

## 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 2019 at 7.00pm**

Roberto Bria  
CHIEF EXECUTIVE OFFICER



## Ordinary Council Meeting Agenda

### 1. OPENING

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

### 2. KAURNA ACKNOWLEDGEMENT

*We acknowledge Kaurna 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 Kaurna People today.*

### 3. SERVICE TO COUNTRY ACKNOWLEDGEMENT

*The City of Holdfast Bay would like to acknowledge all personnel who have served in the Australian forces and services, including volunteers, for our country.*

### 4. 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.*

### 5. APOLOGIES

5.1 Apologies Received

5.2 Absent

### 6. ITEMS PRESENTED TO COUNCIL

### 7. 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.*

### 8. CONFIRMATION OF MINUTES

#### Motion

**That the minutes of the Ordinary Meeting of Council held on 12 November 2019 be taken as read and confirmed.**

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

**Carried**

### 9. PUBLIC PRESENTATIONS

9.1 Petitions - Nil

9.2        **Presentations** – Nil

9.3        **Deputations** – Nil

**10.        COUNCIL MEETING ADJOURNMENT**

**That the Council Meeting be adjourned so that the Strategic Planning and Development Policy Committee can meet at this time.**

Moved Councillor \_\_\_\_\_, Seconded Councillor \_\_\_\_\_ Carried/Lost

**11.        RESUMPTION OF COUNCIL MEETING**

**12.        CONFIRMATION OF STRATEGIC PLANNING & DEVELOPMENT POLICY COMMITTEE RESOLUTIONS**

**Motion**

*[Insert Motions from Strategic Planning and Development Policy Committee]*

Moved \_\_\_\_\_, Seconded \_\_\_\_\_ **Carried/Lost**

**13.        QUESTIONS BY MEMBERS**

13.1       **Without Notice** - Nil

13.2       **On Notice** – Nil

**14.        MEMBER'S ACTIVITY REPORTS - Nil**

**15.        MOTIONS ON NOTICE**

15.1       Motion on Notice – City of Holdfast Bay Streaming Options - Councillor Chabrel (Report No: 450/19)

**16.        ADJOURNED MATTERS**

16.1       Adjourned Report – Beachouse Glenelg – Remediation Former Ferris Wheel Site (Report No: 441/19)

16.2       Adjourned Report – Appointment of Deputy Mayor (Report No: 445/19)

**17. REPORTS OF MANAGEMENT COMMITTEES, SUBSIDIARIES AND THE DEVELOPMENT ASSESSMENT PANEL**

- 17.1 Minutes – Jetty Road Mainstreet Committee – 6 November 2019 (Report No: 446/19)

**18. REPORTS BY OFFICERS**

- 18.1 Items in Brief (Report No: 448/19)  
18.2 Elected Member Appointment to the Council Assessment Panel (Report No: 434/19)  
18.3 Permission to Alter a Road (Report No: 365/19)  
18.4 Buffalo Site - Fencing and Community Consultation (Report No: 424/19)  
18.5 Monthly Financial Report – 31 October 2019 (Report No: 444/19)  
18.6 Consultation – Kibby Avenue, Glenelg North (Report No: 433/19)  
18.7 City of West Torrens – Local Area Traffic Management at Glenelg North – Community Consultation (Report No: 447/19)

**19. RESOLUTIONS SUBJECT TO FORMAL MOTIONS**

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

**20. URGENT BUSINESS – Subject to the Leave of the Meeting**

**21. CLOSURE**

**ROBERTO BRIA  
CHIEF EXECUTIVE OFFICER**



Item No: **15.1**

Subject: **MOTION ON NOTICE – CITY OF HOLDFAST BAY STREAMING OPTIONS –  
COUNCILLOR CHABREL**

Date: 26 November 2019

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### **PROPOSED MOTION**

Councillor Chabrel proposed the following motion:

1. **Council rescind its previous decision from Council meeting on 25 June 2019 (Resolution No. C250619/1521) which reads:**

***‘The Council notes the report and consider the matter for the 2020/21 budget.’***

If this motion is adopted then the following motion is proposed:

2. **Council endorse Administration to purchase and install three cameras and interface, estimated to total \$9,418 to enable live streaming of Council meetings.**

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### **BACKGROUND**

At the Council meeting on 25 June 2019, Council moved Motion (C250619/1521) to note the report “Live Streaming of Council Meetings “ (Report No: 226/19) and consider the matter for the 2020/21 budget. This report recommended an extensive upgrade of the audio in the chamber to undertake live streaming of council meetings.

Since that time, I have spoken to Onstage Presentations and was given other advice suggesting a practical and inexpensive Proof of Concept (POC) could be used as a solution for under \$10,000.

### **ADMINISTRATION COMMENT**

Administration has recently discussed set up and requirements in details with Onstage Presentations who have undertaken a review of Council Chambers to view current equipment. A proposal has been presented to Administration as a fit for purpose streaming solution to provide greater transparency and access for the Community to Council meetings.

Both the audio only, and audio and visual options provide a mechanism for recording meetings which enables Council to consider capturing and reviewing the recording before meetings are streamed. Streaming requires additional software which is included in the costs below.

The proposed options includes all known IT costs, however does not represent the entire solution implementation requirements such as:

- training for staff to stream each meeting;
- potential training for Elected Members on using microphones; and
- additional resourcing to arrange, upload to web page maintaining the technology.

The cost to allow for both audio and video recording of meetings, including installation, is estimated at \$9,418.00. These are approximate as some costs are time and materials/incidentals.

Item No: **16.1**

Subject: **ADJOURNED REPORT – BEACHOUSE GLENELG – FORMER FERRIS WHEEL SITE (REPORT NO: 354/19)**

Date: 26 November 2019

Written By: General Manager

General Manager: City Assets and Services, Mr H Lacy

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### **SUMMARY**

Council at its meeting on 24 September 2019 resolved to adjourn Report No: 354/19 for 1 month until further information could be provided to Council in relation to concept design for a proposed BBQ shelter on the former leased area of the Beachouse ferris wheel could be provided.

This report presents the original report (Report No: 354/19) and the additional information requested by Council.

As the adjournment was moved prior to the consideration of the motion, any Councillor can move, second and/or speak to the motion.

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### **RECOMMENDATION:**

**From 24 September 2019 Council Meeting**

**That Council:**

- 1. endorse development of the concrete foundation of the former Ferris Wheel located on Colley Reserve South into a picnic shelter including a shelter structure, new access stairs, picnic tables and lighting for use by the community at an estimated total cost of \$170,000;**
- 2. approve Rimhart undertaking a partial demolition of existing wiring, some concrete items and glass fencing including restoration of surfaces on formally leased area to enable installation of a picnic shelter including fitments;**
- 3. require Rimhart to undertake removal of glass fencing and other appurtenances on their site and undertake improvements to their former leased area to enable the picnic shelter to work functionally and at no cost to council;**

4. **authorise Administration to seek a contribution of no less than \$25,000 from Rimhart Nominees towards the costs of supplying and installing the picnic structure and fitments;**
  5. **release Rimhart Nominees from any further liabilities to remediate the former leased area subject to compliance with the above.**
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## **BACKGROUND**

Council at its meeting on 24 September 2019, Council resolved to adjourn Report No: 354/19 for 1 month to enable further information to be presented to Council by way of a concept design of a possible BBQ and picnic shelter to be located on Council land formerly leased to the operators of the Beachouse to house their ferris wheel.

This report presents the original report (Report No: 354/19) and the additional information requested by Council.

*Refer Attachment 1*

## **FURTHER INFORMATION**

A concept design for a possible BBQ and picnic shelter to be located on Council land formerly leased to the operators of the Beachouse to house their ferris wheel has been prepare and is presented in Attachment 2.

*Refer Attachment 2*

The design features a roof profile that matches other modern shelters used by Council in Wigley Reserve and matches the modern design of the Beachouse. This shelter style was chosen rather than a more traditional heritage design so as to not detract from the historic rotunda located about 25m to the north. The shelter incorporates a twin electric BBQ, picnic tables and lighting. Additional steps have been added at the front of the concrete platform to enable access from the reserve as well as from the Beachouse plaza. The shelter is located entirely on council owned land, which avoids the necessity to negotiate a lease agreement with the owners of the Beachouse property.

The original report sets out the proposed commercial settlement between the Beachouse proprietor and Council. The aim was to utilise the existing concrete platform installed for the ferris wheel to enable Council to activate the space with a new shelter that would provide opportunities for school groups, families and visitors to have a place to eat and rest with shade, seating and access to toilets.

At this point, the proposal is still conceptual and is subject to formal agreement by Rimhart Nominees.

Should Council not wish to proceed with a shelter, Administration will advise Rimhart Nominees that they are required to remove their platform from Council's land within a reasonable period and reinstate the grassed area. Council had previously installed additional paving around the platform so we would remove this ahead of demolition of the concrete platform.

# Attachment 1



Item No: **14.9**

Subject: **BEACHOUSE GLENELG – REMEDIATION FORMER FERRIS WHEEL SITE**

Date: 24 September 2019

Written By: Team Leader Commercial and Leasing

General Manager: City Assets and Services, Mr H Lacy

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### **SUMMARY**

In 2008 Council entered a Lease Agreement with Rimhart Nominees Pty Ltd ("*Lessee*") over a portion of land in Colley Reserve South, in front of the Beachouse, for the purposes of erecting Ferris Wheel amusement ride. Council approved an initial lease period of 5 years, with a subsequent approval to extend the lease by a further 5 years. During the second lease period, the Ferris Wheel ceased to operate and in 2018 Council resolved to refuse any further lease renewal.

The Ferris Wheel was thereafter progressively dismantled and removed from its location in Colley Reserve South. However, the remediation work was not entirely completed and the concrete base, foundation, some cabling and glass fencing have remained.

The lessee has now been requested to complete the remediation of leased area by the end of October 2019. This report presents an alternative option to full removal of the lessee's remaining Ferris Wheel foundation and glass fencing and seeks Council's direction on a preferred solution.

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### **RECOMMENDATION**

#### **That Council:**

1. **endorse Development of the concrete foundation of the former Ferris Wheel located on Colley Reserve South into a picnic shelter including a shelter structure, new access stairs, picnic tables and lighting for use by the community at an estimated total cost of \$170,000;**
2. **approve Rimhart undertaking a partial demolition of existing wiring, some concrete items and glass fencing including restoration of surfaces on formally leased area to enable installation of a picnic shelter including fitments;**
3. **require Rimhart to undertake removal of glass fencing and other appurtenances on their site and undertake improvements to their former leased area to enable the picnic shelter to work functionally and at no cost to council;**

4. **authorise Administration to seek a contribution of no less than \$25,000 from Rimhart Nominees towards the costs of supplying and installing the picnic structure and fitments;**
  5. **release Rimhart Nominees from any further liabilities to remediate the former leased area subject to compliance with the above.**
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## **COMMUNITY PLAN**

Placemaking: Building character and celebrating history  
Community: Providing welcoming and accessible facilities

## **COUNCIL POLICY**

Not Applicable.

## **STATUTORY PROVISIONS**

Not Applicable.

## **BACKGROUND**

### **Previous Council decisions**

- 26 September 2006 original lease endorsement
- 28 May 2013 first lease renewal Resolution C280513/941
- 10 July 2018, lease refusal Resolution C100718/1216

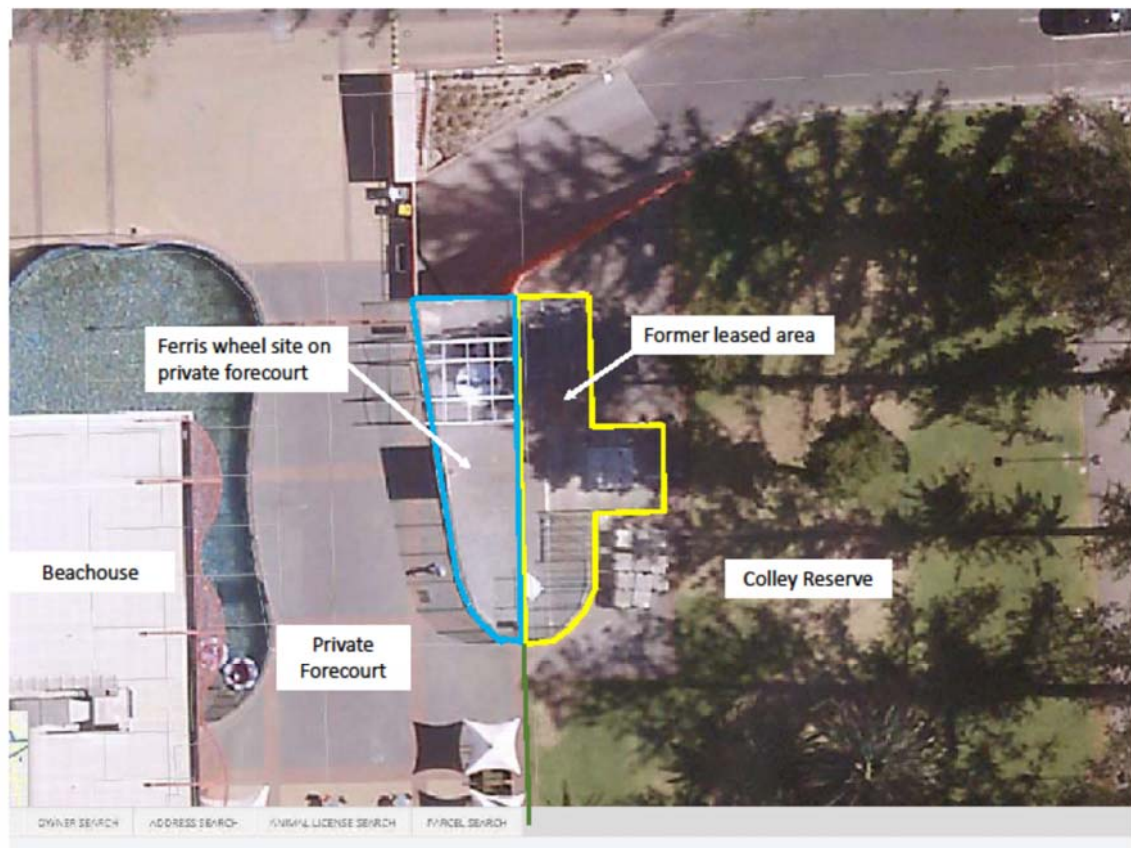
On 26 September 2006 Council endorsed a Lease Agreement with Rimhart Nominees Pty Ltd ("*Lessee*") over the portion of land in Colley Reserve South for the erection of a Ferris Wheel amusement ride.

The Lease commenced 1 September 2008 for an initial term of five years, but also included two subsequent consecutive five year extensions (each respectively commencing 1 September 2013, and 1 September 2018).

The area leased from Council is shown edged yellow on the Drawing 1 below. The additional area used by Rimhart for the Ferris Wheel operations is shown edged in blue – being on the privately owned forecourt area in front of the Beachouse.

*Refer Drawing 1 below*



**Drawing 1: Site Layout****REPORT****Option 1 – Full demolition and remediation**

On 22 May 2018 prior to the expiration of the Lease, the Lessee indicated their intention to seek renewal of the lease for the third five year period, which was subsequently refused by Council on the basis that the lessee had not fulfilled their obligations under the terms of the lease. The lease subsequently expired on 30 August 2018.

The Ferris Wheel was thereafter progressively dismantled and removed from the location. However, the concrete base, foundation, some cabling and glass panelling have remained. The remaining items are outlined in photos in Attachment 1.

*Refer Attachment 1*

Administration sent the Lessee a reminder in November 2018 to remove the remaining infrastructure, but no further remediation was undertaken by Rimhart Nominees.

The foundation for the Ferris Wheel arm extends some 10 meters down beside the carpark wall. Removing the underground part of the foundation would appear to involve extravagant costs, and would not deliver any tangible benefits. Full removal may damage or destabilize the carpark's foundations and/or adjoining wall.

If full remediation was to proceed, Administration would suggest that all foundations are removed down to 300mm below natural ground level to provide an opportunity for grass to establish and thrive.

Council would also seek to have Rimhart remediate the area on the private forecourt which is likely to involve removal of excess concrete, wiring, glass fencing and restoration of the final concrete surfaces to provide a smooth and trip free environment.

***Option 2: Partial demolition and installation of a shelter on community land***

In this option, Council would reuse the bulk of the concrete platform installed for the Ferris Wheel operation to create a flat concrete platform on which to erect a picnic shelter and tables for community use.

The objectives and benefits of the proposed shelter at this location are:

- Activation of an otherwise potentially underused space into a place that enables people to meet up. This project would support community activation, at times of major events but also for individuals and families on an everyday basis.
- Protection against the elements: The new structure would provide shade and rain protection. Wind guards should also be considered as this area of Colley Reserve is fairly exposed.
- The proposal aligns with the Open Space and Public Realm strategy 2018 – 2030 that highlights Colley Reserve as a premier location for events and other gatherings, as well as the need for improvements to amenities including shade.

Rimhart would remove glass panels, metal poles, cables, bolts, and repair drains, etc on the whole site. The area previously used by Rimhart for the Ferris Wheel site (both council and private areas) would be restored with the surface rehabilitated and treated to match and align with the rest of the forecourt area.

On the portion of the site that is Council land, a new picnic shelter with fixed picnic tables would be installed providing an opportunity to increase active use of what would otherwise be returned to a passive grassed area. Some existing glass panels could be retained to provide wind breaks to protect the western edge of the proposed shelter from westerly winds if appropriate.

Administration proposes that Rimhart makes a contribution to the cost of the picnic shelter in lieu of savings from having to remove all the concrete structure and foundations (down to 300mm) from Council's land. A contribution of not less than \$25,000 is suggested as a starting point. Rimhart would also need to undertake the partial demolition works at their cost.

This report seeks Council direction as to whether to pursue a shelter at this location or to arrange for the full demolition and remediation of the lessee's works.

## **BUDGET**

### **Option 1: Full demolition and remediation**

If the site is to be returned to its initial state, the majority of remediation costs are to be borne by the Lessee. We anticipate that this cost is likely to be in the order of \$45-\$55,000 for the Lessee.

Council would incur costs relating to removal of Council installed paving which is expected to be around \$4,000.

### **Option 2: Partial demolition and new picnic shelter**

The costs of partial demolition and making good of the remaining surfaces would be borne by the Rimhart Pty Ltd. The estimated cost is forecast at around \$12,000 and this work could proceed immediately.

The cost of designing, supplying and installing the proposed picnic shelter including additional stairs, safety fencing and lighting is expected to be around \$170,000. This cost would be borne by Council as the facility would be a community facility wholly on Council land. Council's costs would potentially be offset by a contribution of no less than \$25,000 from Rimhart in lieu of costs of full demolition giving a net funding requirement of \$145,000.

