUB MATTERS ONLY	NO
ASSOCIATE	NO	DISTRICT CONVENTION (PRIMARY) CLUB MATTERS ONLY (BOTH)	NO
HONORARY	NO	NO	NO
LIFE	YES, IF FULFILLS OBLIGATIONS OF ACTIVE MEMBER	YES, IF FULFILLS OBLIGATIONS OF ACTIVE MEMBER	YES, IF FULFILLS OBLIGATIONS OF ACTIVE MEMBER
MEMBER AT LARGE	NO	YES, CLUB MATTERS ONLY	NO
PRIVILEGED	NO	YES	YES

EXHIBIT A (Continued)

MEMBER CATEGORY LIMITS

Honorary Members – Not to exceed 5% of total actual membership; any fraction shall permit one additional honorary member.

Affiliate Members – Not to exceed 25% of total actual membership.

Lions Clubs International OBJECTS

*to create and foster a spirit of understanding
among the peoples of the world.*

*to promote the principles of good government
and good citizenship.*

*to take an active interest in the civic, cultural,
social and moral welfare of the community.*

*to unite the clubs in the bonds of friendship, good
fellowship and mutual understanding.*

*TO PROVIDE a forum for the open discussion of
all matters of public interest; provided, however,
that partisan politics and sectarian religion shall
not be debated by club members.*

*to encourage service-minded people to serve
their community without personal financial
reward, and to encourage efficiency and promote
high ethical standards in commerce, industry,
professions, public works and private endeavors.*

Mission Statement

*To create and foster a spirit of understanding
among all people for humanitarian needs by
providing voluntary services through community
involvement and international cooperation.*

LIONS

Code of Ethics

to show my faith in the worthiness of my vocation by industrious application to the end that I may merit a reputation for quality of service.

to seek success and to demand all fair remuneration or profit as my just due, but to accept no profit or success at the price of my own self-respect lost because of unfair advantage taken or because of questionable acts on my part.

to remember that in building up my business it is not necessary to tear down another's; to be loyal to my clients or customers and true to myself.

whenever a doubt arises as to the right or ethics of my position or action towards others, to resolve such doubt against myself.

to hold friendship as an end and not a means. To hold that true friendship exists not on account of the service performed by one to another, but that true friendship demands nothing but accepts service in the spirit in which it is given.

always to bear in mind my obligations as a citizen to my nation, my state and my community, and to give them my unswerving loyalty in word, act and deed. To give them freely of my time, labor, and means.

to aid others by giving my sympathy to those in distress, my aid to the weak, and my substance to the needy.

to be careful with my criticism and liberal with my praise; to build up and not destroy.

LIONS CLUB OF BRIGHTON INC.

**AUDITED FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2013**

HAYDEN F. EDWARDS FCA FTIA
ABN: 30 717 437 976
CHARTERED ACCOUNTANT
Liability limited by a scheme approved under
Professional Standards Legislation.

2ND FLOOR, 345 KING WILLIAM STREET
ADELAIDE SA 5000
TEL: (08) 8231 1172
FAX: (08) 8231 5092
EMAIL: hayden@haydenedwards.com.au

INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS OF LIONS CLUB OF BRIGHTON INC

Report on the Financial Report

I have audited the accompanying financial report, being a special purpose financial report, of Lions Club of Brighton Inc (the association) that comprises a profit and loss statement for the year ended 30 June 2013 and the balance sheet as at that date for the Administration Account and the Activities Account.

Committee's Responsibility for the Financial Report

The committee of the association is responsible for the preparation and fair presentation of the financial report and has determined that the cash basis of accounting is consistent with the financial reporting requirements of the Associations Incorporation Act SA 1985 and is appropriate to meet the needs of the members. The committee's responsibility also includes establishing and maintaining internal control relevant to the preparation and fair presentation of the financial report that is free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

Auditor's Responsibility

My responsibility is to express an opinion on the financial report based on my audit. No opinion is expressed as to whether the accounting policies used are appropriate to meet the needs of the members. I conducted my audit in accordance with Australian Auditing Standards. These Auditing Standards require that I comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial report in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the committee, as well as evaluating the overall presentation of the financial report.

The financial report has been prepared for distribution to members for the purpose of fulfilling the committee's financial reporting under the Associations Incorporation Act SA. I disclaim any assumption of responsibility for any reliance on this report or on the financial report to which it relates to any person other than the members, or for any purpose other than that for which it was prepared.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

Independence

In conducting my audit, I have complied with the independence requirements of Australian professional ethical pronouncements.

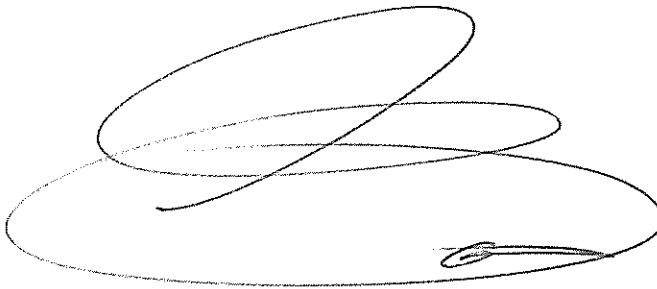
**INDEPENDENT AUDITOR'S REPORT
TO THE MEMBERS OF
LIONS CLUB OF BRIGHTON INC**

Audit Qualification

As is common for organizations of this type, it is not practical for the association to maintain an effective system of internal control over receipts until their initial entry in the accounting records. Accordingly, my audit in relation to receipts was limited to the amounts recorded.

Auditor's Opinion

In my opinion, the financial report of Lions Club of Brighton Inc presents fairly, in all material respects the financial position of Lions Club of Brighton Inc as of 30 June 2013 and of its financial performance for the year then ended in accordance with the cash basis of accounting.

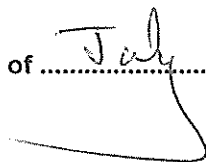


Name of Firm: Hayden F Edwards
Chartered Accountant

Name of Principal: Hayden Edwards FCA

Address: 2nd Floor 345 King William Street Adelaide SA 5000

Dated this 21 day of July 2013



Lions Club of Brighton - Administration

PO Box 288
BRIGHTON S.A. 5048

Profit & Loss Statement

1/07/2012 through 30/06/2013

5/07/2013
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Income (Members)		
Members Annual Dues		\$3,530.00
Other Income		
Dinner Surplus/Fees	\$227.54	
Dinner Raffles	\$887.00	
Entertainment Book Sales	\$1,235.00	
Bottling Revenue	\$11,535.00	
Marion Football Gate	\$2,367.20	
Social Events		
Christmas Party	-\$640.60	
Handover Dinner	-\$993.90	
Australia Day Lunch	\$101.00	
Convention Fund raising		
Tail Twisting Fines	\$263.90	
Total Income (Members)		<u>\$18,512.14</u>
Cost of Sales		
Bottling Expenses		\$10,479.10
Total Cost of Sales		<u>\$10,479.10</u>
Gross Profit		<u>\$8,033.04</u>
Expenses		
Annual Dues		
Lions Clubs International	\$1,182.66	
MD 201 C2 Dues	\$1,363.44	
District 201 C2 Dues	\$994.00	
Life Memberships	\$480.00	
Other Expenses		
Club Supplies/ Awards	\$520.00	
Almoner Expenses	\$556.75	
Insurances	\$743.25	
Postage & Telephone	\$52.70	
Secretarial Expenses	\$30.00	
Presidents Yearly Expenses	\$300.00	
PO Box Rental	\$99.00	
Stationery / Copying	\$306.47	
Tributes / Presentations	\$20.00	
Entertainment Books	\$1,040.00	
Lions Badges	\$65.65	
Total Other Expenses		<u>\$3,733.82</u>
Convention Expenses		
201 C2 Convention Subsidy	\$371.00	
MD 201 Convention Expenses	\$320.00	
Total Expenses		<u>\$8,444.92</u>
Operating Profit		<u>-\$411.88</u>
Other Income		
Other Expenses		
Net Surplus / (Deficit)		<u>-\$411.88</u>

Lions Club of Brighton - Administration

PO Box 288
BRIGHTON S.A. 5048

Balance Sheet

As of June 2013

5/07/2013
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Assets		
Current Assets		
Cash On Hand		
Administration Account	<u>\$4,496.33</u>	
Total Cash On Hand		\$4,496.33
Investments		
Total Current Assets		<u>\$4,496.33</u>
Total Assets		\$4,496.33
Liabilities		
Long-Term Liabilities		
Total Liabilities		<u>\$0.00</u>
Net Assets		<u>\$4,496.33</u>
Equity		
Retained Earnings	\$4,908.21	
Current Year Surplus/Deficit	<u>-\$411.88</u>	
Total Equity		<u>\$4,496.33</u>

Lions Club of Brighton - Activities Acc

PO Box 288
BRIGHTON SA 5048

Profit & Loss Statement

1/07/2012 through 30/06/2013

5/07/2013
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Income	
Lion Mint Sales	\$2,301.50
Lions Fudge Sales	\$68.90
Cake Sales	\$43,913.40
Shed Sales	\$24,074.73
Interest Received	
BankSA Interest	\$1.90
ANZ Bank V2 Plus Acc	\$1,550.50
Wishing Well Collections	\$194.50
Sundry	\$317.95
Circus Management Fee	\$25,000.00
Razamataz Management Fee	\$30,000.00
Neighbourhood Watch bbq	\$342.60
Medical Emergency Booklet	\$29.00
Total Income	<u>\$127,794.98</u>
Cost of Sales	
Mint Purchases	\$569.00
Cake Purchases	\$22,129.07
Pudding Purchases	\$12,377.16
Total Cost of Sales	<u>\$35,075.23</u>
Gross Profit	<u>\$92,719.75</u>
Expenses	
Cake Distribution Expenses	\$1,386.00
Shed	
Shed Supplies & Maintenance	\$5,723.39
Shed Pest Control	\$685.00
Shed Phone Costs	\$230.60
Insurance	\$1,151.05
Secretarys Expenses	\$63.75
Guest Speaker Gifts	\$100.00
Audit Fees	\$330.00
Lions Donations & Projects	
A.L.D.A.F. Inc	\$2,277.60
Lions Youth Exchange	\$22.00
Lions Youth of the Year	\$985.51
MD 201	\$54.00
Lions Youth Exchange	\$2,251.55
Leo Fund	\$29.05
LCIF	\$2,755.00
Lions District 201c2 Donations	\$252.00
Lions Cord Blood Foundation	\$1,000.00
Lions Medical Research Found.	\$1,000.00
Lions Prostate Cancer Research	\$1,050.00
Lions Eye Health Program	\$1,000.00
Lions Child Cancer Res	\$1,200.00
Lions Peace Poster	\$100.00
A.L.F.	\$2,536.00
Lions Hearing Dogs	\$2,000.00
Anglicare Star Bear	\$6,250.00
Local Donations & Projects	
Henley Football Club	\$1,500.00
Brighton S.L.C.	\$1,000.00
Seacliff S.L.C..	\$3,000.00
Somerton S.L.C.	\$1,000.00
Glenelg S.L.C.	\$1,000.00
Grange S.L.S.C	\$3,000.00
Marion Football Club	\$2,000.00
Daw Park Hospice Foundation	\$1,000.00
Seacliff Prim School	\$1,000.00
Make a Wish Foundation	\$1,000.00
Seacliff Youth Centre	\$2,000.00
Stroke Foundation	\$1,000.00