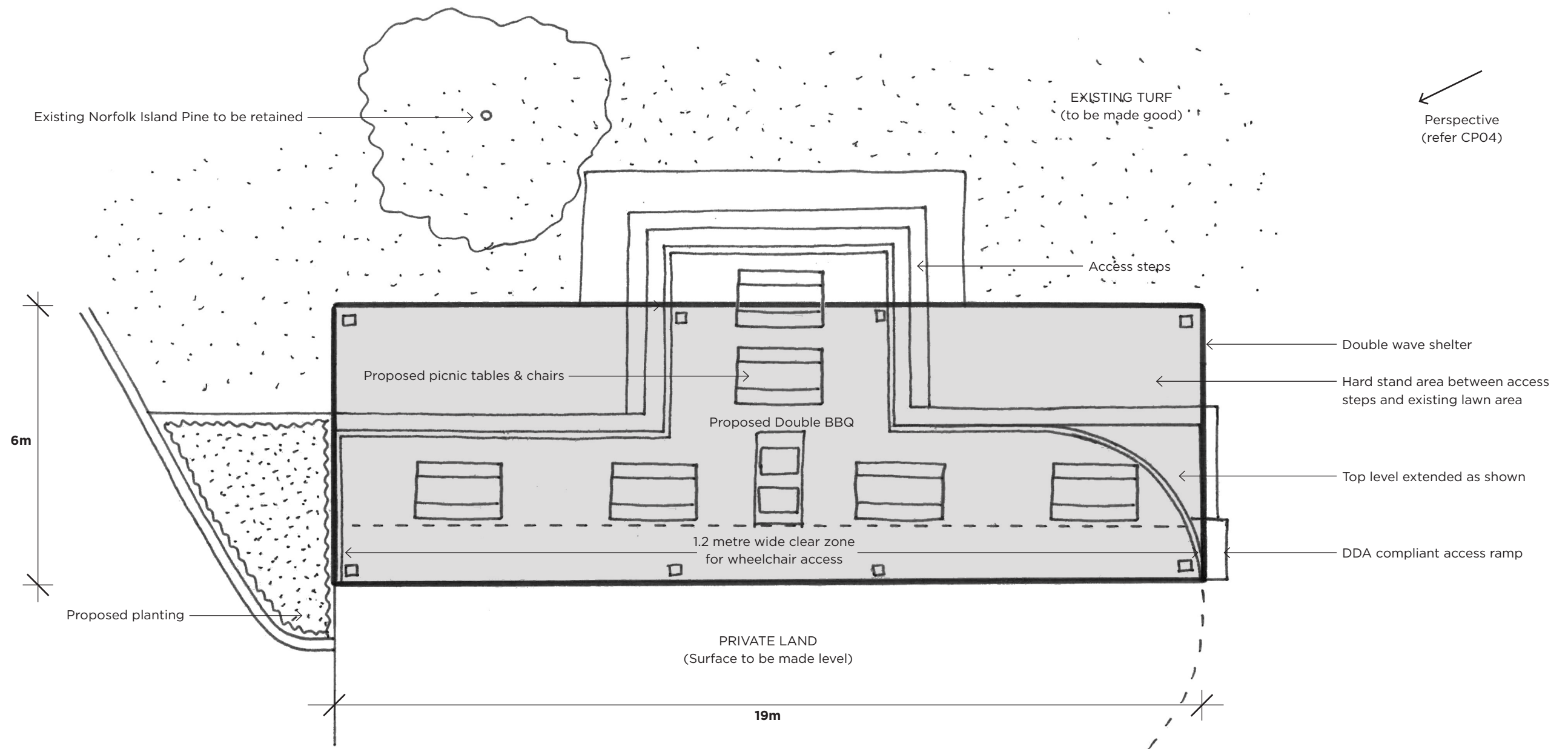
The proposed cost of the picnic shelter is not currently funded within the capital works budget and would require a new allocation to proceed.

## **LIFE CYCLE COSTS**

Ongoing maintenance costs will need to be factored in if a shelter is installed.

# Attachment 2





**OPTIONS**



**Timber steps**



**Double wave shelter**



**Picnic Tables & Chairs**



**Double Barbeque**

**Issues & Recommendations for rehabilitation of site**

Upon reviewing the concept of using a shelter upon the former Ferris Wheel site in Colley Reserve, Outerspace recommends that the design could be feasible provided that the following criteria be addressed;

- There is a slight level change between the concrete edging and the ground level within the site. We would recommend rebuilding this concrete edge to be flush with the internal ground level.
- All existing electrical connections to be decommissioned and replaced.
- All existing paving to eastern side of site be demolished and removed off site.
- Subject to survey and design









Item No: **16.2**

Subject: **ADJOURNED REPORT- APPOINTMENT OF DEPUTY MAYOR (Report No: 432/19)**

Date: 26 November 2019

Written By: Team Leader Governance

General Manager: Strategy and Business Services, Ms P Jackson

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### **SUMMARY**

A report 'Appointment of Deputy Mayor' (Item 15.8, Report No: 432/19) was provided to the Council meeting on 12 November 2019. This item was adjourned under Regulation 19, *Local Government (Proceedings at Meetings) Regulations 2013*, until the next Council meeting on 26 November 2019 to allow for members who were absent and interested in the role to be present.

The adjourned item is now brought back to Council. This motion is to be considered before any new motions are considered.

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### **ADJOURNED MOTION FROM 12 NOVEMBER 2019 COUNCIL MEETING:**

**That Councillor Snewin be appointed as Deputy Mayor for a period of one year, from 27 November 2019 to 1 December 2020.**

*Moved Councillor Patton, Seconded Councillor Fleming*

(Councillor Patton spoke to the motion as the Mover and has the right of reply and the Second, Councillor Fleming spoke to the motion and did not reserve her right to speak to the motion at a later stage of the debate).

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### **COMMUNITY PLAN**

Culture: Supporting excellent, efficient operations

### **COUNCIL POLICY**

Not Applicable

### **STATUTORY PROVISIONS**

*Local Government Act 1999*

*Local Government (Procedures at Meetings) Regulations 2013*

*Code of Practice – Meeting Procedures (22 October 2019)***BACKGROUND**

Section 51 of the *Local Government Act 1999*, allows Council to appoint a Deputy Mayor for a term not exceeding four years. The Deputy Mayor may act in the absence of the Mayor, in the office of the Mayor. The current appointed Deputy Mayor is Councillor Patton. This appointment expires on 1 December 2019.

At the meeting on 12 November 2019, Councillor Snewin was nominated to the Deputy Mayor with the motion moved and seconded.

*Refer Attachment 1*

**REPORT**

The adjourned item for the Appointment of the Deputy Mayor must be resumed from the point at which it was adjourned.

Councillor Patton has the right of reply and Councillor Bradshaw has spoken to the motion.

The debate must, on resumption, continue from the point at which it was adjourned.

**BUDGET**

There are no budget implications associated with this report. The 2019/20 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.



# Attachment 1



Item No: **15.8**

Subject: **APPOINTMENT OF DEPUTY MAYOR**

Date: 26 November 2019

Written By: Team Leader Governance

General Manager: Strategy and Business Services, Ms P Jackson

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### **SUMMARY**

Section 51 of the *Local Government Act 1999*, allows Council to appoint a Deputy Mayor for a term not exceeding four years. The Deputy Mayor may act in the absence of the Mayor, in the office of the Mayor.

The current appointed Deputy Mayor is Councillor Patton. This appointment expires on 1 December 2019.

Council has previously made the appointment for a Deputy Mayor for a term of one year. It is Council's prerogative to choose another term, if it chooses.

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### **RECOMMENDATION**

**That Councillor \_\_\_\_\_ be appointed as Deputy Mayor for a period of one year, from 27 November 2019 to 1 December 2020.**

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### **COMMUNITY PLAN**

Culture: Supporting excellent, efficient operations

### **COUNCIL POLICY**

Not Applicable.

### **STATUTORY PROVISIONS**

*Local Government Act 1999*

## BACKGROUND

Councillor Patton was appointed as the Deputy Mayor on 27 November 2018 at the start of the new Council term (Item number 10.2 Appointment of Deputy Mayor -Report No: 364/18):

### Motion

**C271118/1319**

**That Councillor Patton be appointed as Deputy Mayor for a period of one year, from 27 November 2018 to 1 December 2019.**

Moved Councillor Bouchee, Seconded Councillor Lonie

**Carried**

## 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 members and will hold office for a term determined by the Council, but not exceeding four years.

Council has previously chosen to appoint a Deputy Mayor for a period of one year. At the end of the term of the Deputy Mayor is eligible to be chosen for a new term. Councillor Patton can be appointed for a further term.

### ***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 2018, stated that:

*“The annual allowance for a councillor who is a 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 1B Council, as determined by the Remuneration Tribunal, the annual allowance for a councillor is \$20,630, which equates to \$25,787.50 for the Deputy Mayor, plus the Consumer Price Index (CPI).

## **BUDGET**

There are no budget implications associated with this report. The 2018/19 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.

ADJOURNED REPORT

Item No: **17.1**

Subject: **MINUTES – JETTY ROAD MAINSTREET COMMITTEE – 6 NOVEMBER 2019**

Date: 26 November 2019

Written By: General Manager Community Services

General Manager: Community Services, Ms M Lock

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### **SUMMARY**

The Minutes of the Jetty Road Mainstreet Committee meeting held on 6 November 2019 are attached and presented for Council's information.

Jetty Road Mainstreet Committee Agendas, Reports and Minutes are all available on Council's website and the meetings are open to the public.

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### **RECOMMENDATION**

**That Council notes the minutes of the Jetty Road Mainstreet Committee of 6 November 2019.**

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### **COMMUNITY PLAN**

Placemaking: Creating lively and safe places  
Community: Providing welcoming and accessible facilities  
Economy: Supporting and growing local business  
Economy: Making it easier to do business  
Economy: Boosting our visitor economy  
Culture: Being financially accountable  
Culture: Supporting excellent, efficient operations  
Culture: Being financially accountable

### **COUNCIL POLICY**

Not applicable.

### **STATUTORY PROVISIONS**

Not applicable.

## **BACKGROUND**

The Jetty Road Mainstreet Committee (JPMC) has been established to undertake work to benefit the traders on Jetty Road Glenelg, using the separate rate raised for this purpose. Council has endorsed the Committee's Terms of Reference and given the Committee delegated authority to manage the business of the Committee.

Jetty Road Mainstreet Committee Agendas, Reports, and Minutes are all available on Council's website and the meetings are open to the public.

## **REPORT**

Minutes of the meeting of JPMC held on 6 November 2019 are attached for member's information.

## **BUDGET**

Not applicable.

## **LIFE CYCLE COSTS**

Not applicable.

## **CITY OF HOLDFAST BAY**

**Minutes of the meeting of the Jetty Road Mainstreet Committee of the City of Holdfast Bay held in the Glenelg Library Meeting Room, Colley Terrace, Glenelg on Wednesday 6 November 2019 at 6:00pm.**

### **PRESENT**

#### **Elected Members**

Mayor A Wilson  
Councillor R Abley  
Councillor W Miller

#### **Community Representatives**

Maio's Group, Mr C Maio's  
GU Filmhouse, Mr S Robinson  
Attitudes Boutique, Ms G Martin  
Cibo Espresso, Mr T Beatrice  
Beach Burrito, Mr A Warren

#### **Staff**

Chief Executive Officer, Mr R Bria  
General Manager, Community Services, Ms M Lock  
Manager City Activation, Ms S Heading  
Jetty Road Development Coordinator, Ms A Brown  
Jetty Road Development Coordinator, Ms M Zeunert

### **1. OPENING**

The Chairman, Mr C Maio's, declared the meeting open at 6.06pm

### **2. APOLOGIES**

- 2.1 Leave of Absence – Ms E Leenearts, Mr A Fotopoulos, Mr N Hughes, Ms L Boys
- 2.2 For Absence – Nil

### **3. DECLARATION OF INTEREST**

Members were reminded to declare any interest before each item.

**4. CONFIRMATION OF MINUTES****Motion**

**That the minutes of the Jetty Road Mainstreet Committee held on 2 October 2019 be taken as read and confirmed.**

Moved A Warren, Seconded T Beatrice

**Carried**

**5. QUESTIONS BY MEMBERS**

5.1 **Without Notice** – Nil

5.2 **With Notice** – Nil

**6. MOTIONS ON NOTICE** – Nil**7. ADJOURNED ITEMS** – Nil**8. PRESENTATION –****Jetty Road Masterplan update**

Emily Ketchington, Strategic Planner provided an update on the final detailed designs for Chapel Street Plaza and Hindmarsh Lane upgrades that form part of stage one of the Jetty Road Masterplan.

**9. REPORTS/ITEMS OF BUSINESS**

9.1 Monthly Finance Report (Report No: 414/19)

The Jetty Road Mainstreet Committee September variance report is prepared by the Jetty Road Development Coordinator and is presented for information of the members of the Jetty Road Mainstreet Committee.

**Motion**

**That the Jetty Road Mainstreet Committee note this report.**

Moved A Warren, Seconded S Robinson

**Carried**



9.2 Marketing Update (Report No: 415/19)

The report provides an update on marketing initiatives being undertaken from the Jetty Road Mainstreet Committee 2018/19 Marketing Plan and initiatives aligned to the delivery of the Jetty Road Glenelg Retail Strategy 2018-2022.

**Motion**

**That the Jetty Road Mainstreet Committee note this report and to commence the design of new street banners in readiness for 2020-2021 budget and research all costs associated with the banner installation to the eastern end of Jetty Road by the 5 December JRMCM Meeting.**

Moved T Beatrice, Seconded Councillor Abley

**Carried**

9.3 Events Update (Report No: 416/19)

JRMCM in partnership with the City of Holdfast Bay are responsible for implementing and managing a variety of major events to support economic stimulus in the precinct in accordance with the annual marketing and business plan. This report provides an overview of upcoming events.

**Motion**

**That the Jetty Road Mainstreet Committee note this briefing.**

Moved T Beatrice, Seconded S Robinson

**Carried**

9.4 Christmas Decorations (Report No: 369/19)

The Jetty Road Mainstreet Committee (JRMCM) are responsible for the purchase and maintenance of Christmas decorations to be installed in the mainstreet in November annually. The Jetty Road Development Coordinator (JRDC) will provide a progress report on the Jetty Road Christmas decorations project.

**Motion**

**That the Jetty Road Mainstreet Committee note this briefing**

Moved Councillor Abley, Seconded T Beatrice

**Carried**

9.5 Funding Requests (Report No: 418/19)

This report provides an overview of requests for funding support from the Jetty Road Mainstreet Committee (JRMCM) towards the Our Place Festival taking place on 30 November and towards festoon lighting in Holdfast Walk.

**Motion****That the Jetty Road Mainstreet Committee:**

1. **agree to sponsor the Our Place Festival of the amount of \$1000 +GST**

Moved Councillor Miller, Seconded A Warren

**Carried**

2. **reject the co-funding request towards the installation of the festoon lighting in Holdfast Walk.**

Moved A Warren, Seconded Councillor Abley

**Carried**

9.6 Jetty Road Glenelg Retail Strategy 2018-2022 Implementation (Report No: 419/19)

The Jetty Road Retail Strategy 2018-2022 guides the future direction and identify the actions required to maintain a prosperous retail sector. The strategy was developed by the Jetty Road Mainstreet Committee and has four priority areas. A four year action plan has been developed to guide the implementation of the plan through 2018-2022 and this report provides an update on the landlord lunch that was hosted on 18 October.

**Motion**

**That Jetty Road Mainstreet Committee note this briefing and request that Council provide parking free of charge to Jetty Road traders and staff on the top deck of Partridge Street car park for a 12 month trial.**

Moved S Robinson, Seconded T Beatrice

**Carried**

9.7 JRMC Governance Model (Report No: 420/19)

The Jetty Road Mainstreet Committee (JRMC) is an advisory committee of the City of Holdfast Bay formed under Section 41 of the *Local Government Act 1999*. The JRMC conducted a Special Meeting on 2 October 2019 to workshop alternative governance models and an accompanying discussion paper provided background on alternative governance model options. During 2018 the JRMC investigated their preferred model of an Incorporated Association and this was presented to Council at their 12 March 2019 Council meeting where council adjourned the motion for 6 months. The JRMC conducted a Governance workshop on 2 October 2019 and at the 5 November 2019 JRMC meeting the committee will endorse its preferred governance model.

**Motion**

**That the Jetty Road Mainstreet Committee agree to defer the report to the next JRMC meeting scheduled 5 December 2019.**

Moved T Beatrice Seconded S Robinson

**Carried**

**10. URGENT BUSINESS**

**11. DATE AND TIME OF NEXT MEETING**

The next meeting of the Jetty Road Mainstreet Committee will be held on Wednesday 4 December 2019 in the Glenelg Library Meeting Room, Colley Terrace, Glenelg.

**12. CLOSURE**

The meeting closed at 8.00pm.

**CONFIRMED:** Wednesday 4 December 2019

**CHAIRMAN**

Item No: **18.1**

Subject: **ITEMS IN BRIEF**

Date: 26 November 2019

Written By: Personal Assistant

General Manager: Strategy and Business Services, Ms P Jackson

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## **SUMMARY**

These items are presented for the information of Members.

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

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## **RECOMMENDATION**

**That the following items be noted and items of interest discussed:**

1. **North Brighton Community Garden**
- 

## **COMMUNITY PLAN**

Culture: Supporting excellent, efficient operations

## **COUNCIL POLICY**

Not applicable

## **STATUTORY PROVISIONS**

Not applicable

## **REPORT**

1. **North Brighton Community Garden**

The North Brighton Community Garden was initiated through a \$50,000 State Government Fund My Neighbourhood grant brought together through a partnership with community members and the City of Holdfast Bay. The Grant was provided to the North Brighton Community Garden Group in the 18/19 Financial Year and now has been fully acquitted. The site for the Garden was endorsed by Council on 14 February 2019 and site works commenced in March 2019. The site was originally a dis-used bitumen tennis court that has been transformed into a community garden.

The Garden was established by a group of dedicated volunteers to produce a community asset benefiting the broader community. Their work has demonstrated the importance of having inclusive and welcoming spaces. Using the principles to establish a garden to foster physical and mental health well-being while connecting the community through education on sustainability and organic principles. The garden has also created a learning space attracting residents, schools, sporting clubs and community groups. People are attending the garden to share information, grow in organic and sustainable practices which are then taken back to their own gardens.

North Brighton Community Garden has 153 email subscribers, 165 Instagram followers, 516 Facebook followers. There are 22 Plot Members, with ages ranging from 18-70 years.

An Open Day was held on 26 October 2019 attracted an estimated 300 people. Councils' role moving forward will be to provide governance support, volunteer management and community development initiatives.



Item No: **18.2**

Subject: **ELECTED MEMBER APPOINTMENT TO THE COUNCIL ASSESSMENT PANEL**

Date: 26 November 2019

Written By: Manager Development Services

General Manager: City Assets & Services, Mr H Lacy

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## **SUMMARY**

The tenure of the single Elected Member appointed to the City of Holdfast Bay Council Assessment Panel expires on 14 December 2019. This report recommends that Council appoint one (1) Elected Member to serve on the Council Assessment Panel for a maximum period of one (1) year as per the CAP Operating Procedures.

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## **RECOMMENDATION**

**That Councillor\_\_\_\_\_ be appointed to serve on the City of Holdfast Bay Council Assessment Panel in accordance with the Code of Conduct and Operating Procedures for the Panel for the period commencing 14 December 2019 and ending 14 December 2020.**

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## **COMMUNITY PLAN**

Placemaking: Creating lively and safe places  
Placemaking: Building character and celebrating history

## **COUNCIL POLICY**

Council Assessment Panel Operating Procedures

## **STATUTORY PROVISIONS**

Planning, Development & Infrastructure Act 2016

## **BACKGROUND**

State legislation dictates that no more than one Elected Member can be appointed to a Council Assessment Panel. Under Council's Operating Procedures for the Council Assessment Panel (CAP), one Elected Member representative is appointed to the CAP for a maximum period of one (1)

calendar year, but can be reappoint for a further term of office at expiry of their term. Cr Clancy was appointed to the CAP as the Elected Member representative with her one (1) year tenure expiring on 14 December 2019.

## **REPORT**

The City of Holdfast Bay Council Assessment Panel is a five member panel consisting of one Elected Member and four non-Council Members, which meets monthly to hear representations and consider the merits of specific development applications. Whilst the four non-Council Members are required to have prescribed qualifications, the single Elected Member is not.

The appointment of Council Assessment Panel members is undertaken in accordance with the provisions of the Planning, Development and Infrastructure Act 2016 and Council's Operating Procedures for the Council Assessment Panel, which states that a Council Member is appointed to the Panel for a maximum period of one (1) year.

Copies of the Operating Procedures and Code of Conduct for the City of Holdfast Bay Council Assessment Panel are provided as Attachments 1 and 2 to this report.

*Refer Attachments 1 and 2*

Council Assessment Panel meetings are open to the public and held at 7:00pm in the Kingston Room at the Brighton Civic Centre on the fourth Wednesday of the month, with the exception of the next meeting, which will be held on 11 December 2019 due to the Christmas period. The agenda for each meeting is distributed to Council Assessment Panel members five business days prior to the meeting date.

## **BUDGET**

The payment of sitting fees to the Elected Member and non-Council Members serving on the Council Assessment Panel is factored into the 2019/20 Budget. At the time of writing this report, each of the four ordinary non-Council Members and the single Elected Member serving on the Panel receive a payment of \$425 per monthly meeting, with the Presiding Member receiving \$552. There is also a budget allocation for training new Members appointed on the Panel.

## **LIFE CYCLE COSTS**

There are no life cycle costs associated with the appointment of Elected Members to the Council Assessment Panel.

# Attachment 1





# **CITY OF HOLDFAST BAY**

## **COUNCIL ASSESSMENT PANEL**

### **OPERATING PROCEDURES**

#### **Interpretation:**

**1** In these Terms of Reference:

- **Administration** means City of Holdfast Bay employees.
- **Chief Executive Officer** means the Chief Executive Officer of the City of Holdfast Bay.
- **Consensus** means the general agreement of the Panel.
- **Council** means the City of Holdfast Bay.
- **Member** means a member of the Panel.
- **Panel** means the City of Holdfast Bay Council Assessment Panel established by the Council pursuant to the provisions of the Act.
- **Presiding Member** means the Member of the Panel who is appointed as its Presiding Member.

#### **Purpose and Role of the Council Assessment Panel:**

**2** The Panel is the body established by Council to be the relevant authority appointed pursuant to Sections 82-87 and clauses 12-16 of Schedule 8 of the Planning, Development and Infrastructure Act 2016.

**3** The functions of the Panel are:

- Determine Development Applications in accordance with the powers and functions delegated to the Panel by the Council, pursuant to Section 20 of the Development Act 1993, or where repealed and replaced, by relevant sections of the Planning, Development and Infrastructure Act 2016, and the Operating Procedures; and
- to perform other functions (other than functions involving the formulation of policy) assigned to the Panel by the Council.

**4** The Panel shall exercise, perform and discharge the following responsibilities on behalf of the Council:

- The consideration of matters submitted by the Administration relating to assessment and determination of applications for planning consent.
- The provision of comment or advice to the Development Assessment Commission on major matters submitted to the Council by the Commission.
- The consideration of proposals for settlement on matters subject to appeal to the Environment, Resources and Development Court.
- The consideration of such other assessment matters as may be referred to the Panel by the Administration.

**5** The creation and operation of the Panel shall occur in a manner that confirms and reinforces its independence from the functions of the Elected Council.

- 6 The Local Government Act 1999 does not apply to, or in relation to, the Panel (including with respect to its members when acting under Section 56A or its processes or procedures).

**Membership of the Panel:**

- 7 The Membership of the Panel shall be comprised of:
- one (1) Independent Presiding Member (who is not a member of Council or council staff),
  - three (3) other Independent Members (who are not members of Council or council staff), and
  - one (1) Elected Council Member.
- 8 There are no proxy members on the Panel.
- 9 The Presiding Member will be appointed by the Council taking into account the following requirements:
- the Presiding Member must not be a member or officer of the Council; and
  - the Presiding Member must be a fit and proper person to be a member of the Panel; and
  - the Presiding Member must be a person who is determined by Council to have a reasonable knowledge of the operation and requirements of the Development Act, 1993, or where repealed and replaced, by relevant sections of the Planning, Development and Infrastructure Act 2016, and appropriate qualifications or experience in a field that is relevant to the activities of the Panel.
- 10 The Independent Members of the Panel shall be appointed by the Council taking into account the following requirements:
- each must be a fit and proper person to be a member of the Panel; and
  - each must be a person who is determined by Council to have a reasonable knowledge of the operation and requirements of the Development Act, 1993, or where repealed and replaced, by relevant sections of the Planning, Development and Infrastructure Act 2016 and appropriate qualifications or experience in a field that is relevant to the activities of the Panel; and
  - the qualifications and experience of these members, when considered in conjunction with the qualifications and experience of the Presiding Member, must provide a reasonable balance across the fields that are relevant to the activities of the Panel; and
  - that at least one (1) member of the Panel is a woman and at least one (1) member is a man; and
  - that, as far as practicable, the Panel consists of equal numbers of men and women.
- 11 The following have been appointed as current Members of the City of Holdfast Bay Council Assessment Panel:
- Presiding Member:
    - Jenny Newman
  - Independent Members:
    - David Bailey

- Graham Goss
- Jim Gronthos
- Council Member:
  - Rosemary Clancy

**12** A vacancy on the Panel occurs when a member:

- dies; or
- completes a term of office and is not reappointed; or
- resigns from the Panel by written notice addressed to Council; or
- is a member holding the position of Councillor of the City of Holdfast Bay, and is not re-elected to the Council in periodic elections; or
- is removed from office by Council for contravention of the requirement to declare a conflict of interest in accordance with Section 56A(7) and (9) of the Development Act 1993, or where repealed and replaced, by relevant sections of the Planning, Development and Infrastructure Act 2016; or
- is removed from office by Council for contravention of the Minister's Code of Conduct as resolved by Council; or
- is removed from office by resolution of the Council (providing on so doing the Council defines the grounds for removal, and appoints a new member to complete the term of the removed member); or
- becomes bankrupt or applies to take the benefit of a law for the relief of insolvent debtors; or
- is convicted of an indictable offence punishable by imprisonment.

**13** On the office of a member of the Panel becoming vacant, a person will be appointed in accordance with the provisions of the Development Act, 1993, or where repealed and replaced, by relevant sections of the Planning, Development and Infrastructure Act 2016, and the Council's Membership and Conditions of Appointment in the Operating Procedures.

**14** Council may reappoint all or any members of the Panel for a further term of office at their term's expiry.

**15** A member of the Panel whose term of office expires may nevertheless continue to act as a Member, for a period of up to 6 months, until he or she is reappointed or a successor is appointed (as the case may be).

**Conditions of Appointment to the Panel:**

**16** The Presiding Member is appointed to the Panel for a maximum period of two (2) calendar years.

**17** Independent Members are appointed to the Panel for a maximum period of two (2) calendar years.

**18** Council Members are appointed to the Panel for a maximum period of one (1) calendar year.

**19** Each Member of the Panel is appointed at the discretion of the Council in accordance with the provisions of the Planning, Development and Infrastructure Act 2016.

- 20** Appointment to the Panel for all Members has an associated payment of \$425 per meeting for attendance at Panel meetings. Appointment to the Panel for the Presiding Member has an associated payment of \$552 per meeting for attendance at Panel meetings.
- 21** A member of the Panel who is not a member of the Council must disclose his or her financial interests in accordance with the relevant sections of the Planning, Development and Infrastructure Act 2016.
- 22** The Council may remove a member of the Panel from office for:
- breach of, or failure to comply with, the conditions of appointment;
  - misconduct;
  - neglect of duty;
  - incapacity to carry out satisfactorily the duties of his or her office;
  - non-compliance with the Minister's Code of Conduct;
  - non-compliance with replaced, by relevant sections of the Planning, Development and Infrastructure Act 2016; or
  - failure to carry out satisfactorily the duties of his or her office.
- 23** Pursuant to the relevant sections of the Planning, Development and Infrastructure Act 2016, a member of the Panel incurs no liability for an honest act done in the exercise or performance, or purported exercise or performance, of powers or function.

**Responsibilities of the Presiding Member:**

- 24** The role of the Presiding Member will include, but will not be limited to:
- the conduct of the business of the Panel at meetings and ensuring appropriate meeting procedures are followed, including matters relating to the Panel's Code of Conduct and Terms of Reference; and
  - ensuring the Panel properly considers matters in terms of the Development Act 1993, or where repealed and replaced, by relevant sections of the Planning, Development and Infrastructure Act 2016, in an efficient and timely manner; and
  - ensuring that members are aware of their role and responsibilities as a Panel member under the Development Act 1993, or where repealed and replaced, by relevant sections of the Planning, Development and Infrastructure Act 2016, and do not confuse that role with any other role or a role as an Elected Members under the Local Government Act 1999.

**Responsibilities of Panel Members:**

- 25** The Panel will ensure that procedures:
- are fair and contribute to open, transparent and informed decision-making; and
  - reflect the levels of formality appropriate to the nature and scope of responsibilities exercised at that meeting; and
  - are sufficiently certain to give the community and decision makers confidence in the deliberations undertaken at the meeting.
- 26** The members of the Panel will appoint the Deputy Presiding Member of the Panel.

- 27 In the absence of the Presiding Member and Deputy, the Panel will select another Panel Member to preside at a meeting.
- 28 The Panel shall hold meetings in a place open to the public.
- 29 The Panel shall determine its ordinary meeting schedule, unless determined by the Council.
- 30 The Panel will determine the distribution and presentation requirements for Agendas and Reports for Members of the Panel and determine the distribution requirement for Agendas and Reports to the Public.
- 31 The Panel shall ensure that accurate minutes are kept of its proceedings.
- 32 The Panel shall provide reasonable access to both the Agenda for and Minutes of a meeting of the Panel to the public.

**General Operating Procedures:**

- 33 The Panel shall meet at 7.00pm and conclude by 11:00pm (unless otherwise determined by the Panel) on the fourth Wednesday of each month in the Kingston Room, Brighton Civic Centre, 24 Brighton Road, Brighton, unless the Panel determines that an alternative venue is more suitable for the consideration of particular Agenda items, subject to there being business to consider. In all cases, the Agenda must state the venue of the meeting, and a minimum of five (5) days notice must be given to applicants and representors of the date, time and venue of the meeting.
- 34 All meetings of the Panel shall remain open to the public at all stages of assessment unless resolved by the Panel to be confidential pursuant to Section 56A(12) of the Development Act 1993, or where repealed and replaced, by relevant sections of the Planning, Development and Infrastructure Act 2016.
- 35 Pursuant to Section 56A(12) of the Development Act 1993, or where repealed and replaced, by relevant sections of the Planning, Development and Infrastructure Act 2016, the Panel may exclude the public from attendance:
  - during so much of a meeting as is necessary to receive, discuss or consider on a confidential basis any of the following information or matters
    - information that would, if disclosed, confer a commercial advantage on a person with whom a council is conducting (or proposes to conduct) business, or prejudice the commercial position of a council;
    - commercial information of a confidential nature that would, if disclosed:
      - (A) prejudice the commercial position of the person who supplied it; or
      - (B) confer a commercial advantage on a third party; or
      - (C) reveal a trade secret;
  - matters affecting the security of any person or property;
  - matters that must be considered in confidence in order to ensure that the Panel does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty;

- legal advice, or advice from a person who is providing specialist professional advice; or
  - information provided by a public official or authority (not being an employee of a council, or a person engaged by a council) with a request or direction by that public official or authority that it be treated as confidential.
- 36** A quorum for meetings of the Panel is ascertained by dividing the total number of members of the Panel by two (2), ignoring any fraction resulting from the division, and adding one (1). If either a Council Member or an Independent Member is unable to attend, provided a quorum is achieved, the meeting must continue as scheduled.
- 37** In the event that a quorum is not present, within 30 minutes of the commencement time for a meeting, business listed on the Agenda will be dealt with at the next meeting of the Panel.
- 38** In the absence of the Presiding Member, the Deputy shall preside.

### **Representations:**

- 39** The Panel will hear only as follows:
- All Category 3 representors who request to be heard (or their nominees);
  - All Category 2 representors who request to be heard (or their nominees);
  - In any case where representors are heard, the Panel will give the applicant (or nominee) the opportunity to respond.
- 40** Representors and applicants will be allowed five (5) minutes each to address the Panel, unless a longer time is allowed by the Presiding Member. The Panel will have the opportunity to question and seek clarification from representors and applicants at the conclusion of their address to the Panel, but not to debate issues with individual representors or applicants.
- 41** Only those members of the Panel who are present at any verbal representation made by representors and the applicant shall participate in the consideration of and decision of that application. The absence of a Panel member who was present for the verbal representation of an application does not preclude the remaining members present from proceeding to consider and determine the application.
- 42** All applicants of Development Application Agenda item(s) and persons who have lodged a representation will be invited to the Panel meeting no less than five (5) business days prior to the scheduled meeting.
- 43** At its discretion, the Panel may call for and hear specialist technical/professional advice related to the assessment of any application. Clarification or comment from staff members present at the meeting, can be sought by any Member of the Panel prior to discussion on any matter.

### **Decision Making:**

- 44** The Panel must use the Holdfast Bay (City) Development Plan as the basis for its decisions, having had regard to any written and verbal representations made in accordance with the provisions of the Act.

- 45 The Panel decision making shall be based on consensus, following open discussion, with a formal motion to be moved in the event of failure to reach consensus. Voting shall be by a show of hand..
- 46 In the event of failure to reach consensus, each member of the Panel present at a meeting of the Panel is entitled to one (1) vote and, if the votes are equal, the member presiding at the meeting is entitled to a second or casting vote.
- 47 The Panel should only defer a decision if it considers that the additional time allowed will create benefits in allowing a thorough decision to be made and provided that the reasons for the deferral are clear to the applicant and any representors that may be involved. Panel Members, however should be aware of the time frames within which certain decisions are required to be made under the Development Act, or where repealed and replaced, by relevant sections of the Planning, Development and Infrastructure Act 2016.
- 48 When moving to refuse an application, members of the Panel will be required to provide reasons for refusal including reference to the relevant Objectives and Principles of Development Control within the Holdfast Bay (City) Development Plan.
- 49 The Panel shall conduct its meetings without the practice of 'calling of divisions'.

**Minutes of the Meeting:**

- 50 The decisions of the Panel will be recorded in the Minutes of the meeting.
- 51 The Minutes of the proceedings of a meeting will record:
- the names of the Panel members present;
  - the name and time of a Panel member entering or leaving;
  - the name of a person who has made a verbal representation to the Panel at the meeting;
  - the consensus decision of the Panel;
  - in the absence of a consensus decision, each motion (and amendment) moved and the outcome of the vote;
  - any disclosure of interest made by a Panel member;
  - the decision of the Panel to exclude public attendance; and
  - a notation, describing the confidential nature of the information and matter, in the event that a matter has been excluded from the Minutes.
  - Any other matter which in the opinion of the Presiding Member warrants recording.
- 52 The Panel may, before it releases a copy of any minutes to the public, exclude from the minutes information about any matter dealt with on a confidential basis by Members of the Panel.
- 53 Minutes shall not be formal Minutes of a meeting until adopted by the Panel at the next meeting of the Panel. However, this does not preclude the issue of Decision Notification under the Development Act 1993, or where repealed and replaced, by relevant sections of the Planning, Development and Infrastructure Act 2016, advising of the determination of the Panel of Development Applications immediately after a meeting at which the Panel determined the particular application.

- 54** Upon adoption of the Minutes, the Presiding Member shall authorise the Minutes by signature and date of adoption and by initialing each page of the minutes and sign and date the last page of the Minutes.
- 55** Copies of the Draft Minutes of meeting will be available to the public at the Brighton Civic Centre at least five (5) working days after the date of the meeting.

**Notice of Meetings:**

- 56** Public notice of the Panel scheduled meetings will be provided at the Brighton Civic Centre and on the Council's website.
- 57** A minimum of five (5) working days notice of meetings shall be given to Panel members.
- 58** A copy of the Agenda for every meeting of the Panel shall be available for viewing by the public at the Brighton Civic Centre, Council Libraries and on the Council's web site (web site without attachments) at least five (5) working days before the Panel meeting.

**Special Meetings:**

- 59** Special meetings of the Panel may be held at any time.
- 60** A Special meeting of the Panel may be called at the request of:
- the Presiding Member of the Panel;
  - the Chief Executive Officer; or
- 61** A Special meeting will only deal with the business for which the meeting has been called.
- 62** A request to call a Special meeting must be accompanied with an Agenda stating the item(s) of business for which the Panel is being requested to convene. If an Agenda is not provided at the time of the request, the Special meeting will not be called.
- 63** Each Member of the Panel will be provided verbal and/or sent a notice of a Special meeting at least four (4) hours before the commencement of the meeting, accompanied by the Agenda for the meeting.

**Review and Reporting of Delegated Power & Function:**

- 64** Pursuant to section 56(A)(2) of the Development Act 1993, or where repealed and replaced, by relevant sections of the Planning, Development and Infrastructure Act 2016, Council delegates to the Panel the power to determine its operating procedures provided they are not inconsistent with these Operating Procedures, including but not restricted to the following:-
- Meeting procedures;
  - Meeting venue;
  - Meeting schedule;
  - Quorum;



- Content of Minutes and policy on availability;
- Notice of meetings;
- Voting rights;
- Access of public to the meetings;
- Hearing of parties; and
- Basis for decision making.

# Attachment 2





Assessment  
Panel  
Members

# Assessment Panel Members – Code of Conduct

## Introduction

Under Schedule 3 of the *Planning, Development and Infrastructure Act 2016* (PDI Act) the Minister may adopt a code of conduct to be observed by members of an assessment panel established under the PDI Act. This code of conduct sets out standards of conduct and professionalism that are to be observed by all members of assessment panels under the PDI Act. This code of conduct must be read in conjunction with the Act.

For the purposes of the PDI Act, a key requirement is that all members of assessment panels must carry out, and be seen to carry out, their functions with the highest ethical standards so as to maintain public confidence in the integrity of development assessment under the Act.

The code is the key tool to ensure that all members of assessment panels act honestly and ethically with a high degree of accountability. If a member of an assessment panel has any doubt in regard to any function they may perform under the Act they should seek the advice of the panel's assessment manager or some other appropriate person.

While some members of an assessment panel may also be bound by other codes of conduct or professional standards issued by their respective professional associations, they have no legal status under the Act. If there is a conflict between a requirement in this code of conduct and any other professional code or standard, this code prevails for the purposes of the Act.

## Legislative framework

Under section 15 of the PDI Act, all members of assessment panels are subject to a statutory duty as described in the section as follows:

- (1) *It is expected that a person or body that—*
- (a) *seeks to obtain an authorisation under this Act; or*
  - (b) *performs, exercises or discharges a function, power or duty under this Act; or*
  - (c) *takes the benefit of this Act or is otherwise involved in a process provided by this Act, will—*
  - (d) *act in a cooperative and constructive way; and*
  - (e) *be honest and open in interacting with other entities under this Act; and*
  - (f) *be prepared to find reasonable solutions to issues that affect other interested parties or third parties.*

- (2) *Without limiting subsection (1), a person or body performing, exercising or discharging a function, power or duty under this Act must-*
- (a) *exercise professional care and diligence; and*
  - (b) *act honestly and in an impartial manner; and*
  - (c) *be responsible and accountable in its conduct; and*
  - (d) *comply with any code of conduct, service benchmark or other requirement that applies in relation to the person or body.*
- (3) *The Minister may, after taking into account the advice of the Commission, establish and maintain service benchmarks for the purposes of this section.*
- (4) *The principles and benchmarks under this section— (a) do not give rise to substantive rights or liabilities; but (b) may lead to action being taken on account of a breach of a code of conduct or professional standard that applies in relation to a relevant person or body.*

## **Code of conduct requirements**

In acting as a member of an assessment panel, a member must comply with the following requirements.

### **General duties**

1. A member of an assessment panel must in performing, exercising or discharging a function, power or duty under the PDI Act, act in accordance with the general duties as set out in section 15 of the PDI Act.

### **Act in the public interest**

2. A member of an assessment panel must act in a manner that promotes or protects the public interest.

### **Procedures**

3. A member of an assessment panel must ensure that the procedures specified in the Act or prescribed in the *Planning Development and Infrastructure (General) Regulations 2017* are complied with.
4. A member of an assessment panel must comply with the panel procedures in relation to public comments and communication with the media

### **Regard for honesty**

5. A member of an assessment panel must act with integrity, good faith and equity and must not discriminate toward any person in performing their duties.
6. A member of an assessment panel must advise the assessment manger and the Commission immediately if the member:
  - a. is the subject of a formal investigation into, or have been found to have, breached any other code of conduct, ethical standards or similar, either in another State or through a professional body of which they are a member; or
  - b. has been found guilty of a breach of any Act related to planning, building or a development related matter.

### **Conflict of interest**

7. A member of an assessment panel who has a direct or indirect personal or pecuniary interest in a matter before the council development assessment panel (other than an indirect interest that exists in common with a substantial class of persons)—
  - a. must, as soon as he or she becomes aware of his or her interest, disclose the nature and extent of the interest to the panel; and
  - b. must not take part in any hearings conducted by the panel, or in any deliberations or decision of the panel, on the matter and must be absent from the meeting when any deliberations are taking place or decision is being made.
8. A member of an assessment panel will be taken to have an interest in a matter for the purposes of item 7 if an associate of the member (within the meaning of section 3 (7) of the PDI Act) has an interest in the matter.
9. If an interest has been declared by a member of an assessment panel the nature of the interest must be recorded in the minutes of the meeting.

### **Making decisions and taking action**

10. A member of an assessment panel must take all reasonable steps to obtain all relevant facts and information when making a decision on a matter before the panel.
11. A member of an assessment panel must ensure that the member's decisions and actions are reasonable, fair and appropriate to the circumstances, based on consideration of all relevant facts obtained, and supported by adequate documentation.
12. A member of an assessment panel must not approach or discuss with an applicant or representor any application which is either before the panel or will come before the panel at some future time except during the course of a panel meeting where the application forms part of the agenda and the applicant or representor has a right to be heard by the panel.
13. Except where required as part of the assessment of a particular decision such as a formal panel viewing of a site of a proposed development, you should not enter the site even if invited by the land owner or a neighbouring property owner or any other person.
14. A member of an assessment panel must not:
  - a. engage in consultation outside of the panel process with any party on a proposed development application that is likely to be heard by the panel;
  - b. give advice to an applicant or other third party on a development application after it has been lodged outside of a panel meeting;
  - c. speak at a public meeting for or against a proposal where the purpose of the meeting is to discuss either a proposed development or a development application unless required by the Act;
  - d. express an opinion on a development application or a proposed development outside of a panel meeting; and
  - e. engage in any other act or omission which may give rise to a reasonable presumption that you have prejudged a development proposal or application.