Lions Club of Brighton - Activities Acc

Profit & Loss Statement

1/07/2012 through 30/06/2013

5/07/2013
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Blue Light SA	\$1,000.00	
Foodbank Donation	\$2,000.00	
Brighton H/S Scholarship	\$3,000.00	
O.S.S.A.A.	\$100.00	
Gleneig St Pauls Church	\$4,500.00	
Freinds of Alwyndor	\$1,000.00	
Other Donations		
Lucy Hancock Found	\$1,000.00	
Mary Potter Hospice	\$1,000.00	
Quilting Sit & sew	\$800.00	
Autism SA	\$1,000.00	
Flinders Medical Research Foun	\$1,000.00	
Canteen	\$500.00	
South Pacific School Aid	\$1,000.00	
SAPOL Camp	\$1,600.00	
Black Dog Ride	\$797.48	
Cancer Council	\$1,000.00	
Diabetes Aust Research Trust	\$1,000.00	
Moore Street	\$2,000.00	
Julian Burton Burns Trust	\$5,000.00	
Dept Planning BBQ	-\$62.05	
Ronald McDonald House	\$1,000.00	
Inter Student Volunteer Org	\$250.00	
Torrens Valley Scout Group	\$1,000.00	
Total Expenses		<u>\$84,217.93</u>
Operating Profit		<u>\$8,501.82</u>
Other income		
Other Expenses		
Net Surplus / (Deficit)		<u>\$8,501.82</u>

Lions Club of Brighton - Activities Acc

PO Box 288
BRIGHTON SA 5048

Balance Sheet

As of June 2013

5/07/2013
4:38:07 PM

Assets

Current Assets

Cash On Hand

Cheque Account Activities Acc \$102,064.95

Cheque Account J Burton Trust \$146.80

Cheque Account Cake Sales \$2,184.90

Petty Cash - Shed \$400.00

Petty Cash - Books \$60.00

Total Cash On Hand \$104,856.65

Total Current Assets \$104,856.65

Total Assets \$104,856.65

Liabilities

Current Liabilities

Julian Burton Burns Trust

\$146.80

Total Current Liabilities

\$146.80

Total Liabilities \$146.80

Net Assets

\$104,709.85

Equity

Retained Earnings

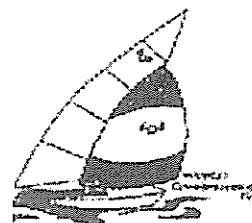
\$96,208.03

Current Year Surplus/Deficit

\$8,501.82

Total Equity

\$104,709.85



THE HANDOVER BULLETIN OF THE:
LIONS CLUB OF BRIGHTON
Inc.

18th JUNE 2013

**For the handover by Immediate Past President, Tony
Matthews, to incoming President Kofi Adih.**

And

The induction of the Board for the year 2013/2014

President	Kofi Adih
IPP	Tony Matthews
Secretary	Bill Watts
Treasurer	Frank Simpson
1 st Vice President	Werner Becker
2 nd Vice President	Peter Benda
3 rd Vice President	Cedric James
2 nd Year Director	Ann Greene
2 nd Year Director	John Temby
1 st Year Director	Jose Moniz
1 st Year Director	Murray Slater
1 st Year Director	Leonie Fairbank
Almoner	Murray Slater
Tail Twisting Coordinator	Tony Matthews
Lion Tamer	Olga Butler
Bulletin Editor	Bill Watts.

Presidents Report for the Lions year 2012/2013

Following a very successful handover we were fortunate enough to induct a new member on the first meeting in July Lions Werner Becker..

During the football season a number of Lions attended the Marion Rams for their home games and collected the entrance fees at the gate.. DG Ron Pascoe and Lions Lady Nina paid the club their official visit in October.

We as Lions seem to gravitate to a nice bottle of Red wine. None so much as our Wine Bottling that was held at Ian & Sue Hills place on the 14th October. This event was a great success owing mainly to our new Corking machine. We managed to produce some 118 dozen at least 50% was sold on the day and within two weeks it had all gone.

In November the Club supported the Neighbour Watch function at Dover square an excellent roll up of members and partners a total of 14 ensured a very successful activity. Lion Werner made a great Father Christmas also thanks to John Temby stepping in at the last minute to drive the sleigh.

The last meeting for the year was the Christmas party. This was held at Ann and Bill Greene's home and was a great success. Thanks to Ann & Bill. And all those who attended.

On a sad note PDG Corinne Stone passed away on 1st Jan. Her funeral was held on the 8th Jan and the Club was very well represented. The overall turn out at the funeral would be in excess of 250 Lions and friends. A testament to Corinne's popularity.

The transfer in of Lion David Sorrell from Battunga Country Lions Club was most welcome. David is fitting in well and providing new ideas.

Lion Pat Mansfield Chaired the YOTY District finals. The finals were a credit to the organisational skill that Lion Pat has shown Pat is to be congratulated on her supreme effort.

Sadly Lion John Chenoweth and Lions Lady Marijke are leaving the Club owing to their moving to McLaren Vale into a new house. Both John and Marijke will be sadly missed. Thank you both for the years that you have contributed to Lions. Ad we wish you well. You will always be welcome at Brighton.

This last Lions year we have had a number of Lions and Lions partners with sickness and hospitalisation. Lion Peter Kean, Lions Lady Marijke, Lion Mal Gurney Lion Pat Mansfield, Lions Lady Eileen Oates, Lions Lady Virginia. It was with sad hearts that we farewelled PDG Bob Campbell OAM on 3rd June

Thanks to Almoner Mal for his rapid attention to this and sending cards and flowers

Tony Matthews

President 2012-2013

TREASURERS REPORT

I Present the Income and Expenditure Summaries for the Period 1st July, 2012 to 31ST MAY, 2013 for the perusal of all Members.

ADMINISTRATION ACCOUNT

INCOME:

Members Dues	\$3,470.00	
Dinner Raffles	\$783.00	
Entertainment Books	\$1,105.00	
Wine Sales	\$10,755.00	*Note3
Dinner Surplus	-\$432.06	*Note1
Gate Takings	\$2,367.20	
Tail Twisting	\$246.80	
Other	\$101.00	
TOTAL INCOME		\$18,395.94

EXPENDITURE:

Lions Dues	\$3,540.10	
Wine Expenses	\$10,479.10	
Entertainment Books	\$1,040.00	
Other Admin Exp	\$2,183.82	
Life Memberships	\$480.00	
TOTAL EXPENSES		\$17,723.02

NET SUPPLUS/(DEFICIT) \$672.92

The above figures Include :-

1. Subsidies paid for the 2012 Christmas Dinner Totalling \$640.60
2. Another Good year for DINNER RAFFLES & TAIL TWISTING:- WELL DONE
3. Wine. Paid for everything, still have around 20 Doz to sell.

**ACTIVITIES
ACCOUNT****INCOME:**

Lions Mints	\$2,340.40	
Christmas Cakes	\$43,776.00	
Shed Sales	\$21,684.41	
Wishing Well	\$194.50	
External Activities	\$55,000.00	
Bank Interest	\$1,550.50	
Sundry	\$689.55	
TOTAL INCOME		\$125,235.36

EXPENDITURE:

Lions Mints	\$569.00	
Christmas Cakes	\$35,892.23	
Shed Exp/Supplies	\$6,262.72	
Wishing Well	\$0.00	
General Expenses	\$1,644.80	
Lions Donations & Projects	\$18,512.71	*Note1
Local Donations & Projects	\$30,350.00	*Note2
Other Donations	\$10,585.43	*Note3
Julian Burton Burns Trust	\$4,000.00	
Julian Burton Expenses	\$0.00	

TOTAL EXPENSES \$107,816.8€

NET SUPLUS/(DEFICIT) \$17,418.47

The above Donations include:-

- 1. Lions Youth Exchange, Prostate Cancer, Medical Research, ALF, Youth of the Year**
 - 2. Brighton High School Scholarship, Seacliff S.L.S.C., Grange S.L.S.C. Alwyndor Nursing Home, Marion Football Club & St Paul's Church.**
 - 3. Canteen, South Pacific School Aid, Cancer Council, Operation Flinders & Moore Street**
 - 4. Well Done to all those who helped on our External Fund raising Activities.**
- Another good Year.**

**FRANK SIMPSON
TREASURER**

Recipients of donations made by the Lions Club of Brighton, 2012/2013

Brighton Lions Scholarship
ALF
Lions Eye Health Program
MD 201
Lions District 201C2
LCIF
A.L.D.A.F.
Youth Exchange
Leo Fund
Lions Hearing Dogs
Lions Prostate Cancer Research
Lions Medical Research Foundation
Lions Childhood Cancer Research
Lions Cord Blood Research Foundation
Youth of the Year
Lions Peace Poster
Lions Zone Project
Anglicare Star Bear
Brighton Surf Life Saving Club
Seacliff Surf Life Saving Club
Somerton Surf Life Saving Club
Seacliff Youth Centre
Glenelg Surf Life Saving Club
Grange Surf Life Saving Club
Somerton Park Sea Scouts
Overseas Specialist Surgeons of Australia
Glenelg St Paul's Lutheran Church (Food
Distribution)
Seacliff Primary School
Marion Football Club
Hamilton Secondary College
Henley Football Club

Operation Flinders
Cake Donations
Julian Burton Burns Unit
Autism S.A.
Diabetes S.A.
Moore Street (Soup Van)
Friends of Alwyndor
Cancer Council
South Pacific School Aid
Canteen
Make- a- Wish
Flinders Medical Research Foundation
Stroke Foundation
Blue Light SA
Foodbank
Lucy Hancock Foundation
Mary Potter Hospice
Daw Park Hospice Foundation
Quilting Sit & Sew Heartkids
Ronald McDonald House
International Student Volunteer Organization
Torrens Valley Scout Group

Item No: **14.10**

Subject: **WINTER WONDERLAND FUNDING**

Date: 26 November 2013

Written By: Manager, Jetty Road Development

General Manager: City Services, Ms R Cooper

SUMMARY

During the Winter period retail trading in Jetty Road, Glenelg and wider Glenelg area decreases significantly. In the past, activities to attract visitors have been concentrated outside of this period. In an effort to encourage residents and visitors to continue to regularly visit Glenelg during the winter period, the Jetty Road Mainstreet Management Committee (JRMMC) is planning a program of activities entitled "Winter Wonderland". The budget for this program is \$150,000. The JRMMC has committed \$75,000 and is seeking a contribution from Council of \$75,000 in the 2014/2015 budget.

RECOMMENDATION

That Council contribute up to \$75,000 towards the cost of the Winter Wonderland program from the 2014/2015 budget.