### **Public comment**

15. Only the presiding member or another person determined by the panel is permitted to speak publicly to the media and address the public on behalf of the panel. No other panel member may make comment to the media or the public in relation to any matter before the panel or any decision of the panel.

### **Protection and use of information**

16. A member of an assessment panel must maintain the integrity and security of confidential information in their possession and must not use confidential information gained by virtue of the member's official position for the purpose of securing a private benefit for the member or any other person.
17. A member of an assessment panel must not disclose information acquired in the course of their professional work other than if consent of the relevant person has been granted or where there is a legal or professional duty to disclose such information.

### **Proper exercise of power**

18. A member of an assessment panel must not take advantage of the member's position, power or duties for the purpose of obtaining, either directly or indirectly, any preferential treatment or other improper advantage for the member or any other person.

### **Gifts and benefits**

19. A member of an assessment panel must not seek or accept a gift or benefit that is intended to, is likely to or could be perceived as likely to, cause them to act in an unfair or biased manner in the course of the member's duties.
20. A member of an assessment panel must take all reasonable steps to ensure that a person related to the member does not receive gifts or benefits that could appear to be an attempt to influence or secure or have the effect of influencing or securing a favour from the member of an assessment panel. A person is related to a member of an assessment panel for the purpose of this provision if the person is spouse, de facto partner, sibling, parent or child of the member of the assessment panel.

### **Bias**

21. A member of an assessment panel should always have regard to any affiliation, disposition or any material, pecuniary or other interest that would lead to a reasonable apprehension that they may be biased in carrying out any aspect of their role under the Act.

Item No: **18.3**

Subject: **PERMISSION TO ALTER A ROAD**

Date: 26 November 2019

Written By: Manager Development Services

General Manager: City Assets and Services, Mr H Lacy

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### **SUMMARY**

The State Commission Assessment Panel (SCAP) has referred to Council a development application for an ALDI supermarket located at 601-603 Anzac Highway, Glenelg North (north-eastern corner with Old Tapleys Hill Road). The development application includes a proposal to create a new vehicle access point from Old Tapleys Hill Road, and relocate an existing vehicle access along Anzac Highway. Prior to considering the planning merits on the proposal, Council is requested to grant permission under the Local Government Act 1999 to make alterations to both roads as a means to allow access into the site, which will also result in the combined loss of eleven (11) on-street car parking spaces and the realignment of travel lanes. This report seeks Council's consent for Administration to grant a permit for the alteration to both roads.

---

### **RECOMMENDATION**

1. **That Council authorises Administration to grant a permit under section 221 of the Local Government Act 1999 for the alteration of two roads adjacent 601-603 Anzac Highway, Glenelg North for the purpose of realigning travel lanes, constructing a new vehicle invert and crossover on Old Tapleys Hill Road, and the alteration of an existing vehicle invert and crossover on Anzac Highway, in accordance with plans provided as Attachment 2 to this report;**
  2. **That the cost of all work associated with the alterations to the road are met by the proponent, and that the work is completed to the satisfaction of Council's City Assets and Services Department;**
  3. **That the disused invert and crossover on Anzac Highway is reinstated to kerbing, footpath and verge at the time the new invert and crossover is constructed, at the proponent's expense and to the satisfaction of Council's City Assets and Services Department;**
  4. **That tree protection measures for street trees on Anzac Highway are installed prior to the commencement of any work to ensure that the tree is retained in a sound condition by reducing the impact on its root system.**
-

**COMMUNITY PLAN**

Placemaking: Creating lively and safe places

Culture: Supporting excellent, efficient operations

**COUNCIL POLICY**

N/A

**STATUTORY PROVISIONS**

*Local Government Act 1999*

**BACKGROUND**

In mid-August 2019, the Office of the State Coordinator General (OSCG) advised Council that it had appointed the State Commission Assessment Panel (SCAP) as the planning authority for a development application to construct an ALDI supermarket for the site located at 601-603 Anzac Highway, Glenelg North (north-eastern corner with Old Tapleys Hill Road, adjacent Mitre 10), on the basis that the proposal exceeds \$5m in value. The SCAP subsequently referred the development application to Council in early September 2019 for its comments. Plans of the proposed development are provided in Attachment 1 to this report.

*Refer Attachment 1*

**REPORT**

Vehicular access to the proposed ALDI supermarket site will occur via two (2) access points. The first access point involves an entry and exit provided via an unrestricted, new two-way access from Old Tapleys Hill Road (located at the northern end of the site). This access will accommodate customers, staff and heavy delivery vehicle movements. These delivery vehicles will consist of 15.5 metre semi-trailers, which will access the land via a right turn from Anzac Highway onto Old Tapleys Hill Road and then a right turn into the site via the proposed crossover. Establishment of this access point will result in the loss of eight (8) existing on street car parks (parallel parks) however this is offset by the addition of 84 off-street carparks added on the site.

The second access point involves the relocation and widening of an existing access point on Anzac Highway (to be shifted west), which will accommodate left-in and left-out entry and exit movements only, and will service the under-croft parking area for customers and staff. Establishment of this access will result in the loss of three (3) existing on street car parks (45° angle).

Detailed plans of the proposed access points and impact on street car parks are shown in Attachment 2 to this report.

*Refer Attachment 2*

Furthermore, lane realignments to Old Tapleys Hill Road adjacent to the Anzac Hwy roundabout are sought to accommodate a dedicated right turn lane into the ALDI Store from Old Tapleys Hill Road. This scheme would maintain two through lanes in Old Tapleys Hill Road on the departure



side of the roundabout for 75 metres. However, the two existing lanes that allow through movements on the roundabout approach in Old Tapleys Hill Road would be reduced to a single lane, diverging approximately 35 metres from the roundabout.

*Refer Attachment 2*

Both Old Tapleys Hill Road and the section of Anzac Highway west of Brighton Rd are Council controlled roads. As such, Section 221 of the Local Government Act 1999 requires permission from Council prior to making any alteration to either the road itself or vehicle access points.

It is considered that in the interest of safe and convenient access to and from the site, that Council grant permission for Administration to issue a permit for the alteration to both Anzac Highway and Old Tapleys Hill Road to facilitate vehicle access to the development, including the realignment of travel lanes. Council's Technical Officer Traffic and an independent consulting engineer have assessed the proposal and are supportive of the plan.

The modelling applied to the scheme confirmed that both intersections would continue to operate adequately based on the revised geometric configuration without any notable changes to the average delay queue length. The modelling also confirms the provision of a right turn lane will remove any impact on northbound traffic on Old Tapleys Hill Road in terms of delay, and that a shorter left lane on the northern approach to the Anzac Highway roundabout will not have any noticeable impact on the operation of the roundabout in terms of queue lengths or delay on this northern approach.

There are no street trees that require removal as a result of the new vehicle access points, with the proposed location of the new crossover on Anzac Highway located 1.5 metres away from the nearest street tree. Council's Technical Officer Arboriculture has assessed the proposal as being satisfactory. Tree protection measures will be required during the period of construction. A separate application will be submitted for relocation of the light pole adjacent the Anzac Highway entry, which will also be affected by the proposal.

The eleven (11) on-street car parking spaces lost to the proposal are not ticketed, so there is no direct financial loss caused by the proposal, and the existing businesses currently directly benefitting from these on-street spaces will be replaced by the ALDI supermarket, which will have its own on-site car park. Notwithstanding the loss of eleven (11) on-street car parking spaces, five (5) spaces will be retained adjacent this corner site, comprising one (1) on-street space on Old Tapleys Hill Road and four (4) spaces on Anzac Highway.

The loss of eight (8) on street car parking spaces on Old Tapleys Hill Road represents the minimum number of on-street car park spaces required to achieve safe clearance and sightline distances. The Anzac Highway access will be located at the eastern end of the site, with a six (6) metre offset from the eastern property boundary enabling adequate pedestrian sight line splays. Three (3) on-street angled car parking spaces will need to be removed to enable appropriate entry and exit movements. The proposed access point will be located further away from the existing Mitre 10 access point to the east (the existing access points are located adjacent each other). This will improve safety of the access points with clear separation between each for two-way movements from the proposed ALDI access point (the Mitre 10 access point is entry only). This is a ten (10) metre wide crossover as the angle of entry is more acute.

Permission to grant a permit for the vehicle access points does not imply the granting of an approval for the overall development, which will be the subject of a detailed planning assessment by the SCAP, informed by a public consultation process. The issue of the vehicle access points must, however, be resolved prior to commencement of the planning assessment, as with no adequate access to the site the proposal is hypothetical in its current form.

**BUDGET**

There are no direct costs associated with granting permission to alter the two roads as requested by the proponent.

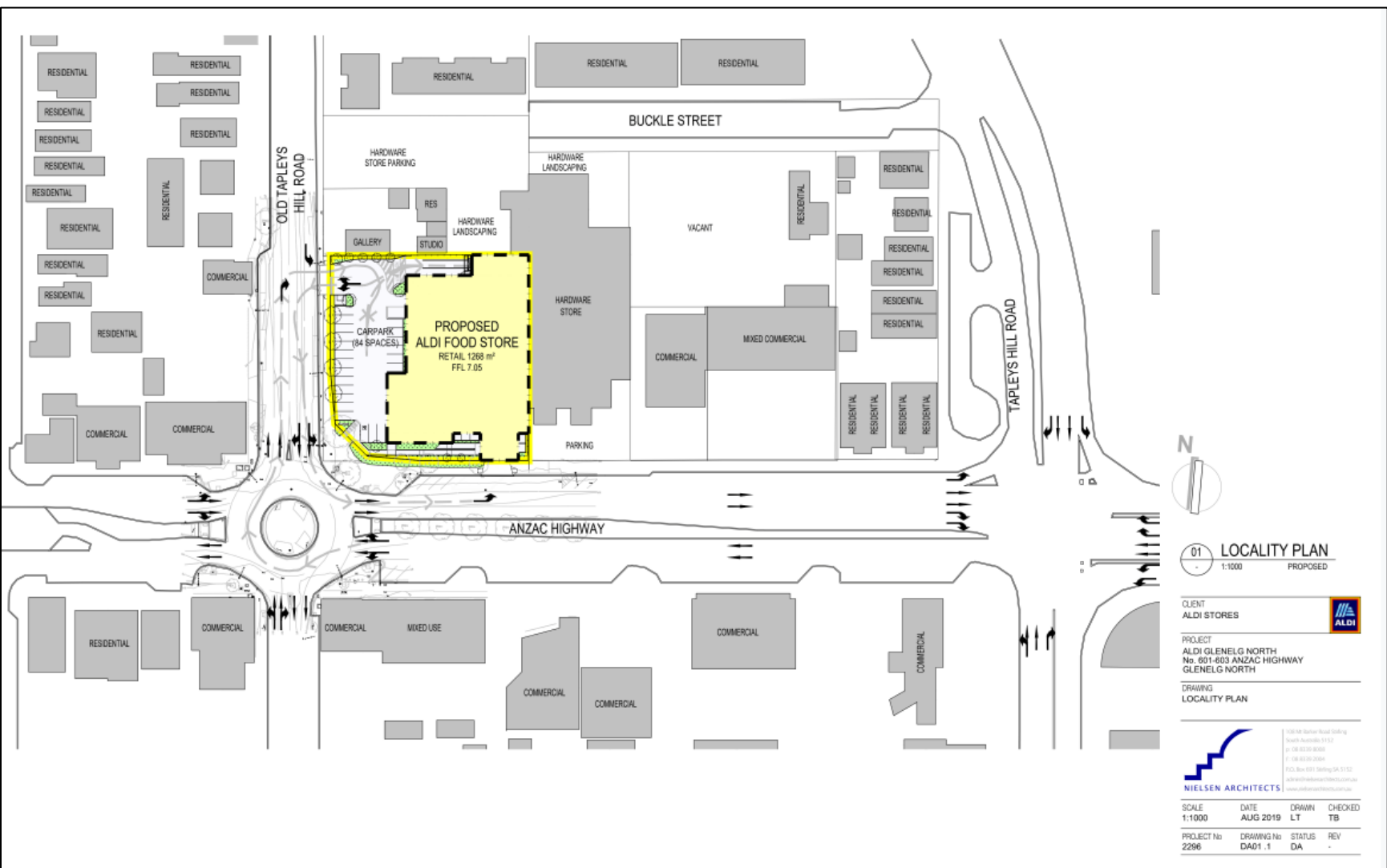
**LIFE CYCLE COSTS**

There are no additional costs to Council in adopting the recommendations.

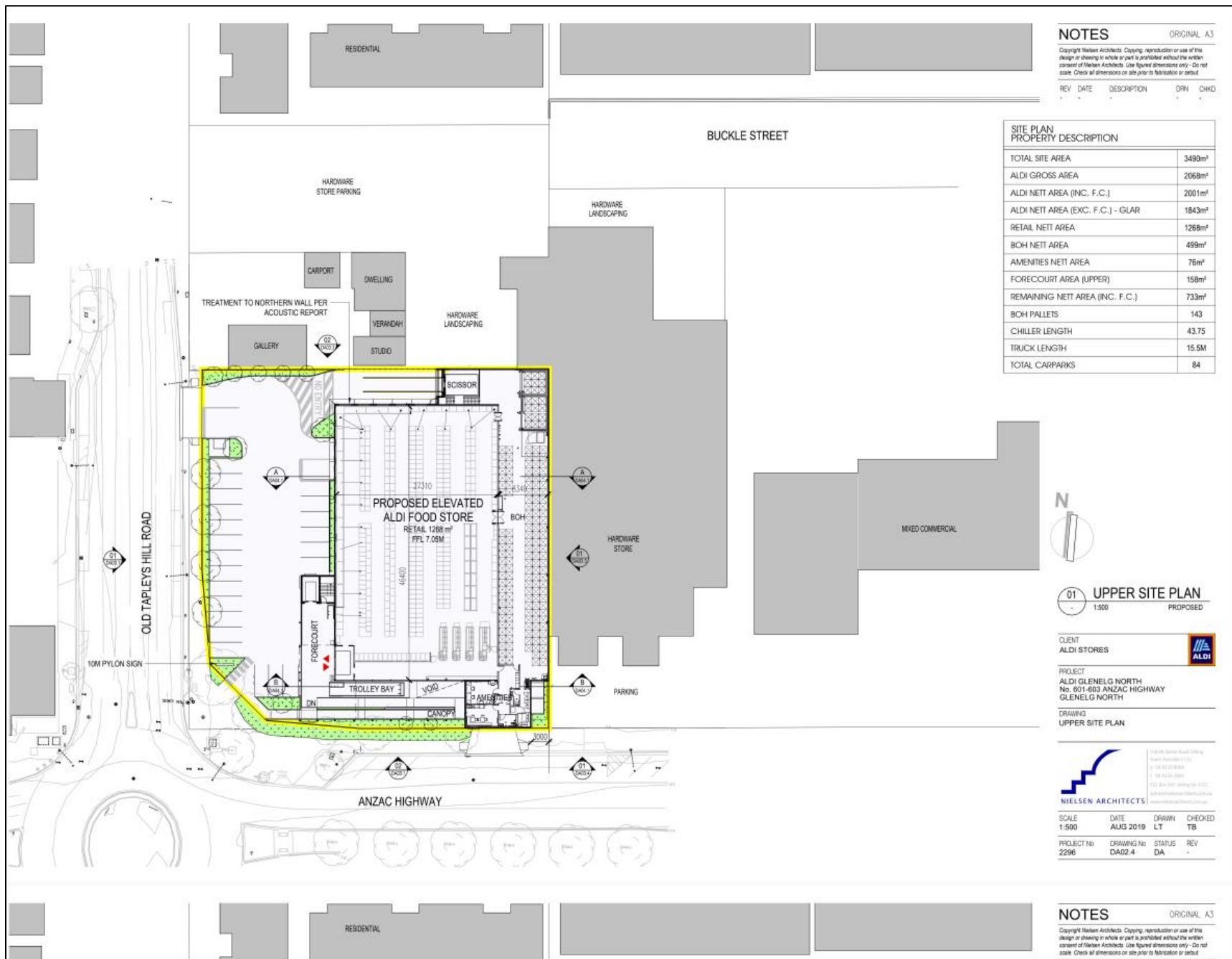
# Attachment 1



# PROPOSED PLANS FOR THE NEW ALDI SUPERMARKET







## NOTES

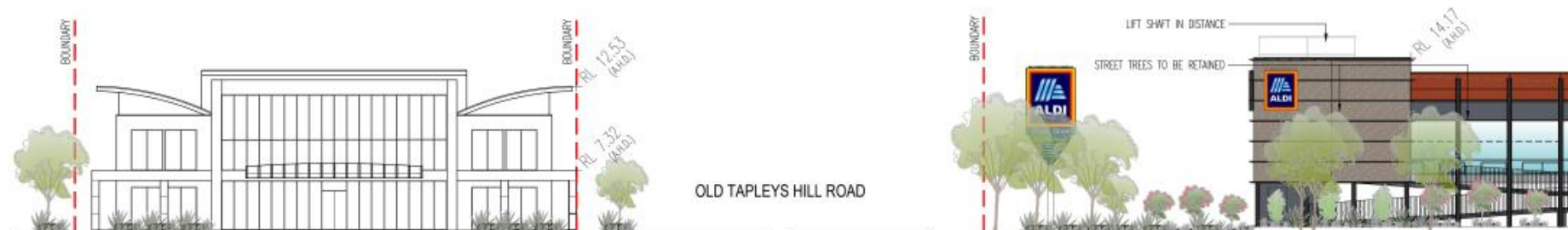
ORIGINAL A3

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REV	DATE	DESCRIPTION	DRN	CHKD
1				



01 ANZAC HIGHWAY STREETSCAPE ELEVATION  
1:500 SOUTH



02 ANZAC HIGHWAY STREETSCAPE ELEVATION  
1:250 WESTERN END



03 ANZAC HIGHWAY STREETSCAPE ELEVATION  
1:250 EASTERN END

CLIENT  
ALDI STORES







VIEW OF THE PROPOSED ALDI SUPERMARKET LOOKING NORTH FROM ANZAC HIGHWAY





VIEW OF THE PROPOSED ALDI SUPERMARKET LOOKING NORTH-WEST FROM ANZAC HIGHWAY





VIEW OF THE PROPOSED ALDI SUPERMARKET LOOKING SOUTH FROM OLD TAPLEYS HILL ROAD

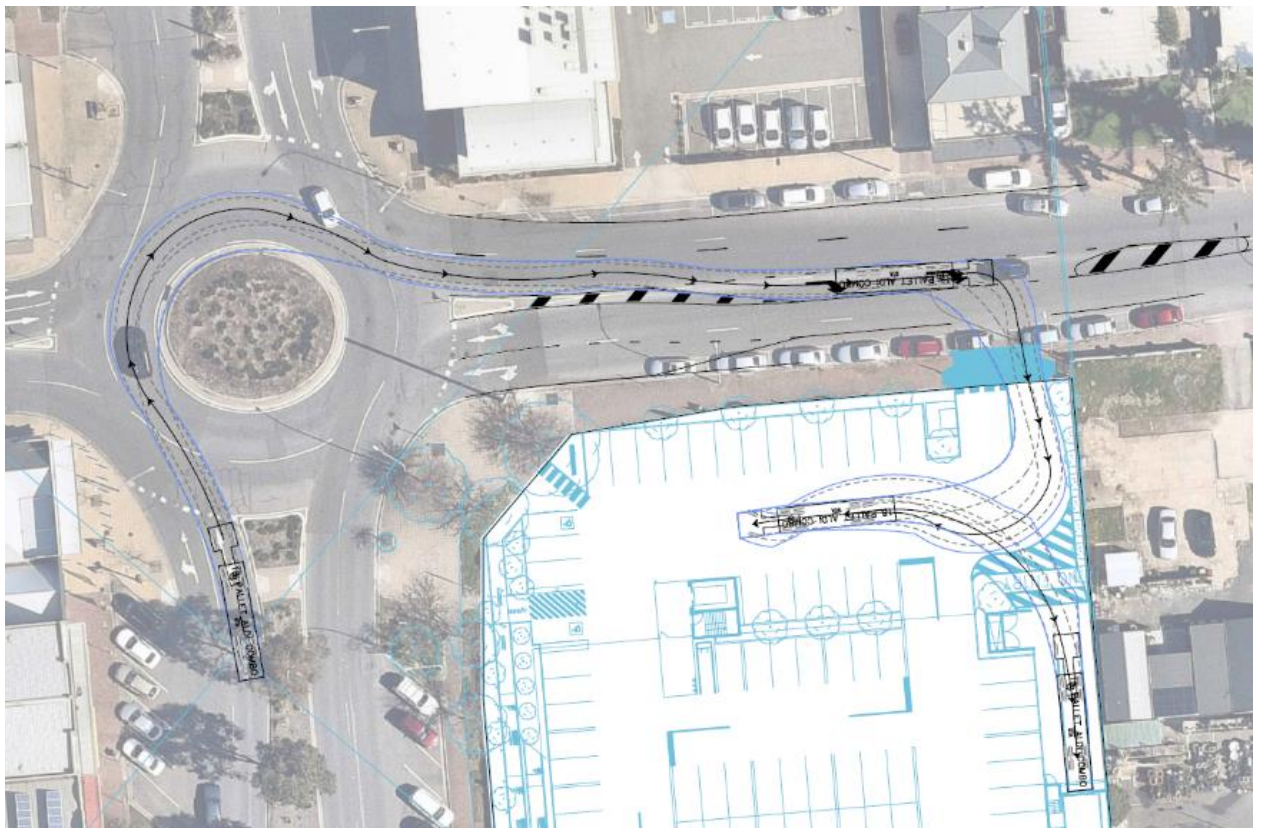
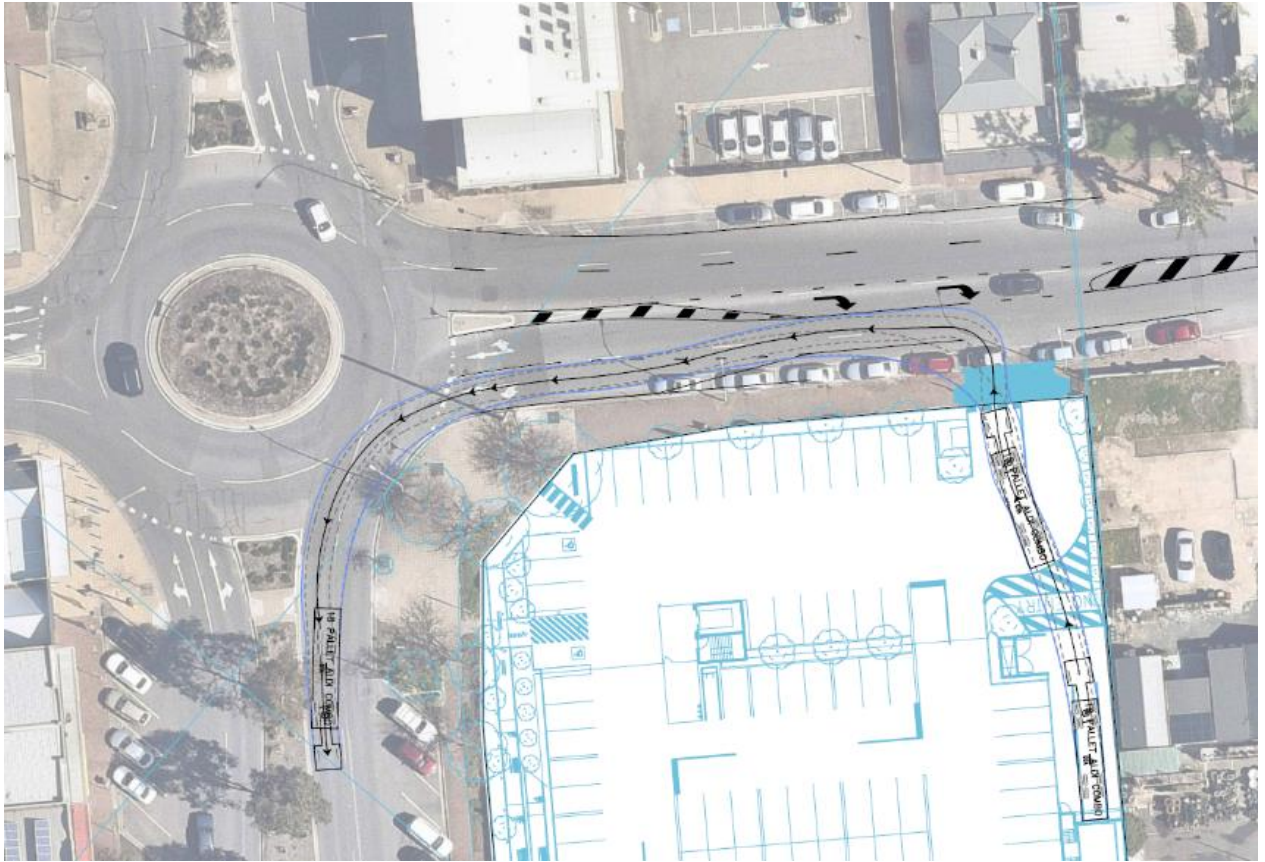
# Attachment 2



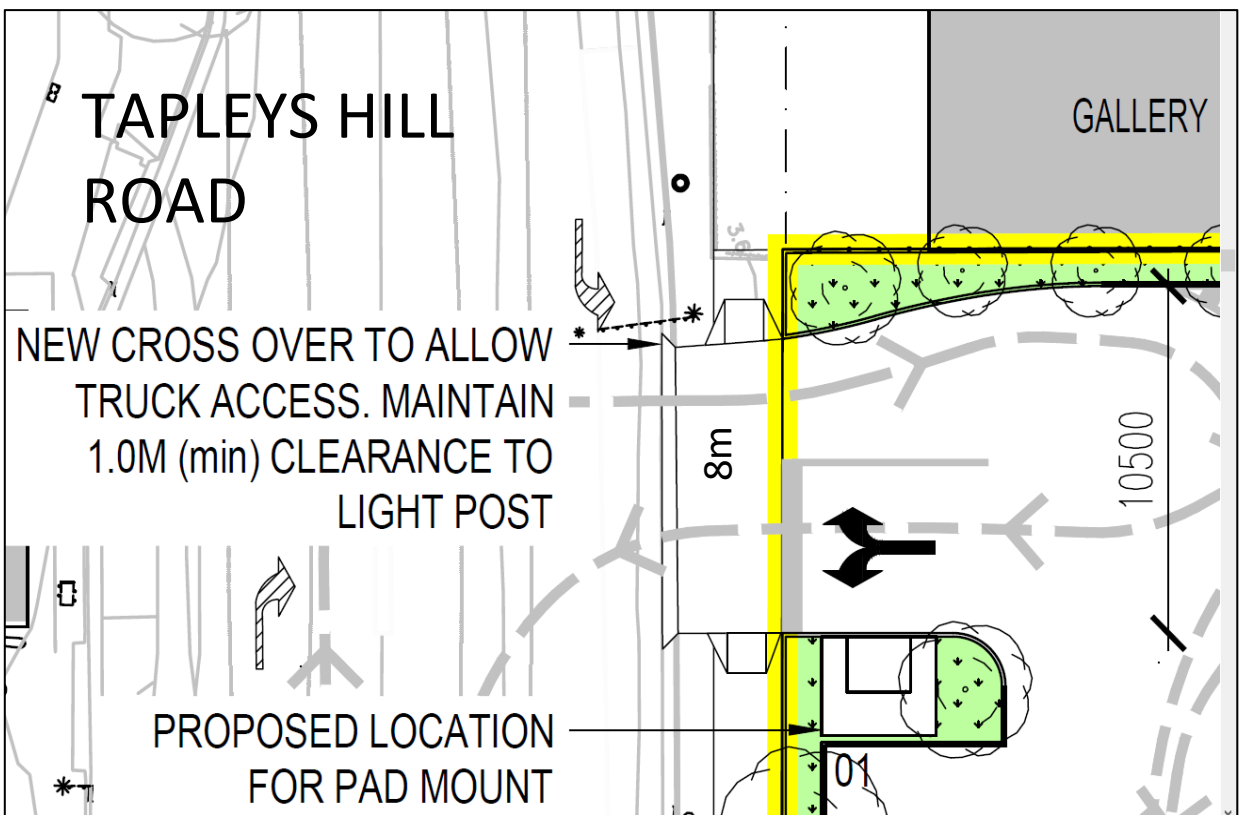
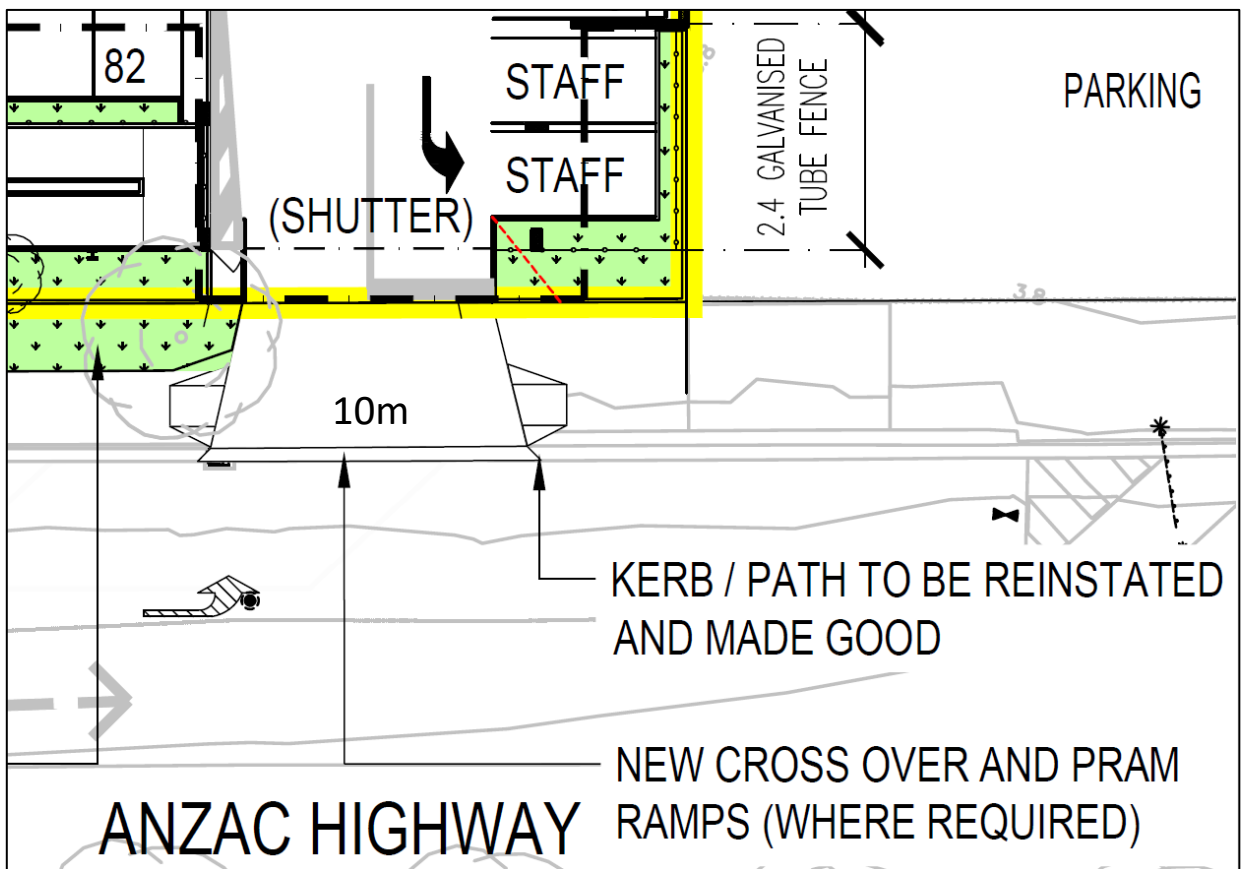








Sweep paths of delivery trucks entering and exiting the proposed new car park entry on Old Tapleys Hill Road



Detailed Vehicle Crossover Plans

Item No: **18.4**

Subject: **BUFFALO SITE – FENCING AND COMMUNITY CONSULTATION**

Date: 26 November 2019

Written By: General Manager

General Manager: City Assets and Services, Mr H Lacy  
Community Services, Ms M Lock

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## **SUMMARY**

The Buffalo replica was removed from its site adjacent to the Patawalonga in mid October 2019. Since that time, the “moat” area where the replica was located has been fenced with temporary construction fencing.

Council has requested that a more permanent, attractive fence be installed whilst community consultation is undertaken about future development of this key site. It is anticipated that the fencing may need to be in place for approximately 2 years as the Buffalo site redevelopment project moves through community consultation, design and approvals before construction can commence. This timeframe is dependent upon the concept decided on.

This report seeks Council’s decision on the style of fencing to be installed around existing Buffalo site “moat” area and provided details of the process to be adopted for community engagement on redevelopment options for the Buffalo site.

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## **RECOMMENDATION**

### **That Council:**

- 1. approve installation of a wooden posts and galvanized metal panels (Option 2) around the lock section of the Buffalo site at an estimated cost of \$16,200 (excl GST);**
  - 2. authorise Administration to undertake community engagement in relation to potential options for redevelopment of the Buffalo site and that this engagement include one or more workshops with Council; and**
  - 3. request Administration bring back the results of community engagement including any recommendations for redevelopment of the site.**
-

**COMMUNITY PLAN**

Placemaking: Creating lively and safe places

Placemaking: Developing walkable connected neighbourhoods

Placemaking: Building character and celebrating history

Community: Building a healthy, active and resilient community

Community: Celebrating culture and diversity

Community: Providing welcoming and accessible facilities

Community: Fostering an engaged and contributing community

Environment: Fostering an environmentally connected community

Culture: Supporting excellent, efficient operations

**COUNCIL POLICY**

Community Consultation and Engagement Policy

Not Applicable.

**STATUTORY PROVISIONS**

Development Act 1993

Local Government Act 1999

**BACKGROUND**

The Buffalo replica was removed from its site adjacent to the Patawalonga in mid October 2019. Since that time, the “moat” area where the replica was located has been fenced with temporary construction fencing.

A workshop of Elected Members considered some remediation options for the site and as it was an important site that the Council requested that we engage the community on what we should use the site for in the longer term.

Council then requested that a more permanent, attractive fence be installed whilst community consultation is undertaken about future development of this key site. It is anticipated that the fencing may need to be in place for around 2 years as the Buffalo site redevelopment project moves through community consultation, design and approvals before construction can commence. This time period will be depend on the final concept approved by Council.

Council has further requested community input into possible redevelopment options for the former Buffalo site. A staged approach to engagement is proposed.



## REPORT

### Fencing

A number of options for fencing have been identified including metal and timber options. Details of the area to be fenced and the fence options (including indicative pricing) are shown in Attachments 1 and 2 respectively.

*Refer Attachments 1 and 2*

Estimated costs of each of the options based on 80m of fencing are presented in Table 1 below.

**Table 1: Buffalo Site – Fencing Options**

Option	Description	Estimated Cost (excl GST)
1	Tubular Metal (1200 high)	\$14,530
2	Wooden Posts & Galvanised Metal Panels (1500 high) - <b>Recommended</b>	\$16,200
3	Wooden Posts, Galvanised Rail & Stainless Steel Wire (1200 high)	\$16,700
4	Wooden Posts & Top Rail / Stainless Steel Wires (1200 high)	\$12,600
5	Flat Top Pool Fence (black aluminium) (1200 high)	\$ 7,270
6	Loop Top Aluminium Pool Fence (1200 high)	\$ 8,360

### Community Engagement

Stage 1 community engagement aims to gather feedback from the community on the type of amenities, activities and functionality of the former Buffalo site. Stage 1 engagement will specifically engage with:

- residents living around the Patawalonga Lake;
- Holdfast Shores residents;
- Patawalonga Lake user groups;
- surroundings businesses and tourism operators;
- broader Holdfast Bay community via the *YourHoldfast* subscribers.

The Stage 1 engagement will incorporate the principles of the International Association for Public Participation (IAP2) and align with Council's Community Consultation and Engagement Policy to support the project next steps.

It is anticipated that Stage 1 consultation will commence on 29 November 2019 for a 17 day period until 15 December 2019.

Following analysis of the feedback collected as part of Stage 1 community engagement, Stage 2 will develop draft concept designs for broader community engagement in the 2020/2021 financial year. Administration will prepare a new initiative for Stage 2 for Council consideration as part of the 2020/2021 budget development process.

**BUDGET**

The estimated cost of the pedestrian safety fencing (Option 2) is approximately \$16,200 (excl GST). Stage 1 community engagement \$3,000.

Council has allocated \$300,000 in the 2019/20 Capital Works budget for remediation of the Buffalo site which can fund the fencing and community consultation phase. Remaining funds can be carried over to 2020/21 budget if Council requires.

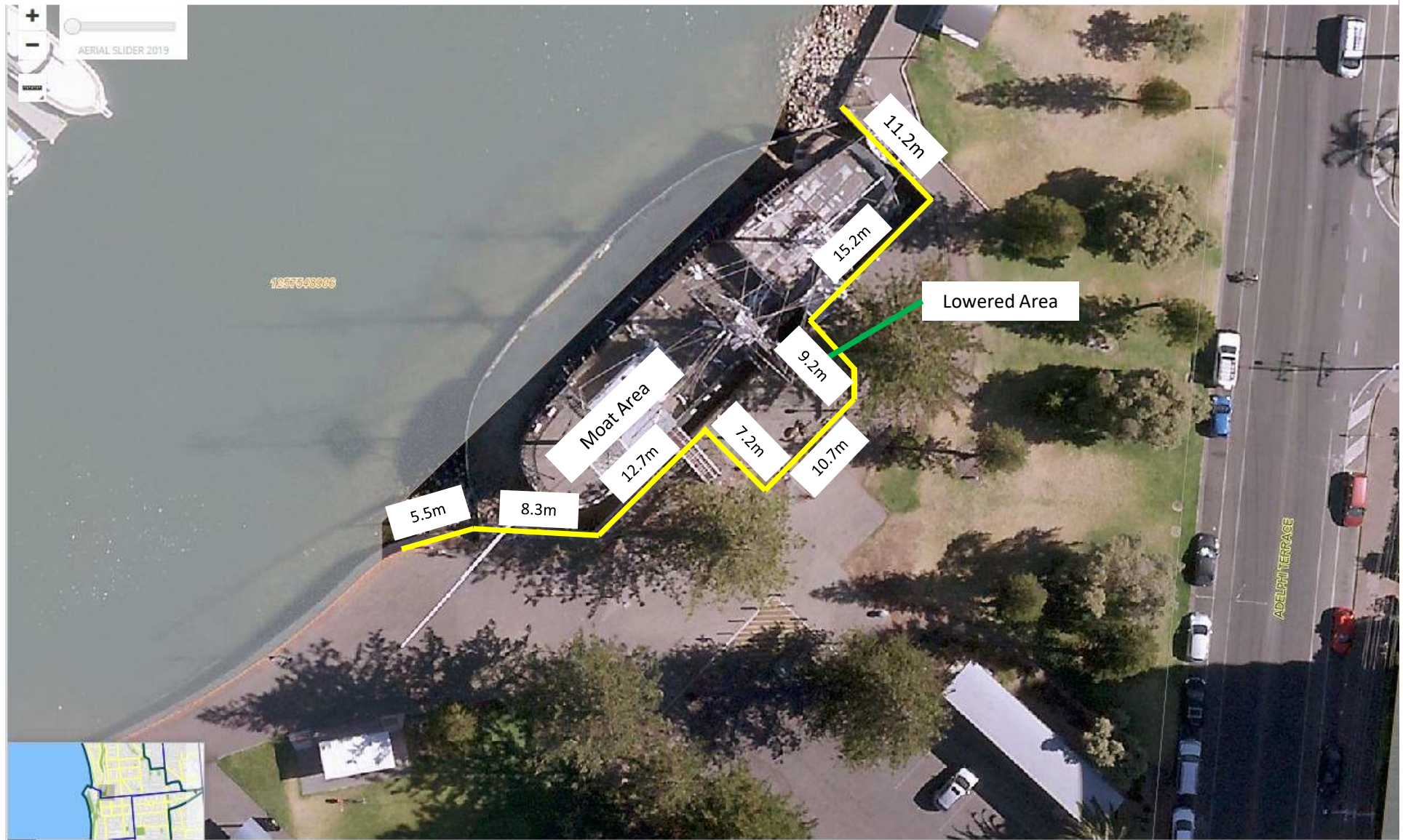
**LIFE CYCLE COSTS**

Once the development is completed, the asset, component lives, and their values will be included in the asset register. The required replacements and the associated operating and maintenance costs will be included in the relevant asset management plan and budgets.