COMMUNITY PLAN

A Place for Every Generation
A Place that Celebrates Culture
A Place to do Business
A Place that Welcomes Visitors

COUNCIL POLICY

Not Applicable.

STATUTORY PROVISIONS

Not applicable

BACKGROUND

During the Winter period retail trading and hotel occupancy in Jetty Road, Glenelg and wider Glenelg area decreases significantly. This is also the period where we see more businesses terminating their leases due to lack of foot traffic and therefore trade.

At its meeting on 7 August 2013, the Jetty Road Mainstreet Management Committee committed \$75,000 towards a Winter Wonderland Campaign for July 2014.

City of Holdfast Bay Community Plan 2012 - 2015

Our vision is of a *'sustainable, well serviced, safe and cohesive seaside community that enjoys an outstanding quality of life, welcomes visitors and values the City's distinctive history and open space.'*

The Community Plan outlines actions to enable the realisation of this vision. Building a thriving business environment throughout the year will in turn support a vibrant community, local employment opportunities and provides an attractive location for visitors which will enable Council to meet its objectives under 'Delivering Economic Prosperity'.

Future Directions:

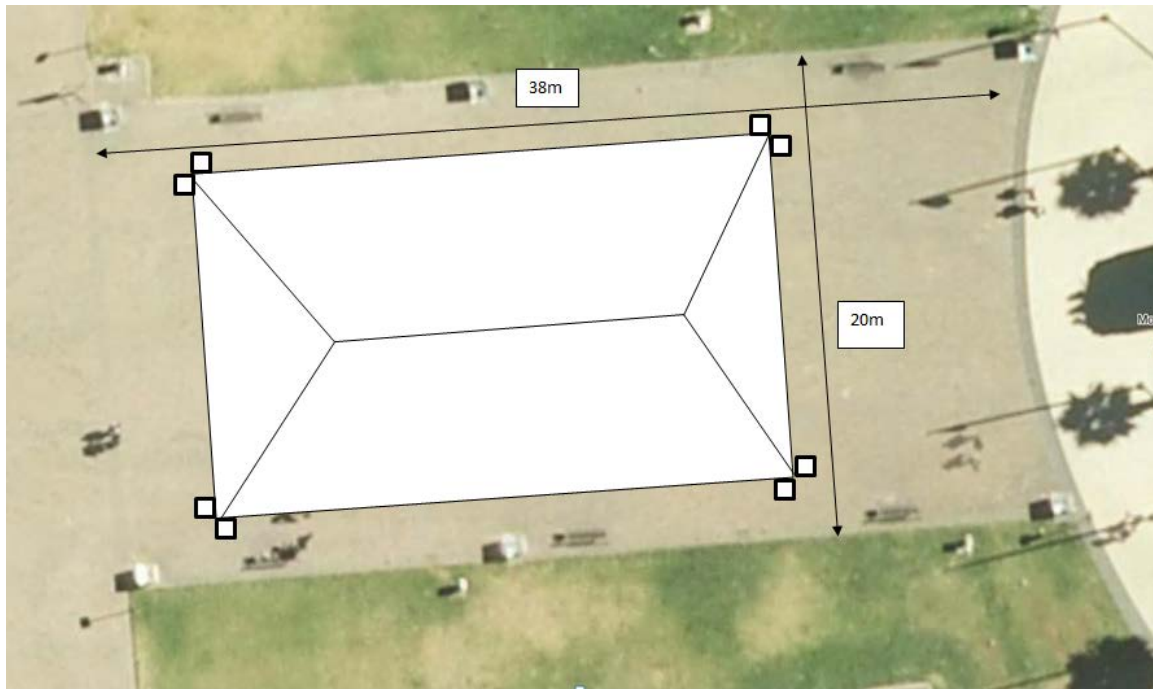
- Facilitate and promote a range of events and festivals aimed at attracting visitors and residents, which encourages extending visitor length of stay, promoting expenditure in the precinct, generating revenue through accommodation, car hire, touring and destination packaging and facilitate return visits.
- In collaboration with local business, implement ideas to improve the attractiveness and function of our key commercial precincts.
- Continue to attract and develop signature events and festivals, which promote our city locally, nationally and internationally as Adelaide's favourite seaside destination.

REPORT

The main focus of the "Winter Wonderland" program will be an ice rink in Moseley Square for the month of July, which will be enclosed in a weather-proof marquee. Traders will be encouraged to decorate their shop fronts in a Winter Wonderland theme and a selection of restaurants and cafes in Moseley Square will provide roasted chestnuts and other seasonal produce. Snow machines will be used in Moseley Square and the Jetty Road precinct to enhance the experience.

The Winter Wonderland Festival aims to attract 15,000 visitors which is 2% of the yearly day tripper visitation (672,000) and increase hotel occupancy rates by 1% in the month of July.

Initial conversations between the Manager, Jetty Road Development and the City Assets department has identified the area behind the monument and in front of the Jetty as the most appropriate site for the ice rink.



The Manager, Jetty Road Development has sought initial quotes from three providers which have formed the basis of the budget. The \$150,000 budget will include hire of ice rink and suitably qualified staff, hire of marquee, overnight security for the site and promotion of the Winter Wonderland event. The ice rink will be in situ and operational from 28 June 2014 – 27 July 2014.

The ice rink measures 15m x 10m and is enclosed in a 30m x 15 m marquee (secured to wind rating of Category 1). Protective flooring is laid onto the pavers before the ice rink is installed – this ensures that the area is flat and that pavers are protected.

Sponsorship will be sought for the event and Falls Creek has already indicated that they may be prepared to offer a “snow holiday” as a major prize for a competition.

In order for this event to take place in July 2014, planning will need to commence in December 2013. This will include a tender process for the ice rink and security provider.

BUDGET

The budget implications are as follows:

Item	2014/15
Council cash	75,000.00
JRMMC cash	75,000.00
Total	\$ 150,000.00

LIFE CYCLE COSTS

If approved, ongoing financial support would be sought from Council.

Item No: **14.11**

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

Date: 26 November 2013

Written By: Accountant

General Manager: Corporate Services, Mr I Walker

SUMMARY

Attached are financial reports as at 31 October 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.

RECOMMENDATION

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

- 1. Municipal Activities**
 - a projected operating surplus for 2013/14 of \$18k
 - a projected capital expenditure for 2013/14 of \$12.897 million
 - a projected funding requirement for 2013/14 of \$1.858 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 \$1.451 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 October 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.

Broadway Kiosk

Settlement and assignment of the lease occurred on 1 November 2013. Council has incurred significant legal fees however this will be offset by an increase in rental income over the remaining 15 years of the lease (from \$5,000 to \$200,000 pa). It is proposed to amend the budget at the mid-year budget update.

Insurance and Work, Health & Safety

In October, Council received an unbudgeted \$93,000 as 'special distributions' from the LGAWCS, LGAMLS and LGAAMF. In addition, annual rebates received were \$39,000 higher than budget. Rebates are essentially a return of the various schemes' net proceeds and are allocated to councils based on risk audits and claims performance. These are permanent variances however the funds will be re-invested into further improving risk management and implementation of the LGAWCS 'One System' framework, to further underpin improved audit outcomes and lower claims. As the specific nature of the additional WHS programs are yet to be determined the current budget will be updated as part of the mid-year budget review.

Brighton Caravan Park

FreeSpirit Resorts Pty Ltd took over the daily management of the Brighton Caravan Park from 1 July 2013. From 1 July to 31 October 2013 the income from the park has been steadily increasing which reflects a steady increase in the occupancy of the park since FreeSpirit Resorts Pty Ltd took over. A separate report will be provided early in 2014 detailing the first 6 months operation of the Brighton Caravan Park from 1 July 2013 since FreeSpirit Resorts Pty Ltd took over management.

At 31 October 2013, Council had net borrowings of \$8.8 million, comprising:

Borrowings	\$15.1m
Less	
Cashed back reserves	\$3.2m
Working Capital	\$0.9m
Amounts owing by sporting groups	\$2.2m
Net:	\$8.8m

Alwyndor Aged Care

At 31 October, Alwyndor had \$9.5m 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 October 2013

Original Budget \$,000	Revised Forecast \$,000	Actual YTD \$,000
29,961 Rates General	29,963	29,927
2,394 Statutory Charges	2,400	863
2,442 User Charges	3,053	619
2,918 Operating Grants and Subsidies	3,186	1,260
203 Investment Income	160	57
391 Reimbursements	413	371
0 Commercial Activity Revenue	0	36
539 Other Income	530	209
38,849 Operating Revenue	39,705	33,342
11,379 Salaries	11,434	3,615
3,840 Wages	3,847	1,377
8,179 Contractual Services	8,913	2,582
2,718 Materials	2,787	923
849 Finance Charges	849	8
7,381 Depreciation	7,525	1,881
4,558 Other Expenditure	4,697	1,761
(365) Less full cost attribution - % admin costs capitalised	(365)	0
38,539 Less Operating Expenditure	39,687	12,147
309 =Operating Surplus/(Deficit)	18	21,196
212 Provisions	212	0
7,381 Depreciation	7,525	1,881
7,593 Plus Non Cash Items in Operating Surplus/(Deficit)	7,737	1,881
7,902 =Funds Generated from Operating Activities	7,755	23,076
1,000 Amounts Received for New/Upgraded Assets	1,000	1,170
255 Proceeds from Disposal of Assets	2,255	0
1,255 Plus Funds Sourced from Capital Activities	3,255	1,170
5,203 Capital Expenditure on Renewal and Replacement	5,326	575
6,433 Capital Expenditure on New and Upgraded Assets	7,571	3,833
11,635 Less Total Capital Expenditure	12,897	4,408
29 Plus:Repayments of loan principal by sporting groups	29	7
29 Plus/(less) funds provided (used) by Investing Activities	29	7
(2,449) = FUNDING SURPLUS/(REQUIREMENT)	(1,858)	19,845
Funded by		
0 Increase/(Decrease) in Cash & Cash Equivalents	0	1,171
(733) Non Cash Changes in Net Current Assets	(142)	20,978
(3,550) Less: Proceeds from new borrowings	(3,550)	(2,500)
1,834 Plus: Principal repayments of borrowings	1,834	197
(2,449) =Funding Application/(Source)	(1,858)	19,845



City of Holdfast Bay Capital Summary by Budget Item to October 2013

Original Budget \$,000	Revised Forecast \$,000	Actual YTD \$,000
365 City of Holdfast Bay Contra Account	365	0
0 Corporate Services - Administration	0	7
237 Information Technology	237	98
70 Brighton Library	70	19
15 Business & Visitor Marketing Administration	15	14
80 Depot and Stores	80	0
0 Environment and Engineering Admin	0	1
677 Machinery Operating	756	113
3,000 Caravan Park	3,000	6
759 Road Construction and Re-seal Program	759	33
331 Footpath Program	331	85
107 Traffic Control Construction Program	722	365
0 Signage Program	0	4
603 Kerb and Water Table Construction Program	603	4
80 Other Transport - Bus Shelters etc.	80	55
821 Reserve Improvements Program	919	180
85 Environmental Capital Projects	85	6
1,575 Land, Buildings and Infrastructure Program	1,619	2,158
270 Roads to Recovery	270	0
200 Streetscape Program	354	33
2,360 Foreshore Improvements Program	2,551	1,183
0 HEAT Fund	80	43
11,635 Total	12,897	4,408



Alwyndor Aged Care Funds Statement as at 31 October 2013

<i>Original Budget</i> \$,000	<i>Revised Forecast</i> \$,000	<i>Actual YTD</i> \$,000
5,263 User Charges	5,263	1,136
9,759 Operating Grants and Subsidies	9,759	3,129
485 Investment Income	485	120
355 Reimbursements	355	107
151 Other Income	151	50
444 Alwyndor Donations and Contributions	444	413
16,457 Operating Revenue	16,457	4,955
12,277 Salaries	12,277	3,404
1,682 Contractual Services	1,682	641
817 Materials	817	280
100 Finance Charges	100	19
568 Depreciation	568	0
401 Other Expenditure	401	150
15,845 Less Operating Expenditure	15,845	4,495
612 =Operating Surplus/(Deficit)	612	461
568 Depreciation	568	0
568 Plus Non Cash Items in Operating Surplus/(Deficit)	568	0
1,180 =Funds Generated from Operating Activities	1,180	461
0 Proceeds from Disposal of Assets	0	9
0 Plus Funds Sourced from Capital Activities	0	9
2,631 Capital Expenditure on New and Upgraded Assets	2,631	1,617
2,631 Less Total Capital Expenditure	2,631	1,617
(1,451) = FUNDING REQUIREMENT	(1,451)	(1,147)
Funded by		
(2,019) Increase/(Decrease) in Cash & Cash Equivalents	(2,019)	(681)
568 Non Cash Changes in Net Current Assets	568	(466)
(1,451) =Funding Source	(1,451)	(1,147)



Alwyndor Aged Care Capital Summary by Budget Item to October 2013

<i>Original Budget \$,000</i>	<i>Revised Forecast \$,000</i>	<i>YTD Actuals \$,000</i>
2,322 Hostels	2,322	1,581
182 Nursing Home	182	28
127 Hospitality Services	127	8
2,631 Total	2,631	1,617

The Hon John Rau MP



Government
of South Australia

8088908/8098337

15 November 2013

Mr Justin Lynch
Chief Executive Officer
City of Holdfast Bay
PO Box 19
BRIGHTON SA 5048

Deputy Premier
Attorney-General
Minister for Planning
Minister for Industrial Relations
Minister for Business Services
and Consumers

45 Pirie Street
Adelaide SA 5000

GPO Box 464
Adelaide SA 5001
DX 336

Tel 08 8207 1723
Fax 08 8207 1736

Attention: Sue Giles

Dear Mr Lynch

Thank you for your request that the Heritage and Character Development Plan Amendment (DPA) be given Approval.

I have given careful consideration to this matter pursuant to section 25(15) of the *Development Act 1993* and, following advice from the Local Heritage Advisory Committee, the Development Policy Advisory Committee and the Department of Planning, Transport and Infrastructure (the Department), I am writing to Council to advise that I am considering alterations to the DPA as provided in **Attachment 1**.

You are advised that I will consider Council's response to the recommended changes, any supporting material and an amended DPA in my consideration of the DPA for approval.

Interim operation of the DPA will cease on 21 March 2013, therefore I seek Council's urgent attention to this matter and request that a response be provided by close of business **Friday 13 December 2013**.

Please note I will assume, if no response is received by this date, that Council has no objection or comment to make on the proposed alterations.

Once I have received Council's comments I shall determine what further action I shall take.

Yours sincerely

A handwritten signature in blue ink, appearing to read "John Rau", written over a circular stamp.

John Rau
Deputy Premier
Minister for Planning

Att.

Attachment 1

No.	LHAC folder reference	Property	Recommendation
1.	5	44 The Crescent, Brighton	RETENTION of this item on the Local Heritage List and amend Extent of Listing to delete criteria (d) and (e).
2.	10	13 Gladstone Road, North Brighton	RETENTION of this item on the Local Heritage List and amend Extent of Listing to delete criterion (a).
3.	12	12-16 King George Avenue, North Brighton (Office – former Coach House)	REMOVAL
4.	13	12-16 King George Avenue, North Brighton (Avenue of Trees)	REMOVAL
5.	14	12-16 King George Avenue, North Brighton (Conifers – two)	REMOVAL
6.	3	9 Weewanda Street, Glenelg South	RETENTION of this item on the Local Heritage List and amend Extent of Listing to: [two storey face brick building, with hipped tiled roof, timber wrap-around corner windows, timber lined eaves, fluted brick chimneys, brick balcony balustrades. Front fence of brick construction. Exclusions: external timber staircases, garages, external plumbing and gutters

Item No: **14.12**

Subject: **HERITAGE AND CHARACTER DEVELOPMENT PLAN AMENDMENT**

Date: 26 November 2013

Written By: Team Leader Strategic Policy and Planning

General Manager: Corporate Services, Mr I Walker

SUMMARY

The Heritage and Character Development Plan amendment (DPA) has been submitted to the Minister for approval following public consultation. The Minister seeks Council's response to his intention to amend the DPA by removing three proposed Local Heritage Places and other minor amendments.

RECOMMENDATION

That Council advises the Minister that it has considered the alterations the Minister is considering to the Heritage and Character DPA as outlined in Attachment 1 of his letter dated 15 November 2013, and

- (a) notes that the Minister has not provided any rationale for his proposed amendments
 - (b) notes and does not object to the recommended alterations to the criteria in relation to 44 The Crescent, Brighton and 13 Gladstone Road, North Brighton and the variation to the extent of the listing for 9 Weewanda Street, Glenelg South, and
 - (c) does/does not support removal of the Office - former coach house at 12 – 16 King George Ave North Brighton
 - (d) does/does not support removal of the Avenue of Trees at 12 – 16 King George Ave North Brighton
 - (e) does/does not support removal of the two conifers at 12 – 16 King George Ave North Brighton.
-

COMMUNITY PLAN

A Place that Celebrates Culture
A Place that is Well Planned

COUNCIL POLICY

Not Applicable.

STATUTORY PROVISIONS

In accordance with section 25 of the Development Act 1993, Council has submitted the draft Heritage and Character DPA to the Minister for approval. The Minister has received advice from the Advisory Committee (Local Heritage Advisory Committee - LHAC and Development Policy Advisory Committee – DPAC) and now seeks to alter the DPA.

Clause 15 (a) allows for the Minister to alter an amendment prepared by a council after consultation with the Council. The Minister has advised in his letter that Council is required to respond by 13 December.

The DPA is currently on interim effect until March 2014, in accordance with section 28 of the Development Act 1993.

BACKGROUND

Council endorsed the draft Heritage and Character DPA on 8 February 2013 to be submitted to the Minister for Planning to seek approval to undertake public and agency consultation, and for the DPA to be placed under interim operation (Report 45/11). The proposed DPA included the listing of an additional 24 Local Heritage Places and minor changes to the streetscape policies in the residential zone and council wide policies relating to State and Local Heritage Places and Contributory Items.

The DPA was approved for public consultation and interim operation by the Minister on 23 January 2013 and was subsequently gazetted on 21 March 2013. On 23 April 2013 Council appointed a Public Meeting Committee (Report 137/13), appointing Councillors Yates, Patterson and Fisk. The consultation period concluded on 17 May 2013, and the public meeting was held on 29 May 2013.

An additional review was undertaken of most of the properties for which submissions had been received from property owners (based on content of submissions); the review recommended listing 22 properties as Local Heritage Places.

Council's Strategic Planning and Development Policy Committee resolved on 13 August 2013 (Report 250/13) that it endorsed the 'Summary of Consultation and Proposed Amendments Report' (SCPA) and the amended 'Heritage and Character Development Plan Amendment – The Amendment - For Approval' with the retention of the 'Avenue of Trees' at the Minda Property, King George Avenue (total of 23 proposed Local Heritage Listed properties), to be submitted to the Minister. This was subsequently endorsed by Council on 27 August 2013 (Report 302/13).

The Amendment and associated reports and information were submitted to DPTI early in September 2013.

LHAC reviewed the amendment, the supporting material, the consultation process and the submissions made by property owners. LHAC gave the opportunity to property owners who had submitted objections to the listings to make a representation about the listing against the provisions under section 23 of the *South Australian Development Act 1993* at a hearing on 24 October 2013. Council staff attended the hearing to answer a number of questions regarding the amendment and the consultation process.

The Minister has received advice from LHAC and DPAC.

REPORT

As outlined in Attachment 1, the Minister proposes to amend the criteria for the listing of two properties (44 The Crescent Brighton, and 13 Gladstone Road North Brighton) and proposes to add one word to clarify the extent of listing for 9 Weewanda street Glenelg South. These minor changes will not materially affect the protection of or the proposed Local Heritage status of the 3 properties, and it is recommended that council not object to these changes.

Refer Attachment 1

As discussed below, the Minister also proposes to remove three properties from Council's proposed Local Heritage listing in the DPA. It is noted that the Minister has not provided any rationale for this decision.

Attachment 2 provides details of each of the proposed places, including Council's original professional advice, the review undertaken by heritage architects Grieve Gillett and the text of the SCPA.

Refer Attachment 2

Office - former coach house at 12 – 16 King George Ave North Brighton

Council's original heritage assessments opined that the building satisfies criteria a, c, d, and e.

The objector queried whether the former coach house satisfies all the criteria, and argued that economic viability of the Minda site would be affected and that there are OHS &W issues in respect to vermin, access and compliance. Minda further argued that 'retention of the Coach House will have a significant impact on the final outcomes and quality of the redevelopment of the Brighton Campus, particularly with proposed realignment of traffic access as this will block vistas to the coast created between Brighton House and Frank Hayward House'.

Council's independent heritage review recommended retaining the property as a Local Heritage Place on the basis that it satisfies criterion a.

It is noted that the Master Plan prepared by Minda Incorporated anticipates the removal of the coach house and that its retention would inhibit the proposed vistas from the front of the site through to the proposed wetlands.

Avenue of Trees at 12 – 16 King George Ave North Brighton

The Avenue was originally listed as having satisfied criterion g, which reads *'in the case of a tree (without limiting a preceding paragraph) – it is of special historical or social significance or importance within the local area'*.

The objector argued: *'Fifteen (15) trees are 'regulated trees' and only 8 are 'significant' pursuant to the Development Act 1993 and one (1) does not qualify for either type of protection. Eight (8) are in good health and sixteen (16) are in average health. Trees range markedly in age and size and nearly all have been lopped resulting in epicormic regrowth.*

Twenty three (23) out of twenty four (24) trees already meet the 'regulated' or 'significant' tree criteria under the Development Act 1993. This allows for more flexible management of trees based on health and condition. Local Heritage listing trees does not positively facilitate ongoing management of trees as it only considers heritage value.'