# Attachment 1



## Buffalo Site – Fencing Plan

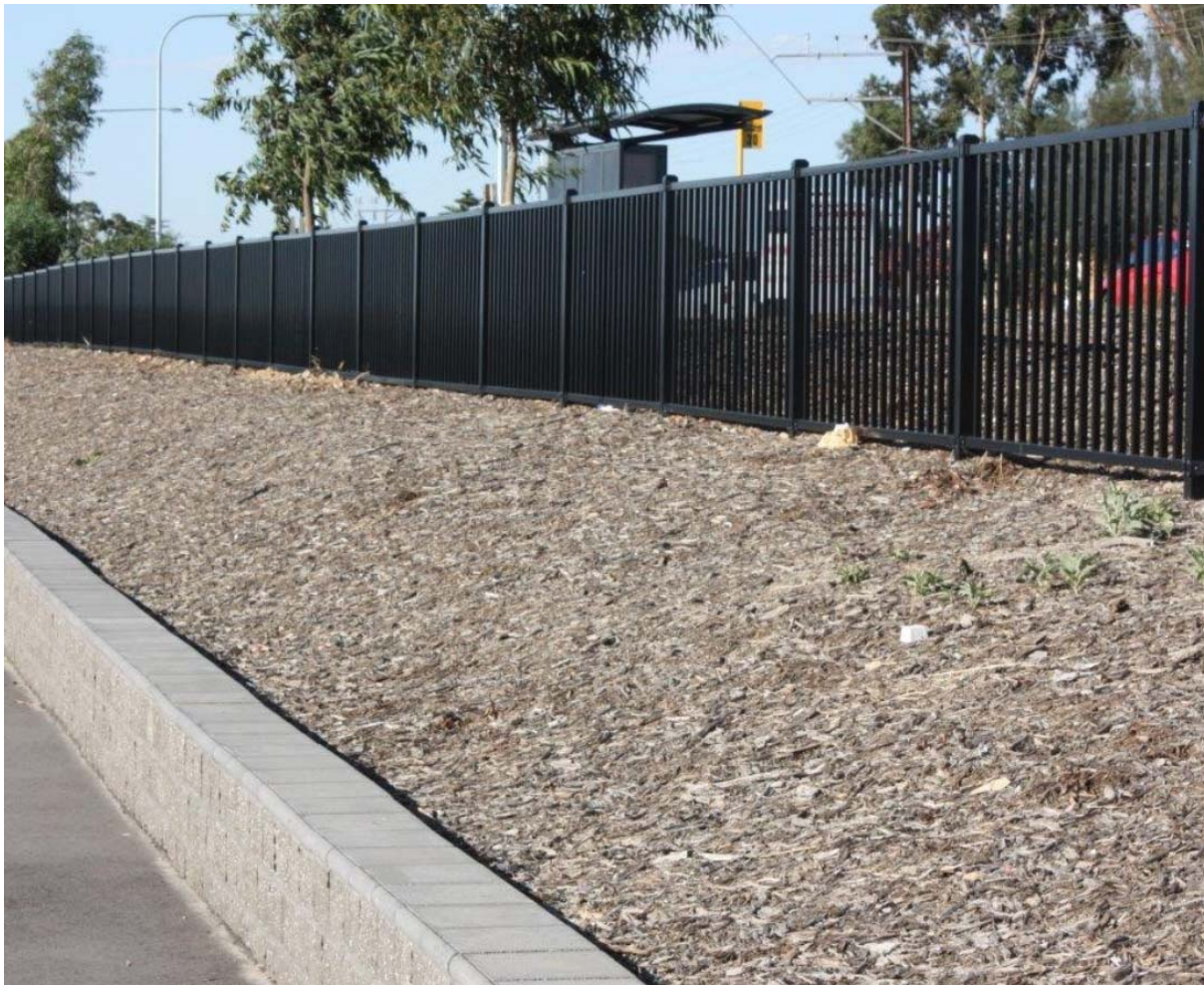


# Attachment 2





## Option 1 - Tubular Metal (1200 high)



### **1200H Tubular Security Fencing**

Consists of the supply and installation of Tubular Flat Top Security Fencing 1200mm High

#### Scope:

- 65x65x1.6mm Posts in 250Dia x 700mm Footing
- Panels constructed from 25x25 Uprights internal to 40x40 Rail @ 135mm Ctrs
- Materials sourced from local producers
- Panels fixed to posts with one piece security brackets and 12G security screws
- Powder coated : Black
- Total of 80 metres Approx.

#### Exclusions:

- Survey of fence line
- Any non mechanical excavation required due to services (hydro excavation)
- Hard digging / Rock Excavation
- Removal of post hole spoil – to be neatly spread locally around footing
- Council approval applications if required.
- Service Locations
- Temporary Fencing

PRICE: \$14,530.00 + GST

Option 2 – Wooden Posts & Galvanised Metal Panels (1500 high)



Quote C - Hot Dip Galv

Description	Quantity	Unit Price	GST	Amount AUD
Supply & Install 64.2m 1500 High Hot Dip Galv Includes 50x50 Posts, Caps, Brackets and Panels Hot Dip Finish	64.20	202.50	10%	13,000.50
Subtotal				13,000.50
TOTAL GST 10%				1,300.05
TOTAL AUD				14,300.55



Option 3 – Wooden Posts, Galvanised Rail & Stainless Steel Wire (1200 high)



Option - Hardwood Posts With Hand Rail

Description	Quantity	Unit Price	GST	Amount AUD
Supply & Install 80m 100x100 White Cyrus Pine Hardwood Posts, 1200 High. Farm Fence 40nb Hand Rail 2400 Centres with 300x800 footings Bituminous Paint Box Ends - Strain Points	80.00	208.75	10%	16,700.00
Subtotal				16,700.00
TOTAL GST 10%				1,670.00
TOTAL AUD				18,370.00



## Option 4 – Wooden Posts & Top Rail / Stainless Steel Wires (1200 high)



NB: Similar to fencing around Brighton Caravan Park

### Option - Hardwood Posts

Description	Quantity	Unit Price	GST	Amount AUD
Supply & Install 80m 100x100 White Cyrus Pine Hardwood Posts, 1200 High. 5 Strands of Zinc Plated Galv 2400 Centres with 300x800 footings Bituminous Paint Box Ends - Strain Points	80.00	157.50	10%	12,600.00
Subtotal				12,600.00
TOTAL GST 10%				1,260.00
TOTAL AUD				13,860.00

Option 5 – Flat Top Pool Fence (black aluminium) (1200 high)



Quote A - Flat Top Pool Fence

Description	Quantity	Unit Price	GST	Amount AUD
Supply & Install 64.2m 1200 High Aluminium Pool Fencing Includes 60x50 Posts. Caps. Brackets and Panels Satin Black	64.20	113.25	10%	7,270.65
Subtotal				7,270.65
TOTAL GST 10%				727.07
TOTAL AUD				7,997.72

Option 6 – Loop Top Aluminium Pool Fencing (1200 high)



Quote B - Loop Top

Description	Quantity	Unit Price	GST	Amount AUD
Supply & Install 64.2m 1200 High Aluminium Loop Top Includes 60x50 Posts, Caps, Brackets and Panels Satin Black	64.20	130.25	10%	8,362.05
Subtotal				8,362.05
TOTAL GST 10%				836.21
TOTAL AUD				9,198.26

Item No: **18.5**

Subject: **MONTHLY FINANCIAL REPORT – 31 OCTOBER 2019**

Date: 26 November 2019

Written By: Manager Finance

General Manager: Strategy and Business Services, Ms P Jackson

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### **SUMMARY**

Attached are financial reports as at 31 October 2019. They comprise a Funds Statement and a Capital Expenditure Report for Council's municipal activities and Alwyndor Aged Care, and a month by month variance report for Council's municipal activities. The adjusted forecast budget includes the carried forward amount as approved by Council 13 August 2019 and the first quarterly budget update approved by Council 22 October 2019.

No changes to Alwyndor and Municipal budgets are recommended at this time, but the report highlights items that show a material variance from the YTD budget.

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### **RECOMMENDATION**

**That Council receives the financial reports for the 4 months to 31 October 2019 and notes:**

- **no change to the Municipal activities 2019/20 revised budget forecast; and**
  - **no change to the Alwyndor Aged Care 2019/20 revised budget forecast.**
- 

### **COMMUNITY PLAN**

Culture: Being financially accountable

### **COUNCIL POLICY**

Not applicable.

### **STATUTORY PROVISIONS**

Not applicable.

**BACKGROUND**

Council receives financial reports each month comprising 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 the impact on cash and borrowings.

*Refer Attachment 1*

**REPORT**

A comprehensive budget update was conducted for the quarter ending 30 September 2019 and approved by Council 22 October 2019. A further budget review and update will be conducted at 31 December 2019 which will again review forecast income and expenditure including any budget variances approved by council.

The majority of the variances to date are due to budget and actuals timing differences over the first four months of the financial year. Details of the major variances, along with amounts and notes, for both Council Municipal and Alwyndor operations have been prepared and are attached to this report.

*Refer Attachment 1*

**Alwyndor Aged Care**

There are no changes to the Alwyndor budget forecast as approved by Council, however as with the Municipal budget, a comprehensive budget update will be conducted for the month ending 31 December 2019.

# Attachment 1





## City of Holdfast Bay

### Municipal Funds Statement as at October 2019

2019 - 2020 Original Budget \$'000	Year to Date			2019 - 2020 Adopted Forecast \$'000	Note
	Adopted Forecast \$'000	Actual \$'000	Variance \$'000		
(758)	(307)	(313)	6 Administrative Services	(735)	
1,443	137	141	(4) FAG/R2R Grants	1,443	
(994)	(406)	(394)	(12) Financial Services	(994)	
(9,288)	(2,340)	(2,289)	(51) Financial Services-Depreciation	(9,288)	1
(252)	-	-	- Financial Services-Employee Leave Provisions	(252)	
(655)	37	58	(21) Financial Services-Interest on Borrowings	(655)	
230	-	-	- Financial Services-SRWRA	230	
35,317	36,190	36,173	16 General Rates	35,317	
(1,509)	(610)	(660)	49 Governance & Risk	(1,509)	
(675)	(208)	(253)	45 Human Resources	(675)	
(2,965)	(1,488)	(1,505)	17 Strategy & Innovation	(3,140)	
(546)	(210)	(171)	(38) Business Development	(563)	
(955)	(260)	(262)	2 Community Development	(974)	
(352)	(127)	(106)	(21) Community Engagement Admin	(352)	
(864)	(169)	(208)	39 Community Events	(804)	
(296)	(100)	(106)	7 Community Services Administration	(323)	
(186)	(56)	(47)	(9) Community Transport	(186)	
(6)	149	166	(18) Community Wellbeing	(169)	
(620)	(190)	(170)	(20) Customer Service	(620)	
-	334	349	(15) Jetty Road Mainstreet	(55)	
(1,503)	(425)	(389)	(36) Library Services	(1,503)	
-	98	112	(13) SA HACC	(104)	
(339)	(113)	(108)	(5) Tourism & Marketing Admin	(339)	
(1,862)	(480)	(433)	(47) Asset Management	(1,862)	
(1,412)	(456)	(427)	(29) Assets and City Services	(1,395)	
49	9	60	(51) Cemeteries	49	2
715	267	327	(61) City Regulation	715	3
1,018	100	109	(9) Commercial - Brighton Caravan Park	1,018	
(2)	11	13	(2) Commercial - Partridge House	(2)	
456	83	115	(31) Commercial - Recreational Clubs Leases	425	
(902)	(218)	(205)	(13) Development Services	(806)	
(826)	(187)	(159)	(28) Environmental Services	(846)	
(583)	(208)	(237)	28 Infrastructure Maintenance	(627)	
(18)	(3)	(3)	- Property Maintenance	(18)	
(7,519)	(2,285)	(2,301)	16 Public Spaces	(7,526)	
(3,921)	(1,032)	(960)	(72) Waste Management	(3,928)	4
832	-	-	- Less full cost attribution - % admin costs capitalised	832	
<b>252</b>	<b>25,534</b>	<b>25,916</b>	<b>(382) =Operating Surplus/(Deficit)</b>	<b>(223)</b>	
9,288	2,340	2,289	51 Depreciation	9,288	
22	-	-	- Other Non Cash Items	22	
<b>9,310</b>	<b>2,340</b>	<b>2,289</b>	<b>51 Plus Non Cash Items in Operating Surplus/(Deficit)</b>	<b>9,310</b>	
<b>9,563</b>	<b>27,874</b>	<b>28,205</b>	<b>(331) =Funds Generated from Operating Activities</b>	<b>9,087</b>	
3,524	5,007	4,978	30 Amounts Received for New/Upgraded Assets	6,608	
357	39	40	(1) Proceeds from Disposal of Assets	1,396	
<b>3,881</b>	<b>5,046</b>	<b>5,018</b>	<b>29 Plus Funds Sourced from Capital Activities</b>	<b>8,005</b>	
(7,916)	(2,039)	(856)	(1,183) Capital Expenditure on Renewal and Replacement	(9,386)	
(14,975)	(4,430)	(3,965)	(465) Capital Expenditure on New and Upgraded Assets	(22,565)	
<b>(22,891)</b>	<b>(6,469)</b>	<b>(4,822)</b>	<b>(1,648) Less Total Capital Expenditure</b>	<b>(31,951)</b>	5
203	191	188	4 Plus:Repayments of loan principal by sporting groups	203	
<b>203</b>	<b>191</b>	<b>188</b>	<b>4 Plus/(less) funds provided (used) by Investing Activities</b>	<b>203</b>	
<b>(9,244)</b>	<b>26,643</b>	<b>28,589</b>	<b>(1,946) = FUNDING SURPLUS/(REQUIREMENT)</b>	<b>(14,656)</b>	
<b>Funded by</b>					
-	1,087	1,087	- Increase/(Decrease) in Cash & Cash Equivalents	(4,848)	
-	25,491	27,436	(1,945) Non Cash Changes in Net Current Assets	2,886	
(10,190)	-	-	- Less: Proceeds from new borrowings	(13,641)	
947	65	65	(0) Plus: Principal repayments of borrowings	947	
<b>(9,244)</b>	<b>26,643</b>	<b>28,589</b>	<b>(1,946) =Funding Application/(Source)</b>	<b>(14,656)</b>	

Note 1 – Financial Services - Depreciation - \$51,000 favourable

Timing due to delay in completion of Minda Coast Park walkway and the subsequent creation and depreciation of associated assets. When the new assets are entered on the asset register a review of depreciation will be undertaken as part of the December budget update.

Note 2 – Cemeteries - \$51,000 favourable

Income received to date for cemetery services is higher than budgeted for (\$34,000) and management fee invoice from Adelaide Cemeteries Authority not yet received (\$15,000).

Note 3 – City Regulation - \$61,000 favourable

Additional revenue from car parking (\$32,000), dog registrations (\$15,000) and hoarding fees from construction works at Glenelg (\$13,000).

Note 4 – Waste Management - \$72,000 favourable

Timing of expenditure as a result of ongoing discussions currently being held regarding recycling costs due to the 'China Sword' policy.

Note 5 – Capital Expenditure - \$1,648,000 favourable

There are positive variances on a number of capital projects mainly due to timing of projects and some savings on completed projects. A review of the capital program will be undertaken as part of the December 2019 budget update. Major year to date variances include the following:

- Transport infrastructure renewal program - \$813,000
- Coast Park shared pathway at Minda - \$191,000
- Major plant and equipment on order, but not yet delivered - \$165,000
- Buffalo Site improvements - \$99,000
- Glenelg Town Hall renovations including the Bay Discovery Centre - \$95,000





## City of Holdfast Bay

### Capital Expenditure Summary by Budget Item to October 2019

2019-20 Original Budget \$'000	Year to Date				2019-20 Adopted Forecast \$'000
	Adopted Forecast \$'000	Actual \$'000	Variance \$'000		
(832)	-	-	-	- Full Cost Attribution	(832)
(660)	(129)	(88)	(42)	Information Technology	(660)
-	(27)	-	(27)	Commercial and Economic Enterprises	(27)
(95)	(40)	(47)	7	Brighton Library	(95)
(120)	-	-	-	Community Bus	(120)
-	-	(6)	6	Sport and Recreation	(629)
(3)	-	-	-	Community Loop Bus	-
(10)	-	-	-	Depot and Stores	(10)
(780)	(165)	-	(165)	Machinery Operating	(985)
(1,334)	(586)	(88)	(498)	Road Construction and Re-seal Program	(1,334)
-	(43)	-	(43)	Car Park Construction	(43)
(393)	(145)	(38)	(106)	Footpath Program	(433)
(2,667)	(166)	(163)	(3)	Stormwater Drainage Program	(3,004)
(295)	-	(7)	7	Traffic Control Construction Program	(523)
-	(5)	(5)	(1)	Signage Program	(5)
(1,152)	(451)	(307)	(144)	Kerb and Water Table Construction Program	(1,175)
(40)	(25)	-	(25)	Other Transport - Bus Shelters etc.	(55)
(9,908)	(1,904)	(1,665)	(239)	Reserve Improvements Program	(12,358)
(1,883)	(450)	(330)	(120)	Land, Buildings and Infrastructure Program	(3,141)
(2,615)	(98)	(40)	(57)	Streetscape Program	(3,885)
(102)	(2,236)	(2,039)	(197)	Foreshore Improvements Program	(2,532)
-	-	-	-	Caravan Park - General	(104)
(22,891)	(6,469)	(4,822)	(1,648)	<b>Total</b>	(31,951)



## Alwyndor Aged Care Funds Statement as at 31 October 2019

2019-20 Original Budget \$'000	Year to Date				2019-20 Adopted Forecast \$'000	Note
	Adopted Forecast \$'000	Actual YTD \$'000	Variance \$'000			
3,970	1,173	1,261	(88)	User Charges	3,527	1
10,339	3,464	3,508	(43)	Operating Grants and Subsidies	10,340	
491	165	182	(16)	Investment Income	491	
3,074	793	894	(101)	Reimbursements	2,410	1
1,753	942	1,063	(122)	Other Income	2,860	1
<b>19,627</b>	<b>6,537</b>	<b>6,907</b>	<b>(370)</b>	<b>Operating Revenue</b>	<b>19,627</b>	
(13,915)	(4,513)	(4,465)	(47)	Employee Costs - Salaries & Wages	(13,494)	
(4,591)	(1,625)	(2,229)	604	Materials, contracts and other expenses	(5,012)	2
(125)	(42)	(19)	(22)	Finance Charges	(125)	
(1,177)	(384)	(403)	19	Depreciation	(1,177)	
<b>(19,808)</b>	<b>(6,563)</b>	<b>(7,116)</b>	<b>553</b>	<b>Less Operating Expenditure</b>	<b>(19,808)</b>	
<b>(181)</b>	<b>(26)</b>	<b>(209)</b>	<b>183</b>	<b>=Operating Surplus/(Deficit)</b>	<b>(180)</b>	
1,177	384	403	(19)	Depreciation	1,177	
128	43	23	20	Provisions	128	
<b>1,305</b>	<b>426</b>	<b>425</b>	<b>1</b>	<b>Plus Non Cash Items in Operating Surplus/(Deficit)</b>	<b>1,305</b>	
<b>1,124</b>	<b>400</b>	<b>217</b>	<b>184</b>	<b>=Funds Generated from Operating Activities</b>	<b>1,124</b>	
(844)	(125)	(117)	(8)	Capital Expenditure on New and Upgraded Assets	(844)	
<b>(844)</b>	<b>(126)</b>	<b>(117)</b>	<b>(9)</b>	<b>Less Total Capital Expenditure</b>	<b>(844)</b>	
<b>280</b>	<b>273</b>	<b>99</b>	<b>174</b>	<b>= Funding SURPLUS/(REQUIREMENT)</b>	<b>280</b>	
<b>Funded by</b>						
280	273	99	174	Increase/(Decrease) in Cash & Cash Equivalents	280	
<b>280</b>	<b>273</b>	<b>99</b>	<b>174</b>	<b>=Funding Application/(Source)</b>	<b>280</b>	

**Alwyndor Aged Care – Notes  
October 2019**

**1      User Charges, Reimbursements & Other Income – \$311,000 favourable**

Revenue from User Charges, Reimbursements and Other Income is above budget due to the Consumer Directed Care packages within Home Care. Although the overall package numbers are currently below budget, the number of packages in the higher paid categories are above budget.