Council's independent heritage reviewer Grieve Gillett recommended against listing the avenue of trees. However Council at its meeting of 27 August resolved to retain the avenue of trees after discussions at its Strategic Planning and Development Policy Committee about the significance of the avenue to the local community

Under Minda's master plan for the North Brighton site, the significant trees are proposed to be retained, but the Plan does not indicate clearly whether any more trees will be retained. Removal of the regulated trees would require development approval.

Two conifers at 12 – 16 King George Ave North Brighton

The two conifers were also listed as satisfying criterion g. The objector noted that they are protected as significant trees, and noted that Minda's masterplan does not propose to remove the two trees.

BUDGET

There are no budget implications.

LIFE CYCLE COSTS

There are no life cycle costs.

Office - Former Coach House
Minda Homes Complex
12 – 16 King George Ave North Brighton

OFFICE, (FORMER COACH HOUSE)

Address: Minda Home Complex, 12-16 King George Ave, North Brighton 5048
Certificate of Title: 5315/870

Use: Office
HCZ Area: -

Heritage Status: Nil
Other Assessments: *Brighton Heritage Survey, 1991*
Brighton Heritage Review, 1998



HISTORY AND DESCRIPTION:

Now known as Frank Hayward House, this dwelling was constructed in 1860 by John Hodgkiss and originally known as Lawn House.

The property was purchased by Minda Homes Incorporated in 1909, and was renamed Frank Hayward House in honour of one of the benefactors of Minda Home. It is now used for administrative functions.

The former Coach House, located just north of Frank Hayward House, is directly associated with the main house. It is a two storey masonry building (also painted) with a steeply pitched gabled roof with decorative timber barge boards and finials. The remainder of the building has minimal detailing.

STATEMENT OF HERITAGE VALUE:

The former Coach house is a significant element within the grounds, associated historically with Frank Hayward House.

RELEVANT CRITERIA (under Section 23(4) of the *Development Act, 1993*):

- (a) The former Coach House displays historical and social themes that are of importance to the City of Holdfast Bay, as an associated outbuilding to a notable early Brighton residence.
- (c) The building, as part of the Minda Home Complex, has played an important part in the lives of local residents, and more specifically the lives of the residents and staff of Minda Home.
- (d) The former coach house displays aesthetic merit and design characteristics of significance to the City of Holdfast Bay as a good example of the associated outbuildings erected to service a grand 1860s residence.
- (e) The building is associated with John Hodgkiss, a notable resident, Mayor and a member of the Legislative Council

EXTENT OF LISTING:

Original external form, materials and detailing of the 1860 Coach House. The vista across the main lawn is an important aspect of the visual prominence of the two buildings.

REFERENCES

- Site visit 2009
- Brighton Heritage Survey and Review, McDougall & Vines 1998

City of Holdfast Bay Local Heritage Review

Local Heritage Places



Property
 Minda Home Complex – Office, former Coach house
Address
 16 King George Avenue, North Brighton
 CT 5315/870



Summary	++	+	0	-	--
Phys condition	X				
Hist evidence			X		
Integrity			X		
Rarity		X			
Representation			X		
Sufficient extant to rep. themes					X

History
 Erected as coach house associated with (now) Frank Haywood House – erected 1860 by notable local, John Hodgkiss. Dwelling and coach house was sold to Minda Homes Inc in 1909.

Period photographs used to determine construction date by Objector. Objector claims photo dates/ views as follows:
 B8055 (c1872, Objector) – we agree, based on SLSA attribution on-line. When compared on site, the coach house should be seen in the photograph if erected by this date. A glasshouse and single storey structure can be seen in this image – but no 2 storey coach house. It should be noted though that the coach house may have initially been the single storey structure.
 B7275/1 (c1880, Objector) – we are unsure where this date comes from, as the SLSA does not give a date for this image. The image probably dates from 1872+ 10yrs max, given that the house still looks the same as the other image, but the garden has advanced in growth.

Description & Context

Two storey rubble limestone structure, in Gothic Revival style, with brick dressed openings, steep CGI gable roof and 'picturesque' detailed timberwork. Construction stone matches that of Frank Haywood House. High level window openings and vent slots confirm stable building function. Building painted at a later date and many windows replaced.
 The building could have (possibly) been first erected as a single storey structure (ref c1872 image) and then added to later – continuous string course around building breaks both floors – but this cannot be proved.

Physical Assessment

Average to fair condition. Paint finish to stonework compromises integrity, but is reversible.

Criteria (Sec 23 (4) SA Dvt Act

(a) It displays historical, economic or social themes that are of importance to the local area

(b) It represents customs or ways of life that are characteristic of the local area

(c) It has played an important part in the lives of local residents

(d) It displays aesthetic merit, design characteristics, or construction techniques of significance to local area

(e) It is associated with a notable local personality or event

(f) It is a notable landmark in the area

(g) In the case of a tree, it is of special historical or social significance or importance within the local area

Comparative analysis

Statement of Heritage Value

Assessment

Believe that the coach house building was erected 1875-80s. It is noted by the Objector that Hodgkiss died 1886 – but the association is still valid in our opinion, as the estate continued to operate until 1909. The coach house displays historical themes of importance as it is directly associated with the 1860-1909 Lawn House farm estate. The coach house is one of the key outbuildings typically erected to service such estates of the late 19th Century and provides local understanding of the scale and operations of the place. **Criterion (a) does apply.**

n/a

Do not agree with Heritage Survey – building is not a key part of the Minda Home operation – has been ancillary, not important to their operations. **Criterion (c) does not apply.**

Coach house is of aesthetic note as a 'gothic revival' styled outbuilding coach house/stable of the late 19th Century. We believe there is insufficient architectural detail remaining to consider the design of 'merit' in this instance. **Criterion (d) does not apply.**

The association is not considered strong enough – the subject building was an outbuilding, not Hodgkiss' residence. The residence is the primary evidence of his notable importance and wealth in the community. **Criterion (e) does not apply.**

n/a

n/a

Other outbuildings still extant – but not many.

Suggest the following alteration in emphasis:

"the c1880 Lawn House estate coach house is of historic significance to the local area as an illustration of a mid-late 19th Century outbuilding associated with a notable estate farm. The coach house is one of the key outbuildings typically erected to service such estates of the late 19th Century and provides local understanding of the scale and operations of the place".

Recommendation

Elements of Heritage Value

Recommend that the former coach house at 12-16 King George Avenue, North Brighton meets criterion (a) of Section 23 (4) of SA Dvpt Act.

Two storey coach house, inc. original stone walls, brick dressed openings, CGI clad gable roof, decorative gable bargeboards and finials.

Exclusions: verandah and later window joinery/glazing.

Attachment A – Summary and Response to Public Submissions

Sub No.	Name and Address	Submission Summary	Comment	Council Response
10.	<p>Jensen Planning & Design on behalf of: Minda Incorporated 12-16 King George Avenue NORTH BRIGHTON</p>	<p>General Comments Minda already manages one Local and three State Heritage Places for enjoyment of Minda and wider community. Concern is raised regarding extent of new listings sought for Brighton Campus</p>	<p>Noted</p>	<p>No Change to DPA</p>
<p>Impacts of existing listings and proposed listings (DPA Appendix 2) understates the impacts of the new heritage listings on development potential within Minda Complex. Specific objections include:</p> <ul style="list-style-type: none"> o Minda Home Complex is not a State Heritage Place, rather individual buildings in the Complex are listed. o Proposed listings will have an impact on financial viability of redevelopment potential of the site through additional costs associated with retaining and retrofitting a heritage listed building, o Constraints for ongoing maintenance of trees already protected by Development Act 1993. 				
<p>Appendix 2 incorrectly identifies the whole Complex as a State Heritage Place and argues that the proposed listings does not affect development potential on the site. Despite this error, the impacts of the new Local Heritage listings are still considered to be minor.</p> <p>In assessments of local heritage value, the local heritage criteria does not require matters such as financial impacts for individual sites to be assessed.</p> <p>Refer to comments (below) regarding the proposed heritage listing of the conifers and eucalypts.</p>				
<p>Office (Former Coach House)</p> <ul style="list-style-type: none"> • Rationale for listing the coach house based on statutory criteria (a), (c), (d) and (e). 				
			<p>The independent heritage consultant advises the two storey former coach house meets Local Heritage criterion (a) and recommends retaining it as a Local Heritage Place</p>	<p>Retain listing</p>

Attachment A – Summary and Response to Public Submissions

Specific objections include:

- Evidence to suggest Coach House was not constructed until 1890s not 1860s as claimed in DPA. High emphasis in survey placed on importance of Coach House to Frank Hayward House. If coach house was constructed at later date this raises significant questions regarding its relevance to John Hodgkiss (builder of Frank Hayward House).
- Little evidence to suggest building has played an important part in lives of the community and people who lived and worked on the Complex (criterion c). Other buildings on site are far more significant to Minda and community. Buildings are in state of diminished historic integrity with little evidence to support role of buildings played with community. Buildings rely on aesthetic and design characteristics (criterion d) but are not referred to in any detail in DPA (assessment sheet).
- Building is of simple masonry construction with minimal detailing and features (coupled with its siting) means retention of the building will not add to aesthetic quality of the site (criterion d).
- Building is rarely used by Minda due to OHS&W concerns related to vermin, access and compliance. Ongoing maintenance and use is not in the financial or operational interests of Minda.

In assessments of Local Heritage value, the Local Heritage criteria does not require matters such as lack of use, lack of maintenance (e.g. vermin control) or financial impacts for individual sites to be assessed.

Attachment A – Summary and Response to Public Submissions

- Master Plan was prepared for Minda in consultation with the community and Council. Retention of the Coach House will have a significant impact on the final outcomes and quality of the redevelopment of the Brighton Campus, particularly with proposed realignment of traffic access as this will block vistas to the coast created between Brighton House and Frank Hayward House.

Noted. In assessments of Local Heritage value, the local heritage criteria does not require matters such as potential development constraints to be assessed.

Avenue of Trees

- Report notes rationale for listing avenue of trees is based on statutory criterion (g).
- Dash Architects (submission Appendix 2) note that avenue provides a 'visually impressive frame' for entrance to Campus but this is not a sound basis for Local Heritage listing. The 'special historic value' that the trees represent is of greater importance. Evidence of this value is limited and listing relies on association with former residential use of the site as part of a landscaping theme.
- The listing and DPA text highlights role as a 'frame' of approach into Campus, and Minda Master Plan relocates primary vehicle entrance so this role will change from a frame to a historic remnant of the sites past and former landscape theme.
- Report prepared by Tree Environs notes that 5 trees have been removed between October 2011 and May 2013 due to poor health. The proposed listing is based on

The independent heritage consultant advises the Avenue of Trees does not meet any of the section 23(4) Local Heritage criteria and recommends removing Local Heritage Place.

Retain listing

At its meeting on 27 August 2013 Council endorsed retaining the 'avenue of trees' as a Local Heritage Place.

Amend Development Plan
'Description of Place and Extent of Listing' to incorporate tree species latin name as follows:
'Avenue of trees (Avenue of River Red Gum (*Eucalyptus Carnaldulensis*) trees either side of the main driveway, from the intersection with King George Avenue, to the commencement of the main lawn area)

Attachment A – Summary and Response to Public Submissions

advice dating back to 2009.

- Age of trees cannot be ascertained without accurate historic records.
- Fifteen (15) trees are 'regulated trees' and only 8 are 'significant' pursuant to Development Act 1993 and one (1) does not qualify for either type of protection. Eight (8) are in good health and sixteen (16) are in average health. Trees range markedly in age and size and nearly all have been lopped resulting in epicormic regrowth.
- Twenty three (23) out of twenty four (24) trees already meet the 'regulated' or 'significant' tree criteria under the Development Act 1993. This allows for more flexible management of trees based on health and condition. Local Heritage listing trees does not positively facilitate ongoing management of trees as it only considers heritage value.
- If the listing is endorsed by Council it should include the formal species and common names and clearly define the extent of listing, particularly to western side.

Conifers (2)

- Insufficient information provided in DPA to suggest trees have special historic value beyond association with former residence.
- Master Plan does not propose to remove trees. Tree Environs report (submission Appendix 3) notes trees rare in good health

Independent heritage consultant and independent landscape architect advise that the two conifers satisfactorily meet section 23(4) criterion (g) and recommends retaining as Local Heritage Place.

Retain listing:

Amend Development Plan 'Description of Place and Extent of Listing' from

"Pine trees – two (Norfolk Island Pine and New

Attachment A – Summary and Response to Public Submissions

<p>and over 120 years old.</p> <ul style="list-style-type: none">• Trees are already protected under the Development Act as significant trees which enables a more pragmatic consideration of management of the trees.• If the listing is endorsed by Council it should include formal species and common names.	<p>Caledonian Pine in their entirety)</p> <p>To incorporate latin names for conifers as follows:</p> <p>“Conifers - two (New Caledonian Pine <i>Auracaria Columaris</i> and Norfolk Island Pine <i>Auracaria Heterophylla</i> in their entirety)”</p>
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Attachment A – Summary and Response to Public Submissions

Dash Architects

- (additional comments not covered in submission report by Jensen Planning & Design)
- Role of Heritage Survey and subsequent DPA is to demonstrate fulfilment of nominated Local Heritage place heritage values against Development Act criteria.
 - Historical research undertaken as part of preparation of 2008 heritage survey (prepared by McDougall and Vines) should be made available to the public to inform submissions. Brief historical overviews provided in DPA only outlines findings of previous research making it difficult to substantiate how, why or if a place is of specific importance or significance to local area.
 - Heritage listings largely proposed due to (claimed) associated heritage values is highly questionable practice. If a proposed local heritage place's value lays in association with an existing item it would be more appropriate to consider these items collectively as part of listing of a broader Local Heritage Place.
 - 2010 Heritage Places Review report (2010 by Bruce Harry & Associates) states all three proposed Local Heritage Places were proposed in the Post 1930s Heritage Review (2008 by McDougall & Vines). Unclear why identified without access to the (2008) Review and raises serious questions regarding general level of detail provided by the DPA through consultation process and extent to which findings can be substantiated. Requests to see copy of 2008 Review if released by Council.

On 13 August 2013 Council released the Post 1930's Heritage Review (survey) from confidence. A copy of the survey has been forwarded to the submitter's representative. Refer to individual responses above.

Attachment B – Summary and Response to Public Meeting Submissions

7. Jason Shultz (Dash Architects) & Karl Sampson on behalf of:
Minda Homes Inc
12-16 King George Avenue
NORTH BRIGHTON
(Objections to three (3) proposed Local Heritage Places)

- Original 2008 heritage survey (McDougall and Vines) missing from public consultation documents making it difficult to submit a fully considered objection. Contains survey methodology and approach not available to inform objection submission and needed to establish significance of proposed listings.
- All three listings pre-date post-1930's survey era.
- Long history of surveys not available for public viewing and multiple requests made to view information during public consultation period (even checked library).
 - Brighton Heritage Review (1998) survey listed additional buildings on site but these are absent from (publicly released) survey sheet information. Critical information needed.
- Questions accuracy of survey information and research.
- Extent of proposed listings questioned.
- Survey makes broad and sweeping statements which are inaccurate and misleading
- Listings will have substantial impacts on redevelopment plans.

Coach House

- Survey sheet contains information that is irrelevant to the merits of the proposed listing.

Issues raised in public meeting very similar to written submission. Refer to Attachment A (submission 12) for comments and Council Response.

Attachment B – Summary and Response to Public Meeting Submissions

- Built around 1890s. Suggests survey sheet has incorrect building age.
- Does not meet criteria b, d & e.

Two pine trees

- Questions criteria applied (to nominate), research accuracy and subjective nature of proposal
- Trees are protected under significant tree legislation.
- Accepts that trees do date from original construction of coach house but they are remnant, well setback from the street (not highly visible) and surrounding garden is gone.
- Survey sheet does not establish historical or local significance.

Avenue of Trees

- Trees are remnant plantings of former residence. Changes proposed to entrances in master plan and trees proposed to be retained

Avenue of Trees
Minda Homes Complex
12 – 16 King George Ave North Brighton

AVENUE OF TREES

Address: Minda Home Complex,
12-16 King George Ave,
North Brighton 5048

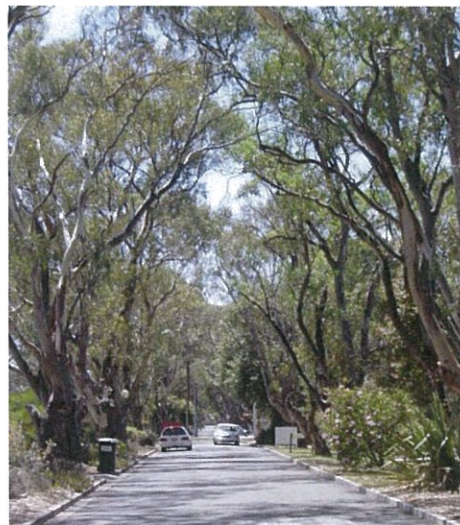
Certificate of Title: 5315/870

Use: Trees

HCZ Area: -

Heritage Status: Nil

Other Assessments: *Brighton Heritage Survey, 1991*
Brighton Heritage Review, 1998



HISTORY AND DESCRIPTION:

The River Red Gums (*eucalyptus camaldulensis*) lining the Minda Home driveway are a part of the original driveway plantings undertaken in 1862 by John Hodgkiss, running from Brighton Road in the east to his residence, Lawn House (now Frank Hayward House). The trees were originally donated to Hodgkiss (and other landholders) by the Brighton Council. Other sections of the original alignment are located along Ilfracombe Avenue.

STATEMENT OF HERITAGE VALUE:

The Avenue of River Red Gums dates from 1862, and was planted by John Hodgkiss to line the driveway from his residence, Lawn House (now Frank Hayward House), to Brighton Road (the extent of the original property). They are mature specimens of *Eucalyptus camaldulensis* and form a visually impressive frame to the approach into the Minda Home Complex. They are indicative of the extent of Hodgkiss' large landholding in the area.

RELEVANT CRITERIA (under Section 23(4) of the *Development Act, 1993*):

- (g) The avenue of River Red Gums on the site is associated with the earliest planting of the grounds of the former house and complex.
-

EXTENT OF LISTING:

Avenue of River Red Gums either side of the main driveway, from the intersection with King George Avenue, to the commencement of the main lawn area.

REFERENCES

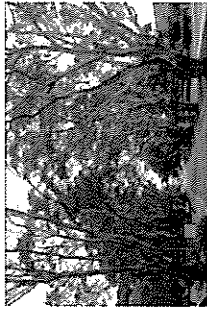
- Brighton Heritage Survey and Review, McDougall & Vines 1998
 - Site visit 2009
-

City of Holdfast Bay Local Heritage Review

Local Heritage Places



Property	Minda Home Complex – Avenue of Trees
Address	16 King George Avenue, North Brighton CT 53151870
Summary	++ + 0 - - -
Phys condition	x
Hist evidence	
Integrity	
Rarity	
Representation	n
Sufficient extant to rep. themes	
History	River red Gums planted 1862, as part of a formal driveway to John Hodgkiss' 1860 dwelling. Trees donated by Brighton Council. Also extend between King George Ave and Brighton Rd (off subject property)
Description & Context	Avenue of River red gums down (current) driveway. Trees are in varying states of health (Objector's Arborist report) and date from the period stated in the History statement. Trees stop some distance from John Haywood House and are not a rare species in local area.
Physical Assessment	Use of 'native' tree species for a formal driveway is of historical interest though.
Fair condition, although many trees appear to have been pruned over the years.	



Criteria (Sec 23 (4) SA Dvt Act	Assessment
(a) It displays historical, economic or social themes that are of importance to the local area	n/a
(b) It represents customs or ways of life that are characteristic of the local area	n/a
(c) It has played an important part in the lives of local residents	n/a
(d) It displays aesthetic merit, design characteristics, or construction techniques of significance to local area	n/a
(e) It is associated with a notable local personality or event	n/a
(f) It is a notable landmark in the area	n/a
(g) In the case of a tree, it is of special historical or social significance or importance within the local area	Do not believe trees are of 'special historical or social significance or importance' to the local area – of historical interest as a part of the John Hodgkiss estate of 1860, but not as obvious in evidence when compared with 1860 dwelling, outbuildings and remnant exotic plantings in front of the dwelling. Trees as examples of their species of importance – this is already covered by Significant Tree legislation.
Comparative analysis	Many River Red Gums in local area in natural and informal plantings. Few in formal planting arrangements (except for Ilfracombe Ave).
Statement of Heritage Value	Do not support. Trees are of historical note, but not of sufficient 'special ...importance' to the local area.
Recommendation	Recommend that the avenue of River Red Gum trees does not meet any of criteria in Section 23 (4) of SA Dvpt Act.
Elements of Heritage Value	n/a

Attachment A – Summary and Response to Public Submissions

Sub No.	Name and Address	Submission Summary	Comment	Council Response
10.	Jensen Planning & Design on behalf of: Minda Incorporated 12-16 King George Avenue NORTH BRIGHTON	<p>General Comments Minda already manages one Local and three State Heritage Places for enjoyment of Minda and wider community. Concern is raised regarding extent of new listings sought for Brighton Campus</p>	Noted	No Change to DPA
<p>Impacts of existing listings and proposed listings (DPA Appendix 2) understates the impacts of the new heritage listings on development potential within Minda Complex. Specific objections include:</p> <ul style="list-style-type: none"> o Minda Home Complex is not a State Heritage Place, rather individual buildings in the Complex are listed. o Proposed listings will have an impact on financial viability of redevelopment potential of the site through additional costs associated with retaining and retrofitting a heritage listed building. o Constraints for ongoing maintenance of trees already protected by Development Act 1993. 				
<p>Appendix 2 incorrectly identifies the whole Complex as a State Heritage Place and argues that the proposed listings does not affect development potential on the site. Despite this error, the impacts of the new Local Heritage listings are still considered to be minor.</p> <p>In assessments of local heritage value, the local heritage criteria does not require matters such as financial impacts for individual sites to be assessed.</p> <p>Refer to comments (below) regarding the proposed heritage listing of the conifers and eucalypts.</p>				
<p>Office (Former Coach House)</p> <ul style="list-style-type: none"> • Rationale for listing the coach house based on statutory criteria (a), (c), (d) and (e). <p>The independent heritage consultant advises the two storey former coach house meets Local Heritage criterion (a) and recommends retaining it as a Local Heritage Place</p>				
				Retain listing

Attachment A – Summary and Response to Public Submissions

Specific objections include:

- Evidence to suggest Coach House was not constructed until 1890s not 1860s as claimed in DPA. High emphasis in survey placed on importance of Coach House to Frank Hayward House. If coach house was constructed at later date this raises significant questions regarding its relevance to John Hodgkiss (builder of Frank Hayward House).
- Little evidence to suggest building has played an important part in lives of the community and people who lived and worked on the Complex (criterion c). Other buildings on site are far more significant to Minda and community. Buildings are in state of diminished historic integrity with little evidence to support role of buildings played with community. Buildings rely on aesthetic and design characteristics (criterion d) but are not referred to in any detail in DPA (assessment sheet).
- Building is of simple masonry construction with minimal detailing and features (coupled with its siting) means retention of the building will not add to aesthetic quality of the site (criterion d).
- Building is rarely used by Minda due to OHS&W concerns related to vermin, access and compliance. Ongoing maintenance and use is not in the financial or operational interests of Minda.