**2      Materials, Contracts and Other Expenses – \$604,000 unfavourable**

Agency is over budget by \$358,000 to cover staff who assisted with accreditation requirements and staff training. Professional Services are over budget by \$92,000 due to the engagement of consultants to review and assist with accreditation. Home Care costs are over budget by \$72,000 however this amount is offset by the increase in reimbursement income mentioned in the above paragraph. The balance of \$82,000 is a due to a combination of timing and Alwyndor experiencing higher running costs than budgeted for this time of year.



# City of Holdfast Bay Municipal Funds Statement as at October 2019

	July		August		September		October		YTD Revised	Actual
	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget	YTD
	\$,000	\$,000	\$,000	\$,000	\$,000	\$,000	\$,000	\$,000	\$,000	\$,000
Administrative Services	(24)	(32)	(195)	(198)	(49)	(45)	(40)	(37)	(307)	(313)
FAG/R2R Grants	-	-	137	141	-	-	-	-	137	141
Financial Services	(32)	(42)	(250)	(249)	(64)	(77)	(60)	(25)	(406)	(394)
Financial Services-Depreciation	-	-	-	-	(2,340)	(2,289)	-	-	(2,340)	(2,289)
Financial Services-Interest on Borrowings	62	66	(3)	(4)	1	1	(22)	(4)	37	58
General Rates	36,340	36,483	(319)	(333)	167	22	2	-	36,190	36,173
Governance & Risk	(219)	(298)	(149)	(149)	(50)	(39)	(192)	(173)	(610)	(660)
Human Resources	(6)	(63)	(81)	(52)	(89)	(98)	(32)	(40)	(208)	(253)
Strategy & Innovation	(780)	(352)	(224)	(882)	(240)	(136)	(244)	(136)	(1,488)	(1,505)
Business Development	(133)	(24)	19	(74)	(58)	(28)	(38)	(45)	(210)	(171)
Community Development	(37)	(47)	(86)	(75)	(66)	(70)	(70)	(71)	(260)	(262)
Community Engagement Admin	(42)	(35)	(32)	(23)	(33)	(23)	(20)	(25)	(127)	(106)
Community Events	(59)	(25)	(54)	(44)	(55)	(48)	(1)	(91)	(169)	(208)
Community Services Administration	(16)	(17)	(33)	(35)	(29)	(30)	(22)	(23)	(100)	(106)
Community Transport	(12)	(9)	(21)	(17)	(11)	(10)	(13)	(11)	(56)	(47)
Community Wellbeing	183	179	(96)	(99)	(69)	(69)	130	155	149	166
Customer Service	(31)	(32)	(62)	(57)	(55)	(41)	(42)	(41)	(190)	(170)
Jetty Road Mainstreet	(102)	529	593	(76)	(91)	(43)	(67)	(62)	334	349
Library Services	(90)	(98)	(185)	(182)	(129)	(125)	(21)	15	(425)	(389)
SA HACC	72	57	(17)	15	(13)	(10)	57	50	98	112
Tourism & Marketing Admin	(19)	(23)	(37)	(36)	(25)	(25)	(33)	(24)	(113)	(108)
Asset Management	(64)	(72)	(114)	(131)	(143)	(58)	(158)	(172)	(480)	(433)
Assets and City Services	(76)	(67)	(150)	(139)	(134)	(102)	(97)	(119)	(456)	(427)
Cemeteries	-	13	3	13	(5)	10	11	24	9	60
City Regulation	32	7	2	99	77	31	156	190	267	327
Commercial - Brighton Caravan Park	87	93	(36)	(143)	-	24	50	136	100	109
Commercial - Partridge House	20	17	(7)	(11)	(6)	(3)	5	11	11	13
Commercial - Recreational Clubs Leases	31	31	33	23	26	29	(7)	32	83	115
Development Services	(28)	(23)	(60)	(47)	(71)	(59)	(59)	(75)	(218)	(205)
Environmental Services	(28)	9	(50)	(41)	(99)	(59)	(10)	(69)	(187)	(159)
Infrastructure Maintenance	(33)	(25)	(89)	(85)	(41)	(44)	(45)	(84)	(208)	(237)
Property Maintenance	-	(3)	-	-	(3)	-	-	-	(3)	(3)
Public Spaces	(583)	(550)	(601)	(547)	(429)	(556)	(673)	(648)	(2,285)	(2,301)
Waste Management	(46)	(78)	(325)	(278)	(342)	(309)	(318)	(295)	(1,032)	(960)
Less full cost attribution - % admin costs capitalised	-	-	-	-	-	-	-	-	-	-
<b>=Operating Surplus/(Deficit)</b>	<b>34,367</b>	<b>35,568</b>	<b>(2,489)</b>	<b>(3,718)</b>	<b>(4,470)</b>	<b>(4,279)</b>	<b>(1,873)</b>	<b>(1,655)</b>	<b>25,534</b>	<b>25,916</b>
Depreciation	-	-	-	-	2,340	2,289	-	-	2,340	2,289
<b>Plus Non Cash Items in Operating Surplus/(Deficit)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>2,340</b>	<b>2,289</b>	<b>-</b>	<b>-</b>	<b>2,340</b>	<b>2,289</b>
<b>=Funds Generated from Operating Activities</b>	<b>34,367</b>	<b>35,568</b>	<b>(2,489)</b>	<b>(3,718)</b>	<b>(2,130)</b>	<b>(1,990)</b>	<b>(1,873)</b>	<b>(1,655)</b>	<b>27,874</b>	<b>28,205</b>
Amounts Received for New/Upgraded Assets	40	2,122	1,900	-	84	2,855	2,983	-	5,007	4,978
Proceeds from Disposal of Assets	-	-	-	-	-	-	39	40	39	40
<b>Plus Funds Sourced from Capital Activities</b>	<b>40</b>	<b>2,122</b>	<b>1,900</b>	<b>-</b>	<b>84</b>	<b>2,855</b>	<b>3,022</b>	<b>40</b>	<b>5,046</b>	<b>5,018</b>
Capital Expenditure on Renewal and Replacement	(168)	(62)	(215)	(171)	(585)	(247)	(1,072)	(376)	(2,039)	(856)
Capital Expenditure on New and Upgraded Assets	(39)	(1,011)	(1,991)	(1,044)	(1,173)	(628)	(1,226)	(1,282)	(4,430)	(3,965)
<b>Less Total Capital Expenditure</b>	<b>(207)</b>	<b>(1,074)</b>	<b>(2,206)</b>	<b>(1,215)</b>	<b>(1,758)</b>	<b>(874)</b>	<b>(2,298)</b>	<b>(1,658)</b>	<b>(6,469)</b>	<b>(4,822)</b>
Plus:Repayments of loan principal by sporting groups	-	-	3	-	4	4	184	183	191	188
<b>Plus/(less) funds provided (used) by Investing Activities</b>	<b>-</b>	<b>-</b>	<b>3</b>	<b>-</b>	<b>4</b>	<b>4</b>	<b>184</b>	<b>183</b>	<b>191</b>	<b>188</b>
<b>= FUNDING SURPLUS/(REQUIREMENT)</b>	<b>34,200</b>	<b>36,617</b>	<b>(2,792)</b>	<b>(4,934)</b>	<b>(3,801)</b>	<b>(5)</b>	<b>(965)</b>	<b>(3,090)</b>	<b>26,643</b>	<b>28,589</b>
<b>Funded by</b>										
Increase/(Decrease) in Cash & Cash Equivalents	1,237	1,237	908	908	1,138	1,138	(2,196)	(2,196)	1,087	1,087
Non Cash Changes in Net Current Assets	32,951	35,367	(3,735)	(5,876)	(4,942)	(1,146)	1,216	(909)	25,491	27,436
Plus: Principal repayments of borrowings	12	12	34	34	3	3	15	15	65	65
<b>=Funding Application/(Source)</b>	<b>34,200</b>	<b>36,617</b>	<b>(2,792)</b>	<b>(4,934)</b>	<b>(3,801)</b>	<b>(5)</b>	<b>(965)</b>	<b>(3,090)</b>	<b>26,643</b>	<b>28,589</b>

Item No: **18.6**

Subject: **CONSULTATION – KIBBY AVENUE, GLENELG NORTH**

Date: 26 November 2019

Written By: Program Manager, Project Delivery

General Manager: City Assets and Services, Mr H Lacy

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## **SUMMARY**

The Department for Planning, Transport & Infrastructure (DPTI), in consultation with Council staff, recently finalised a concept plan for the pedestrian safety improvements around Kibby Avenue, Glenelg North. The project is estimated to cost \$100,000 and will be funded by the Department for Planning, Transport & Infrastructure.

Council endorsed the project in July 2019 and the plans have been provided to the Elected Members at the beginning of October 2019. The Department for Planning, Transport & Infrastructure and the Local Member of Parliament are keen to progress this project as soon as possible.

Approximately 35 local residents and organisations were notified of the proposed design and their feedback sought. Five (5) respondents indicated support for the project and three (3) respondents expressed concerns about proximity of project elements to their driveway and loss of car parking near their properties.

Since then, Council staff worked with the DPTI appointed traffic engineer and corrected an error and updated the drawing. Although Council staff managed to save one lost car park on the northern side, another car park on the southern side of Kibby Avenue was lost due to correcting of the error. Council staff contacted the respective residents and provided additional information. Although they are still concerned, they understand that the project design benefits the majority of users and is likely to proceed.

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## **RECOMMENDATIONS**

### **That Council:**

- 1. note the summary result of the consultation with the local residents in relation to the Kibby Avenue, Glenelg North Pedestrian Safety Improvement Project; and**
  - 2. endorse the revised design and approve the project to proceed to construction.**
- 

## **COMMUNITY PLAN**

Placemaking: Creating lively and safe places

## COUNCIL POLICY

Asset Management Policy

## STATUTORY PROVISIONS

Local Government Act 1999

Road Traffic Act 1961

AS1742.10 Pedestrian control and protection

DPTI's Manual of Legal Responsibilities and Technical Requirements for Traffic Control Devices

Part 2 - Code of Technical Requirements

## BACKGROUND

Council Report No: 257/19, Item No: 14.3, Pedestrian Improvements – Kibby Avenue, Glenelg North, 9 July 2019.

Following representations from local residents DPTI made a funding commitment to improve pedestrian safety on Kibby Avenue, Glenelg North in proximity of the Glenelg North Community Centre and Baden Pattinson Kindergarten.

The project is to improve parts of Kibby Avenue; Goldsworthy Crescent; Alison Street; and Shannon Avenue, Glenelg North. The project is estimated to cost \$100,000 and will be funded by the Department for Planning, Transport & Infrastructure.

## REPORT

On 4 October, letters were sent out to approximately 35 local residents and organization in the vicinity of the Kibby Avenue, Glenelg North project to obtain their feedback on the project and its possible impacts. The letters included the concept plan and feedback form. Since then, the project team received 8 responses as follows:

Address	Support / Do not support	Comments
McCann Ave, Glenelg North	Support	Query proposed completion date
Shannon Avenue, Glenelg North	Support	Review traffic control signage
Cnr Alison Street & Kibby Ave	Support	Support revisions to landscaping and widening of entrance to Kibby reserve.
Goldsworthy Crescent, Glenelg North	Support	Nil
Glenelg Community Centre	Support	Amend planting bed at entrance to GNCC to provide better clearance from the pram ramps
Kibby Ave, Glenelg North	Do not support	Crossing too close to driveways
Kibby Ave, Glenelg North	Do not support	Loss of parking. No need for pedestrian crossing.
Kibby Ave, Glenelg North	Do not support	Loss of parking. Sight visibility for pedestrians. Object to signage in front of property. Possible fencing. Suggest use of a one-way traffic model

Three (3) residents contacted the project team and expressed concerns about the proposed loss of car parking spaces near their properties on Kibby Avenue and contested a number of traffic management strategies embedded in the proposed concept.

The loss of car parks arises from a proposed 25m extension westward of an existing yellow line on the northern side of Kibby Avenue which is necessary to prevent parked cars obstructing the sight line of waiting pedestrians at the proposed pedestrian refuge on Kibby Avenue. However, this feedback helped to identify an error in the plan.

Since then, Council staff have worked with the DPTI appointed traffic engineer to update the design and prepare amended design plans. Although Council staff managed to retain one car park on the northern side of the Kibby Ave, another car park on the southern side was lost due to the need to amend the design. Council staff contacted the respective residents and provided additional information. Although they are still concerned, they understand that the project design benefits the majority of users and is likely to proceed. The revised design is presented in Attachment 1.

*Refer Attachment 1*

## **BUDGET**

DPTI are funding 100% of the project design and construction and have allocated a total of budget of \$100,000 (excl GST) towards the project.

To date, \$17,905 has been spent on investigation, design and consultation with the remaining \$82,095 (ex GST) being available for Council to undertake construction. Based on the design, Council Administration are confident that the scope can be delivered for that amount.

## **LIFE CYCLE COSTS**

Ongoing maintenance of kerbing, footpaths and protuberances will be funded from future asset maintenance budgets. All traffic signage, line marking and holding rails maintenance will be funded from future traffic signage and line marking maintenance budgets.

# Attachment 1







Item No: **18.7**

Subject: **CITY OF WEST TORRENS - LOCAL AREA TRAFFIC MANAGEMENT AT GLENELG NORTH - COMMUNITY CONSULTATION**

Date: 26 November 2019

Written By: Traffic and Transport Technical Officer

General Manager: City Assets and Services, Mr H Lacy

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## **SUMMARY**

At their meeting on 23 July 2019, Council considered Report No: 280/19 City of West Torrens – Local Area Traffic Management at Glenelg North which advised that City of West Torrens, in consultation with the City of Holdfast Bay's Traffic Unit, had undertaken a Local Area Traffic Management Plan (LATM Plan) for roads in Novar Gardens and Glenelg North to address concerns over speeding, rat-running and intersection safety.

The LATM Plan proposed the installation of traffic control devices at three locations on, or near the boundary with City of Holdfast Bay. Location 1 was the intersection of Shannon Avenue and Bonython Avenue, within City of Holdfast Bay. Location 2 was the intersection of McCann Avenue and Bonython Avenue, within City of Holdfast Bay. Location 3 was the intersection of Shannon Avenue and Wongala Avenue, near City of Holdfast Bay.

Council resolution C230719/1591 stated that 'subject to Community Consultation with City of Holdfast Bay residents that consideration is given for installation of the proposed traffic controls and improvements at Locations 1 and 2 within City of Holdfast Bay'.

This report presents the results of the community consultation.

The report also advises that Elected Council of City of West Torrens endorsed that:

1. the LATM Plan treatments for Glenelg North (including Location 1, 2 and 3) proceed;
2. notification of the endorsement to be provided to properties with information on the staging plan; and
3. funds be allocated within City of West Torrens's 2020/2021 budget for traffic control device installation.

Based on the community consultation results, this report further recommends that City of Holdfast Bay Elected Members also endorse the installation of the proposed traffic controls and improvements at Locations 1 and 2 and that notification be provided to Holdfast Bay residents.

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## RECOMMENDATIONS

### That Council:

1. notes the responses of community consultation undertaken by City of West Torren on behalf of the project in relation to the proposed works at locations referred to as Locations 1, 2 and 3;
  2. endorses installation of the proposed traffic controls and improvements at Locations 1 and 2 within City of Holdfast Bay as outlined in the attachments to this report; and
  3. advises affected and adjacent City of Holdfast Bay residents of the proposed works.
- 

## COMMUNITY PLAN

Placemaking: Creating lively and safe places

## COUNCIL POLICY

Asset Management Policy

## STATUTORY PROVISIONS

*Local Government Act 1999*

*Road Traffic Act 1961*

*AS1742.10 Pedestrian control and protection*

*DPTI's Manual of Legal Responsibilities and Technical Requirements for Traffic Control Devices  
Part 2 - Code of Technical Requirements*

## BACKGROUND

In July 2018, City of West Torren's Administration contacted City of Holdfast Bay's Traffic Unit advising that they proposed to prepare an LATM Plan to address key traffic related issues within Novar Gardens and Glenelg North, part of which may affect City of Holdfast Bay assets and residents. This advice and consultation is a requirement of the Local Government Act.

In relation to Glenelg North, the traffic issues were associated with short-cutting traffic and speeding on Bonython Avenue and Shannon Avenue. Shannon Avenue at Glenelg North is one of the main traffic routes and within City of West Torrens, traffic uses Shannon Avenue to access Immanuel College and as a convenient link to Morphett Road. Within City of Holdfast Bay, Shannon Avenue provides a convenient link to Tapleys Hill Road and Anzac Highway via Kibby Avenue.

In October 2018, the City of West Torren developed an LATM Plan and undertook preliminary consultation with affected residents on behalf of both Councils. This confirmed that residents were generally happy with the proposed traffic controls as proposed at three locations on, or near, the boundary with City of Holdfast Bay.



At their meeting on 23 July 2019, City of Holdfast Bay Elected Members considered *Report No: 280/19 City of West Torrens – Local Area Traffic Management at Glenelg North* which advised that City of West Torrens, in consultation with the City of Holdfast Bay's Traffic Unit, had undertaken a Local Area Traffic Management Plan (LATM Plan) for roads in Novar Gardens and Glenelg North to address concerns over speeding, rat-running and intersection safety and sought approval for formal community consultation to take by (again by City of West Torrens on behalf of both councils).

Details of the proposed works affecting City of Holdfast Bay residents are as follows:

- Location 1 - intersection of Shannon Avenue and Bonython Avenue, within City of Holdfast Bay. Bonython Avenue and Pine Avenue are designated as collector roads in the road hierarchy. The proposal for the junction realignment at Shannon Avenue and Bonython Avenue is intended to direct traffic to use Bonython Avenue and Pine Avenue which are classified as local collector roads, instead of continuing along Shannon Avenue and other local streets for these trips. The junction realignment would also restrict speeding along Shannon Avenue, by requiring the north approach traffic to give way, whilst traffic approaching from the east and south would have to slow down to negotiate the bend.

The junction realignment will involve the installation of kerb protuberances, pavement bars in the center of the road and continuous yellow lines at the edge of the kerb which indicate "No Stopping". These yellow lines will result in some parking loss for properties in proximity of the intersection. As these properties all have access to off-street parking and ample on-street parking will be retained in close proximity, the removal of parking will have minimal impact on the residential amenity. The removal of parking is therefore considered warranted due to the improvements to road safety the junction realignment will provide.

*Refer Attachment 1*

- Location 2 - intersection of McCann Avenue and Bonython Avenue, within City of Holdfast Bay. A roundabout is proposed for the intersection of Bonython Avenue and McCann Avenue. The proposed roundabout would be an appropriate speed control device for this section of Bonython Avenue, which has a long, straight road alignment. City of West Torrens have advised that the concept for the roundabout is "non-standard" for the eastbound approach and will require Department of Planning, Transport and Infrastructure (DPTI) approval. The concept is designed for Medium Rigid Vehicles, such as waste management vehicles, to access.

The roundabout will involve a small portion of reserve to be removed which will have minimal impact on the residential amenity. The roundabout installation will also result in some parking loss for properties in proximity of the intersection. As these properties all have access to off-street parking and ample on-street parking will be retained in close proximity, the removal of parking will have minimal impact on the residential amenity. The removal of parking is therefore considered warranted due to the improvements to road safety the junction realignment will provide.

*Refer Attachment 2*

- Location 3 - intersection of Shannon Avenue and Wongala Avenue, near City of Holdfast Bay. A roundabout is proposed for the intersection of Shannon Avenue and Wongala Avenue and is intended to reduce the potential for speeding on that section of Shannon Avenue. A roundabout is the proposed traffic control device, given that this section of Shannon Avenue is part of a regular public bus route and other more 'aggressive' traffic control devices such as humps would not be acceptable to DPTI.

*Refer Attachment 3*

In an effort to maintain access and further decrease the volume of traffic through the area, the City of West Torrens is also proposing to brick paved speed humps on Coorilla Avenue, between Shannon Avenue and Pine Avenue, to further discourage through movement and speeds on local residential roads and encourage the use of collector roads such as Bonython Avenue and Pine Avenue.