In assessments of Local Heritage value, the Local Heritage criteria does not require matters such as lack of use, lack of maintenance (e.g. vermin control) or financial impacts for individual sites to be assessed.

Attachment A – Summary and Response to Public Submissions

- Master Plan was prepared for Minda in consultation with the community and Council. Retention of the Coach House will have a significant impact on the final outcomes and quality of the redevelopment of the Brighton Campus, particularly with proposed realignment of traffic access as this will block vistas to the coast created between Brighton House and Frank Hayward House.

Noted. In assessments of Local Heritage value, the local heritage criteria does not require matters such as potential development constraints to be assessed.

Avenue of Trees

- Report notes rationale for listing avenue of trees is based on statutory criterion (g).
- Dash Architects (submission Appendix 2) note that avenue provides a 'visually impressive frame' for entrance to Campus but this is not a sound basis for Local Heritage listing. The 'special historic value' that the trees represent is of greater importance. Evidence of this value is limited and listing relies on association with former residential use of the site as part of a landscaping theme.
- The listing and DPA text highlights role as a 'frame' of approach into Campus, and Minda Master Plan relocates primary vehicle entrance so this role will change from a frame to a historic remnant of the sites past and former landscape theme.
- Report prepared by Tree Environs notes that 5 trees have been removed between October 2011 and May 2013 due to poor health. The proposed listing is based on

The independent heritage consultant advises the Avenue of Trees does not meet any of the section 23(4) Local Heritage criteria and recommends removing Local Heritage Place.

Retain listing

At its meeting on 27 August 2013 Council endorsed retaining the 'avenue of trees' as a Local Heritage Place.

Amend Development Plan
'Description of Place and Extent of Listing' to incorporate tree species latin name as follows:
'Avenue of trees (Avenue of River Red Gum (*Eucalyptus Camaldulensis*) trees either side of the main driveway, from the intersection with King George Avenue, to the commencement of the main lawn area)

Attachment A – Summary and Response to Public Submissions

advice dating back to 2009.

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- If the listing is endorsed by Council it should include the formal species and common names and clearly define the extent of listing, particularly to western side.

Conifers (2)

- Insufficient information provided in DPA to suggest trees have special historic value beyond association with former residence.
- Master Plan does not propose to remove trees. Tree Environs report (submission Appendix 3) notes trees rare in good health

Independent heritage consultant and independent landscape architect advise that the two conifers satisfactorily meet section 23(4) criterion (g) and recommends retaining as Local Heritage Place.

Retain listing:

Amend Development Plan 'Description of Place and Extent of Listing' from

"Pine trees – two (Norfolk Island Pine and New

Attachment A – Summary and Response to Public Submissions

<p>and over 120 years old.</p> <ul style="list-style-type: none">• Trees are already protected under the Development Act as significant trees which enables a more pragmatic consideration of management of the trees.• If the listing is endorsed by Council it should include formal species and common names.	<p>Caledonian Pine in their entirety)</p> <p>To incorporate latin names for conifers as follows:</p> <p>“Conifers - two (New Caledonian Pine <i>Auracaria Columaris</i> and Norfolk Island Pine <i>Auracaria Heterophylla</i> in their entirety)”</p>
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Attachment A – Summary and Response to Public Submissions

Dash Architects

(additional comments not covered in submission report by Jensen Planning & Design)

- Role of Heritage Survey and subsequent DPA is to demonstrate fulfilment of nominated Local Heritage place heritage values against Development Act criteria.
- Historical research undertaken as part of preparation of 2008 heritage survey (prepared by McDougall and Vines) should be made available to the public to inform submissions. Brief historical overviews provided in DPA only outlines findings of previous research making it difficult to substantiate how, why or if a place is of specific importance or significance to local area.
- Heritage listings largely proposed due to (claimed) associated heritage values is highly questionable practice. If a proposed local heritage place's value lays in association with an existing item it would be more appropriate to consider these items collectively as part of listing of a broader Local Heritage Place.
- 2010 Heritage Places Review report (2010 by Bruce Harry & Associates) states all three proposed Local Heritage Places were proposed in the Post 1930s Heritage Review (2008 by McDougall & Vines). Unclear why identified without access to the (2008) Review and raises serious questions regarding general level of detail provided by the DPA through consultation process and extent to which findings can be substantiated. Requests to see copy of 2008 Review if released by Council.

On 13 August 2013 Council released the Post 1930's Heritage Review (survey) from confidence. A copy of the survey has been forwarded to the submitter's representative.

Refer to individual responses above.

Attachment B – Summary and Response to Public Meeting Submissions

7. Jason Shultz (Dash Architects) & Karl Sampson on behalf of:
Minda Homes Inc
12-16 King George Avenue
NORTH BRIGHTON
(Objections to three (3) proposed Local Heritage Places)
- Original 2008 heritage survey (McDougall and Vines) missing from public consultation documents making it difficult to submit a fully considered objection. Contains survey methodology and approach not available to inform objection submission and needed to establish significance of proposed listings.
 - All three listings pre-date post-1930's survey era.
 - Long history of surveys not available for public viewing and multiple requests made to view information during public consultation period (even checked library).
 - Brighton Heritage Review (1998) survey listed additional buildings on site but these are absent from (publicly released) survey sheet information. Critical information needed.
 - Questions accuracy of survey information and research.
 - Extent of proposed listings questioned.
 - Survey makes broad and sweeping statements which are inaccurate and misleading
 - Listings will have substantial impacts on redevelopment plans.
- Coach House
- Survey sheet contains information that is irrelevant to the merits of the proposed listing.
- Issues raised in public meeting very similar to written submission. Refer to Attachment A (submission 12) for comments and Council Response.

Attachment B – Summary and Response to Public Meeting Submissions

- Built around 1890s. Suggests survey sheet has incorrect building age.
- Does not meet criteria b, d & e.

Two pine trees

- Questions criteria applied (to nominate), research accuracy and subjective nature of proposal
- Trees are protected under significant tree legislation.
- Accepts that trees do date from original construction of coach house but they are remnant, well setback from the street (not highly visible) and surrounding garden is gone.
- Survey sheet does not establish historical or local significance.

Avenue of Trees

- Trees are remnant plantings of former residence. Changes proposed to entrances in master plan and trees proposed to be retained
-

Two Conifer Trees
Minda Homes Complex
12 – 16 King George Ave North Brighton

PINE TREES (TWO)

Address: Minda Home Complex, 12-16 King George Ave, North Brighton 5048
Certificate of Title: 5315/870

Use: Trees
HCZ Area: -

Heritage Status: Nil
Other Assessments: Brighton Heritage Survey, 1991
Brighton Heritage Review, 1998



HISTORY AND DESCRIPTION:

The New Caledonia Pine (*Araucaria columnaris*) is a very large and distinctive specimen, with an unusual forked shape. The tree is thought to have been planted in the early development of the place as the property of John Hodgkiss.

The Norfolk Island Pine (*Araucaria heterophylla*) is also a very large specimen, also likely to date from the early use of the place as the residence of John Hodgkiss.

Both trees are located in front of Frank Hayward House, either side of the centre line of the portico and front door. They are dominant visual elements in the central lawn area of the Minda Home Complex.

STATEMENT OF HERITAGE VALUE:

The two pine trees adjacent Frank Hayward House are mature and distinctive examples of their species, and are visually dominating and impressive elements within the Minda Home grounds. Their planting is likely to be associated with the use of the place as the residence of John Hodgkiss from the 1860s.

RELEVANT CRITERIA (under Section 23(4) of the *Development Act, 1993*):

- (g) The early trees on the site are associated with the earliest planting of the grounds of the house and complex.
-

EXTENT OF LISTING:

The two trees in their entirety.

REFERENCES

- Brighton Heritage Survey and Review, McDougall & Vines 1998
 - Site visit 2009
-

City of Holdfast Bay Local Heritage Review

Local Heritage Places

Property			
Minda Home Complex – 2 x conifer trees forward of Frank Haywood House			
Address			
16 King George Avenue, North Brighton CT 5315/870			
Summary			
Phys condition	++	+	0 - - -
Hist evidence	x		
Integrity	x		x
Rarity		x	
Representation		x	
Sufficient extant to rep. themes		x	
History			
Trees are established and of type common to gardens of the period Frank Haywood House (erected 1860). No other garden elements from 19thC period remain, except avenue of Red Gums on entry driveway.			
Objector's Arborist report confirms age of trees as at least 120yr old. Both trees appear in a 1911 photograph of the house, in an already advanced state of growth. (from Objector)			
Description & Context			
Auracaria columnaris and Auracaria heterophylla conifers – at least 120 yrs old and in a good state of health (Objector's report) trees located in front of the 1860 residence erected by owner John Hodgkiss – a notable local citizen of the local area.			
The property passed to Minda Homes Inc in 1909 and the house was renamed Frank Haywood House. All other garden elements surrounding the house from the 1860-1909 period have been removed.			
Physical Assessment			
Auracaria columnaris and Auracaria heterophylla conifers – at least 120 yrs old and in a good state of health (Objector's report)			

Criteria (Sec 23 (4) SA Dvt Act	Assessment
(a) It displays historical, economic or social themes that are of importance to the local area	n/a
(b) It represents customs or ways of life that are characteristic of the local area	n/a
(c) It has played an important part in the lives of local residents	n/a
(d) It displays aesthetic merit, design characteristics, or construction techniques of significance to local area	n/a
(e) It is associated with a notable local personality or event	n/a
(f) It is a notable landmark in the area	n/a
(g) In the case of a tree, it is of special historical or social significance or importance within the local area	The two trees are clearly visually and physically associated with the early stages of (now) Frank Haywood House. The trees are a species common to grand houses of the period in the local area. It is considered that the two trees are of 'special historical or social significance or importance within the local area' as remaining evidence of the early garden of the 1860 residence of John Hodgkiss, a notable early citizen of the local area. The trees are also a visually dominating within the Minda Home grounds, but this affects users/ visitors, not the whole local area – so not of relevance. Other trees of similar scale evident in Council area – typically associated with other large late 19thC dwellings/ mansions Support but suggest emphasis of wording should be changed to: "the two conifer trees in front of the 1860 Frank Haywood House, Minda Home, are mature and distinctive examples of their species and are historically significant as a remnant and illustration of the early garden associated with the House."
Comparative analysis	
Statement of Heritage Value	

Recommendation	Recommend that Auracaria columnaris and Auracaria heterophylla trees located to the front of Frank Haywood House, Minda Homes, meet criterion (g) of Section 23 (4) of SA Dvpt Act. Further suggest that the LHP listing of the two trees could alternatively be incorporated into the exg LHP listing for Frank Haywood House for administrative expediency. Auracaria columnaris and Auracaria heterophylla conifer trees
Elements of Heritage Value	

Reference: Expert Advice from Trevor Nottle, M Landscape Architecture, 5/7/13

Attachment A – Summary and Response to Public Submissions

Sub No.	Name and Address	Submission Summary	Comment	Council Response
10.	<p>Jensen Planning & Design on behalf of: Minda Incorporated 12-16 King George Avenue NORTH BRIGHTON</p>	<p><u>General Comments</u> Minda already manages one Local and three State Heritage Places for enjoyment of Minda and wider community. Concern is raised regarding extent of new listings sought for Brighton Campus</p>	<p>Noted</p>	<p>No Change to DPA</p>
<p>Impacts of existing listings and proposed listings (DPA Appendix 2) understates the impacts of the new heritage listings on development potential within Minda Complex. Specific objections include:</p> <ul style="list-style-type: none"> o Minda Home Complex is not a State Heritage Place, rather individual buildings in the Complex are listed. o Proposed listings will have an impact on financial viability of redevelopment potential of the site through additional costs associated with retaining and retrofitting a heritage listed building, o Constraints for ongoing maintenance of trees already protected by Development Act 1993. 				
<p>Appendix 2 incorrectly identifies the whole Complex as a State Heritage Place and argues that the proposed listings does not affect development potential on the site. Despite this error, the impacts of the new Local Heritage listings are still considered to be minor.</p> <p>In assessments of local heritage value, the local heritage criteria does not require matters such as financial impacts for individual sites to be assessed.</p> <p>Refer to comments (below) regarding the proposed heritage listing of the conifers and eucalypts.</p>				
<p><u>Office (Former Coach House)</u></p> <ul style="list-style-type: none"> • Rationale for listing the coach house based on statutory criteria (a), (c), (d) and (e). <p>The independent heritage consultant advises the two storey former coach house meets Local Heritage criterion (a) and recommends retaining it as a Local Heritage Place</p>				
				<p>Retain listing</p>

Attachment A – Summary and Response to Public Submissions

Specific objections include:

- Evidence to suggest Coach House was not constructed until 1890s not 1860s as claimed in DPA. High emphasis in survey placed on importance of Coach House to Frank Hayward House. If coach house was constructed at later date this raises significant questions regarding its relevance to John Hodgkiss (builder of Frank Hayward House).
- Little evidence to suggest building has played an important part in lives of the community and people who lived and worked on the Complex (criterion c). Other buildings on site are far more significant to Minda and community. Buildings are in state of diminished historic integrity with little evidence to support role of buildings played with community. Buildings rely on aesthetic and design characteristics (criterion d) but are not referred to in any detail in DPA (assessment sheet).
- Building is of simple masonry construction with minimal detailing and features (coupled with its siting) means retention of the building will not add to aesthetic quality of the site (criterion d).
- Building is rarely used by Minda due to OHS&W concerns related to vermin, access and compliance. Ongoing maintenance and use is not in the financial or operational interests of Minda.

In assessments of Local Heritage value, the Local Heritage criteria does not require matters such as lack of use, lack of maintenance (e.g. vermin control) or financial impacts for individual sites to be assessed.

Attachment A – Summary and Response to Public Submissions

<ul style="list-style-type: none"> Master Plan was prepared for Minda in consultation with the community and Council. Retention of the Coach House will have a significant impact on the final outcomes and quality of the redevelopment of the Brighton Campus, particularly with proposed realignment of traffic access as this will block vistas to the coast created between Brighton House and Frank Hayward House. 	<p>Noted. In assessments of Local Heritage value, the local heritage criteria does not require matters such as potential development constraints to be assessed.</p>
<p><u>Avenue of Trees</u></p> <ul style="list-style-type: none"> Report notes rationale for listing avenue of trees is based on statutory criterion (g). Dash Architects (submission Appendix 2) note that avenue provides a 'visually impressive frame' for entrance to Campus but this is not a sound basis for Local Heritage listing. The 'special historic value' that the trees represent is of greater importance. Evidence of this value is limited and listing relies on association with former residential use of the site as part of a landscaping theme. The listing and DPA text highlights role as a 'frame' of approach into Campus. and Minda Master Plan relocates primary vehicle entrance so this role will change from a frame to a historic remnant of the sites past and former landscape theme. Report prepared by Tree Environs notes that 5 trees have been removed between October 2011 and May 2013 due to poor health. The proposed listing is based on 	<p>The independent heritage consultant advises the Avenue of Trees does not meet any of the section 23(4) Local Heritage criteria and recommends removing Local Heritage Place.</p>
	<p>Retain listing</p> <p>At its meeting on 27 August 2013 Council endorsed retaining the 'avenue of trees' as a Local Heritage Place.</p> <p>Amend Development Plan 'Description of Place and Extent of Listing' to incorporate tree species latin name as follows: 'Avenue of trees (Avenue of River Red Gum (<i>Eucalytus Carmadulensis</i>) trees either side of the main driveway, from the intersection with King George Avenue, to the commencement of the main lawn area)</p>

Attachment A – Summary and Response to Public Submissions

advice dating back to 2009.

- Age of trees cannot be ascertained without accurate historic records.
- Fifteen (15) trees are 'regulated trees' and only 8 are 'significant' pursuant to Development Act 1993 and one (1) does not qualify for either type of protection. Eight (8) are in good health and sixteen (16) are in average health. Trees range markedly in age and size and nearly all have been lopped resulting in epicormic regrowth.
- Twenty three (23) out of twenty four (24) trees already meet the 'regulated' or 'significant' tree criteria under the Development Act 1993. This allows for more flexible management of trees based on health and condition. Local Heritage listing trees does not positively facilitate ongoing management of trees as it only considers heritage value.
- If the listing is endorsed by Council it should include the formal species and common names and clearly define the extent of listing, particularly to western side.

Conifers (2)

- Insufficient information provided in DPA to suggest trees have special historic value beyond association with former residence.
- Master Plan does not propose to remove trees. Tree Environs report (submission Appendix 3) notes trees rare in good health

Independent heritage consultant and independent landscape architect advise that the two conifers satisfactorily meet section 23(4) criterion (g) and recommends retaining as Local Heritage Place.

Retain listing:

Amend Development Plan 'Description of Place and Extent of Listing' from

"Pine trees – two (Norfolk Island Pine and New

Attachment A – Summary and Response to Public Submissions

<p>and over 120 years old.</p> <ul style="list-style-type: none">• Trees are already protected under the Development Act as significant trees which enables a more pragmatic consideration of management of the trees.• If the listing is endorsed by Council it should include formal species and common names.	<p>Caledonian Pine in their entirety)</p> <p>To incorporate latin names for conifers as follows:</p> <p>“Conifers - two (New Caledonian Pine <i>Auracaria Columaris</i> and Norfolk Island Pine <i>Auracaria Heterophylla</i> in their entirety)”</p>
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Attachment A – Summary and Response to Public Submissions

Dash Architects

(additional comments not covered in submission report by Jensen Planning & Design)

- Role of Heritage Survey and subsequent DPA is to demonstrate fulfilment of nominated Local Heritage place heritage values against Development Act criteria.
- Historical research undertaken as part of preparation of 2008 heritage survey (prepared by McDougall and Vines) should be made available to the public to inform submissions. Brief historical overviews provided in DPA only outlines findings of previous research making it difficult to substantiate how, why or if a place is of specific importance or significance to local area.
- Heritage listings largely proposed due to (claimed) associated heritage values is highly questionable practice. If a proposed local heritage place's value lays in association with an existing item it would be more appropriate to consider these items collectively as part of listing of a broader Local Heritage Place.
- 2010 Heritage Places Review report (2010 by Bruce Harry & Associates) states all three proposed Local Heritage Places were proposed in the Post 1930s Heritage Review (2008 by McDougall & Vines). Unclear why identified without access to the (2008) Review and raises serious questions regarding general level of detail provided by the DPA through consultation process and extent to which findings can be substantiated. Requests to see copy of 2008 Review if released by Council.

On 13 August 2013 Council released the Post 1930's Heritage Review (survey) from confidence. A copy of the survey has been forwarded to the submitter's representative.

Refer to individual responses above.

Attachment B – Summary and Response to Public Meeting Submissions

7. Jason Shultz (Dash Architects) & Karl Sampson on behalf of:
Minda Homes Inc
12-16 King George Avenue
NORTH BRIGHTON
(Objections to three (3) proposed Local Heritage Places)

- Original 2008 heritage survey (McDougall and Vines) missing from public consultation documents making it difficult to submit a fully considered objection. Contains survey methodology and approach not available to inform objection submission and needed to establish significance of proposed listings.
- All three listings pre-date post-1930's survey era.
- Long history of surveys not available for public viewing and multiple requests made to view information during public consultation period (even checked library).
 - Brighton Heritage Review (1998) survey listed additional buildings on site but these are absent from (publicly released) survey sheet information. Critical information needed.
- Questions accuracy of survey information and research.
- Extent of proposed listings questioned.
- Survey makes broad and sweeping statements which are inaccurate and misleading
- Listings will have substantial impacts on redevelopment plans.

Coach House

- Survey sheet contains information that is irrelevant to the merits of the proposed listing.

Issues raised in public meeting very similar to written submission. Refer to Attachment A (submission 12) for comments and Council Response.

Attachment B – Summary and Response to Public Meeting Submissions

- Built around 1890s. Suggests survey sheet has incorrect building age.
- Does not meet criteria b, d & e.

Two pine trees

- Questions criteria applied (to nominate), research accuracy and subjective nature of proposal
- Trees are protected under significant tree legislation.
- Accepts that trees do date from original construction of coach house but they are remnant, well setback from the street (not highly visible) and surrounding garden is gone.
- Survey sheet does not establish historical or local significance.

Avenue of Trees

- Trees are remnant plantings of former residence. Changes proposed to entrances in master plan and trees proposed to be retained
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