Given Locations 1 and 2 are City of West Torrens initiatives, but are predominantly on City of Holdfast Bay land, City of West Torrens has agreed to fully fund the installation and manage construction of the infrastructure at the two proposed locations within City of Holdfast Bay, on the proviso that City of Holdfast Bay will own and be responsible for all future maintenance of these two assets. This is considered acceptable.

In the immediate vicinity, City of Holdfast Bay is also partnering with DPTI to improve pedestrian safety and reduce speed on Kibby Avenue adjacent Glenelg North Community Centre. The main features of this upgrade include the installation of a pedestrian refuge on Kibby Avenue; kerb extensions and installation of kerb ramps on Goldsworthy Crescent; and, footpath installation and new kerb ramps on Shannon Avenue. The planned improvements also include reduction of traffic lane widths on the approaches to the bend on Kibby Avenue; and, at the intersection of Goldsworthy Crescent, which aim to reduce vehicle speeds, further improving road safety.

The Kibby Avenue improvements, in combination with City of West Torrens' proposed traffic control devices, will have mutual benefits for the two Councils in terms of traffic calming and road safety in Glenelg North.

*Refer Attachment 4*

## REPORT

At the meeting on 23 July 2019, Council resolution C230719/1561 stated that 'subject to Community Consultation with City of Holdfast Bay residents, that consideration is given for installation of the proposed traffic controls and improvements at Locations 1 and 2 within City of Holdfast Bay as outlined in the attachments to this report.'

City of West Torrens has now conducted consultation with residents in proximity of Locations 1 and 2 and the outcome of the consultations are provided below.

**Table1: Responses related to Location 1 - Bonython Avenue and Shannon Avenue**

Council Resident	Selection	Comments
Holdfast Bay	Support	Concerned about Shannon traffic for 15 years.

Holdfast Bay	Support	Need more speed humps/roundabouts.
Holdfast Bay	Support	Ensure as much parking on-street is preserved as possible.
Holdfast Bay	Not Support	
Holdfast Bay	Not Support	Speeding on Bonython needs to be addressed also.
West Torrens	Not Support	Migrate traffic onto Mattner & Harvey Tce!
West Torrens	Not Support	Need pavement bars & shift Give Way line back past driveway.

Seven responses were received: three respondents supported the proposal and four respondents did not support the proposal.

Of the five responses from City of Holdfast Bay residents, three supported the proposal and two did not support the proposal.

Of the two respondents not supporting the proposal, only one comment was provided – being, a request for a roundabout on Bonython Avenue. This concern is therefore better addressed in the assessment of Location 2.

**Table 2: Responses related to Location 2 - Bonython Avenue and McCann Avenue roundabout.**

Council	Selection	Comments
Holdfast Bay	Support	Please address cars cutting corner from McCann into Moten.
Holdfast Bay	Support	
Holdfast Bay	Support	
Holdfast Bay	Support	Much needed. Constant speeding.
Holdfast Bay	Not support	Need to shorten the pavement bar tail.
Holdfast Bay	Not support	CO <sup>2</sup> impact of concrete.
Holdfast Bay	Not support	Noise concerns due to roundabout.
Holdfast Bay	Not support	Noise concerns due to roundabout.
West Torrens	Support	Sensible concept.
West Torrens	Support	
West Torrens	Support	No delays. Needed immediately.
West Torrens	Support	
West Torrens	Support	Have had an accident here in the past.
West Torrens	Support	Roundabout is better than previous proposal.
West Torrens	Support	Roundabout is better than previous proposal.
West Torrens	Not support	Speed Camera instead?
West Torrens	Not support	Roundabout will cause more parking issues.

Seventeen responses were received: eleven respondents supported the proposal and six respondents did not support the proposal.

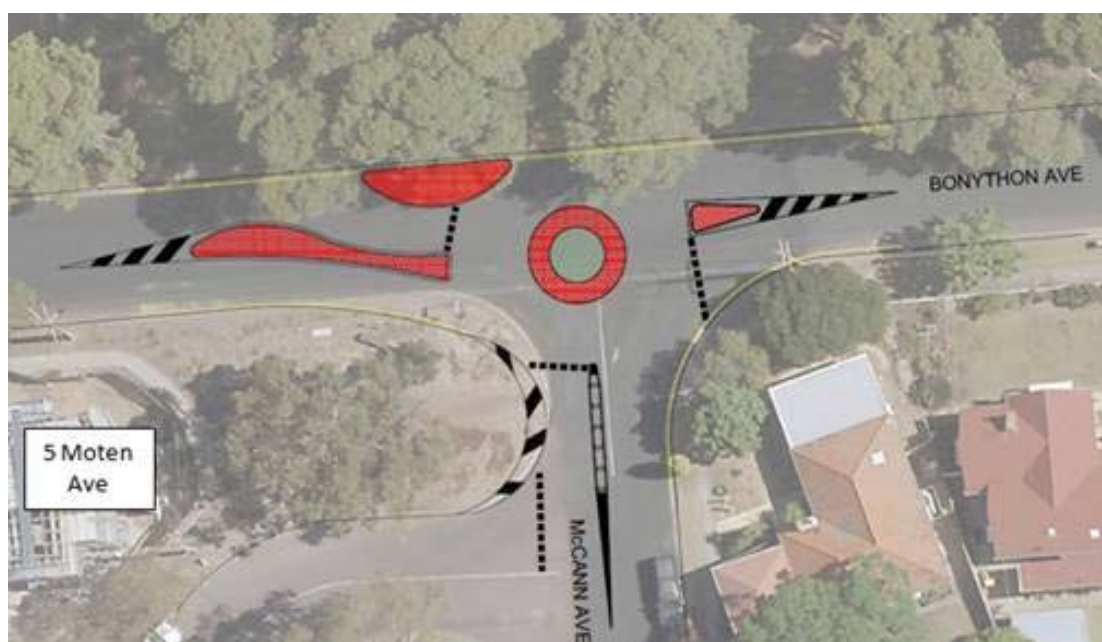
Of the eight responses from City of Holdfast Bay residents, four supported the proposal and four did not support the proposal.

One respondent was concerned with the length of the pavement bars on McCann Avenue shown in the concept. To address this concern, City of West Torrens has indicated the pavement bars will be shortened.

One respondent was concerned with the CO<sup>2</sup> emissions associated with the civil works. This resident also rang City of Holdfast Bay to voice their concerns; however, the concerns were not associated with the impact of the roundabout on the road environment.

Two respondents raised concerns with the noise associated with the roundabout in relation to their properties. One property is 5 Moten Avenue which is approximately 30 metres from the proposed roundabout. One property is 10a Bonython Avenue which is approximately 50 metres from the proposed roundabout. As Figure 1 and Figure 2 below show, the residences are separated from the proposed roundabout by a portion of reserve which also provides vegetation as a buffer.

**Figure 1: Aerial view of proposed roundabout in relation to the reserve and the closest City of Holdfast Bay property at 5 Moten Avenue.**



**Figure 2: Street view of proposed roundabout in relation to the reserve and the closest City of Holdfast Bay property at 5 Moten Avenue.**





It is not uncommon for roundabouts to be installed immediately adjacent residences. Given these two residences are at least (approximately) 30 metres from the proposed roundabout, are separated from the roundabout by a reserve and there is vegetation on the reserve providing a buffer, these circumstances help to mitigate any noise associated with the roundabout.

The recommendations are for Council to endorse the installation of the junction reprioritisation at Location 1 and the installation of the roundabout at Location 2 in partnership with City of West Torrens as well as endorsing that residents are notified of the decision.

### **BUDGET**

City of West Torrens have indicated that they will fully fund the junction realignment at Shannon Avenue and Bonython Avenue (Location 1) and the roundabout at McCann Avenue and Bonython Avenue (Location 2); therefore, there are no current capital budget implications associated with the recommendations for City of Holdfast Bay, however Council will incur additional maintenance costs (estimated at \$1000 per year) to manage line marking, rumble bars, signage and infrastructure built in our area.

### **LIFE CYCLE COSTS**

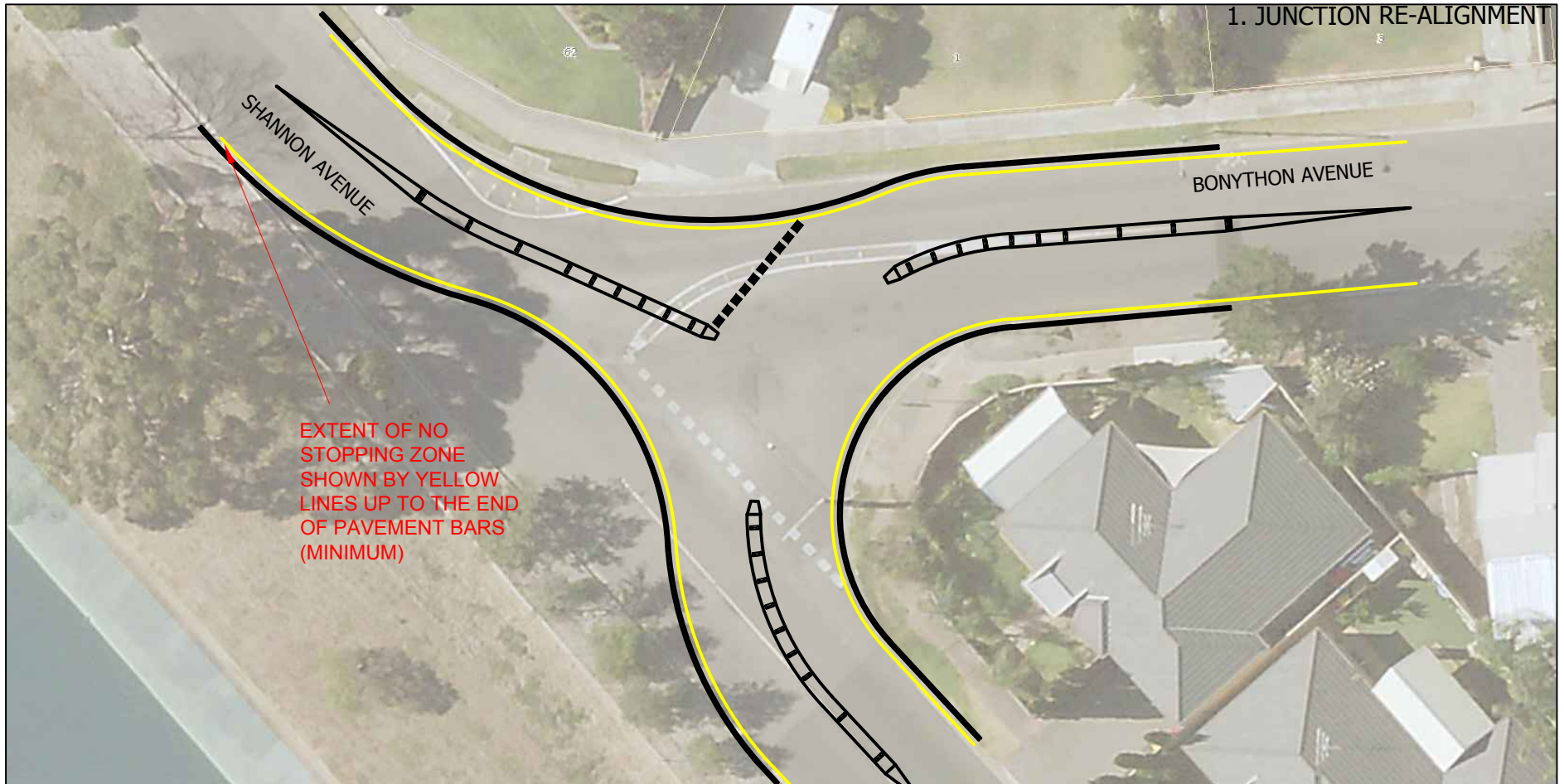
Ongoing maintenance of the roundabout, kerbing and protuberances will be funded within future City of Holdfast Bay asset maintenance budgets.

Ongoing maintenance of traffic signage and line marking will be funded from future City of Holdfast Bay traffic signage and line marking maintenance budgets.

# Attachment 1



PRELIMINARY

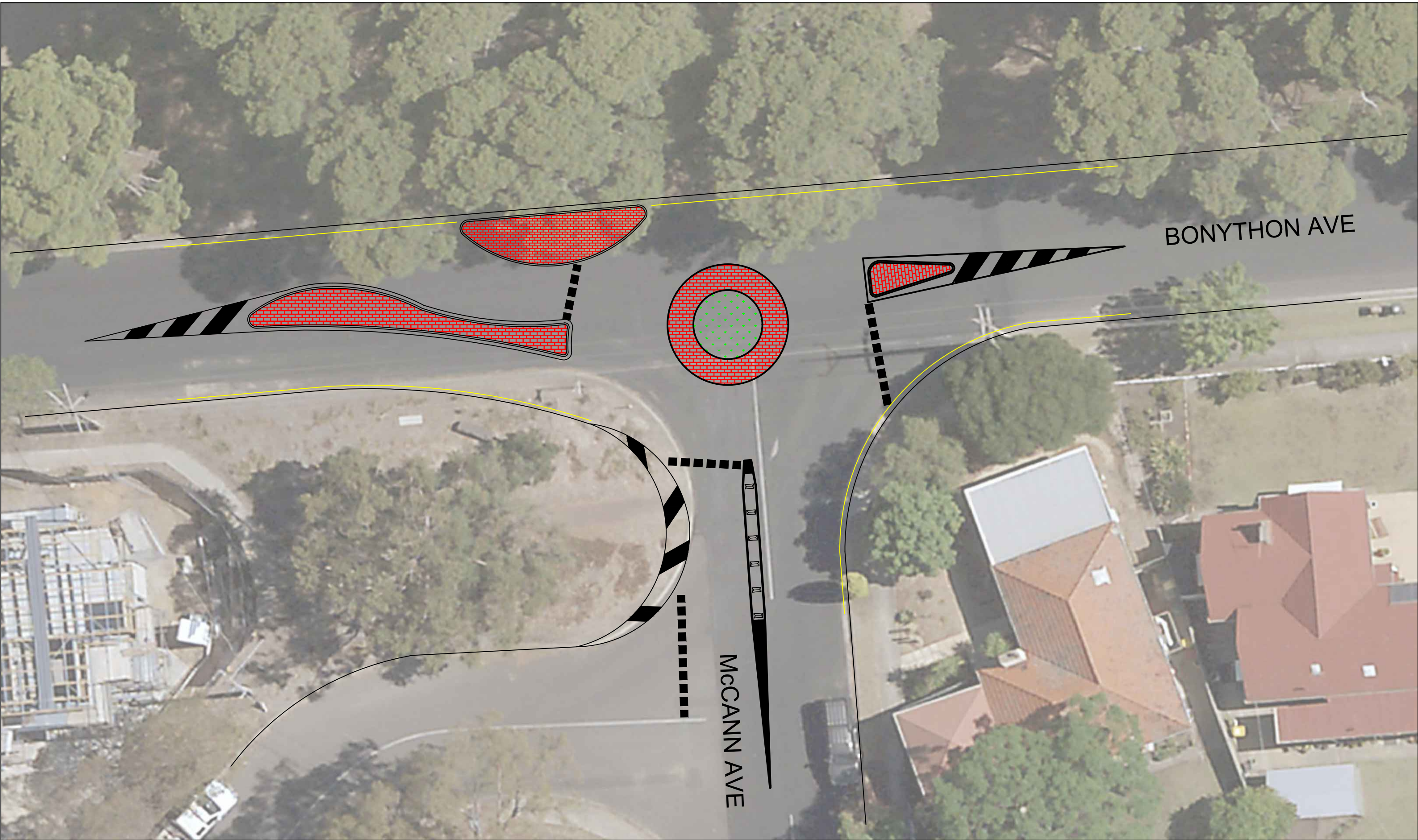


LOCATION:  
BONYTHON AVENUE / SHANNON AVENUE  
NOTE: SUBJECT TO AGREEMENT FROM  
THE CITY OF HOLDFAST BAY

# Attachment 2







BONYTHON AVE

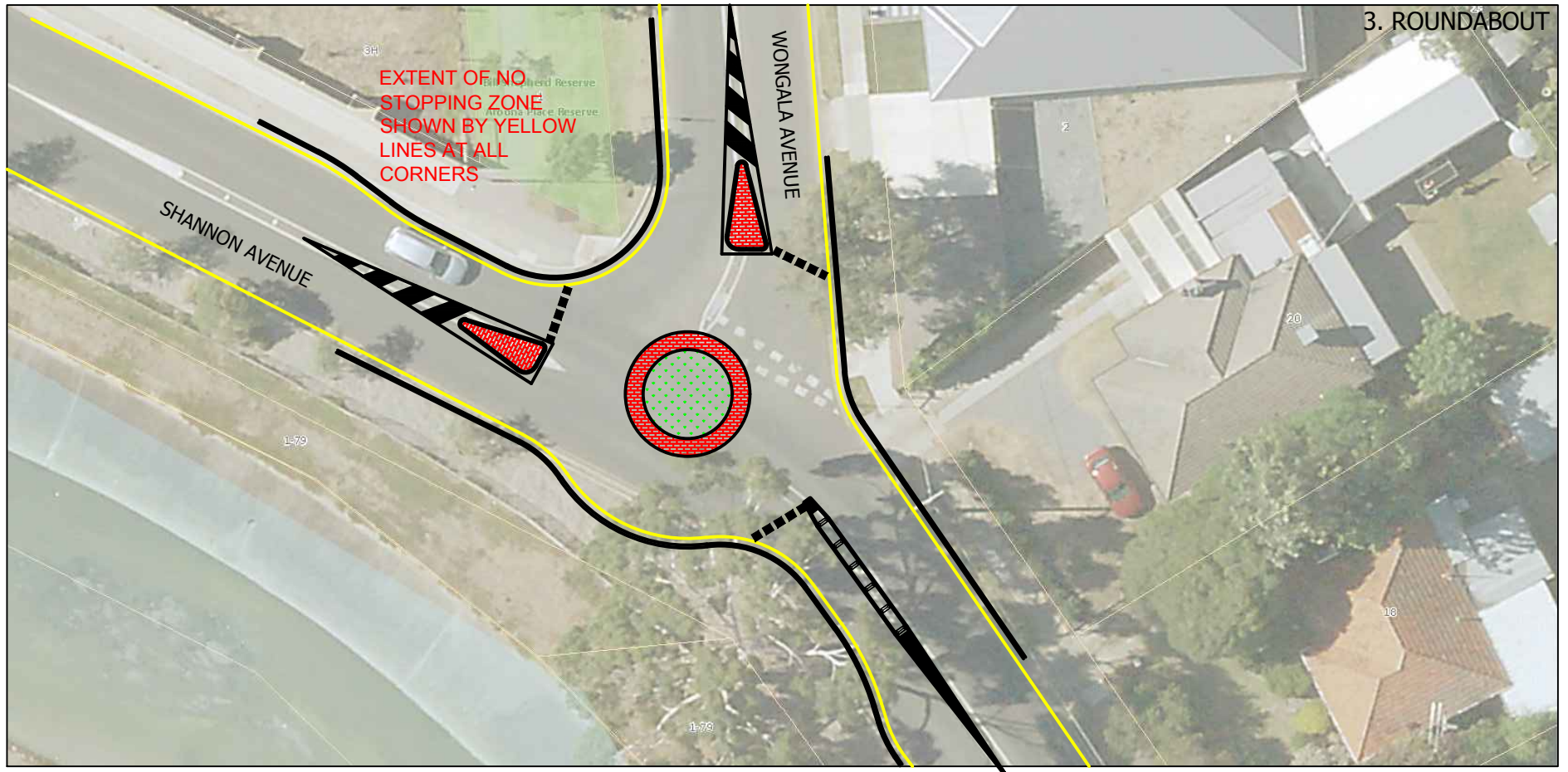
MCCANN AVE

# Attachment 3





PRELIMINARY



LOCATION:  
WONGALA AVENUE / SHANNON AVENUE  
NOTE: SUBJECT TO AGREEMENT FROM  
THE CITY OF HOLDFAST BAY



# Attachment 4



# LOCAL AREA TRAFFIC MANAGEMENT AT GLENELG NORTH



Location 1:  
Junction  
Reprioritisation.

Location 2:  
Roundabout.

Approved CHB & DPTI  
Kibby Avenue Pedestrian  
Improvements.

Location 3:  
Roundabout.



Council Boundary