

Minutes of the Ordinary Meeting of Council of the City of Holdfast Bay held in the Council Chamber, Glenelg Town Hall, Moseley Square, Glenelg, on Tuesday 25 June 2019 at 7:00pm.

MEMBERS PRESENT

Mayor A Wilson
Councillor A Bradshaw
Councillor P Chabrel
Councillor R Clancy
Councillor J Fleming
Councillor C Lindop
Councillor S Lonie
Councillor W Miller
Councillor R Patton
Councillor J Smedley
Councillor R Snewin

STAFF IN ATTENDANCE

A/Chief Executive Officer – R Bria
General Manager City Assets and Services – H Lacy
General Manager Community Services – M Lock
A/General Manager Business Services – P Jackson

1. OPENING

Her Worship the Mayor declared the meeting open at 7.00pm.

2. KAURNA ACKNOWLEDGEMENT

With the opening of the meeting Her Worship the Mayor stated:

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

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

3. PRAYER

Her Worship the Mayor requested all present to pray and read the following Prayer:

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

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

4. APOLOGIES

4.1 Apologies Received - Councillors R Abley and M Bouchee

4.2 Absent - Nil

5. ITEMS PRESENTED TO COUNCIL - Nil**6. DECLARATION OF INTEREST**

Members were reminded to declare their interest before each item.

7. CONFIRMATION OF MINUTES**Motion****C250619/1514**

That the minutes of the Ordinary Meeting of Council held on 11 June 2019 be taken as read and confirmed.

Moved Councillor Lonie, Seconded Councillor Clancy

Carried**8. PUBLIC PRESENTATIONS**

8.1 **Petitions - Nil**

8.2 **Presentation - Nil**

8.3 **Deputations - Nil**

9. QUESTIONS BY MEMBERS

9.1 **Without Notice**

9.1.1 **Rainwater Garden at Blackburn Reserve**

Councillor Patton asked a question in relation to residents concern about the untidy rain garden at the corner of Leak Avenue and Blackburn Avenue, Glenelg North and if Council will tidy it up.

The General Manager City Assets & Services, Mr H Lacy took the question on notice.

9.2 **With Notice**

9.2.1 **Question on Notice – Water Sensitive urban Design** (Report No: 243/19)

Councillor Bradshaw asked the following question:

“1. Could Council please advise the location of the current “Water Sensitive Urban Design” locations in Holdfast Bay, plus the 2019/2020 initiatives, along with a map of suitable future locations?

2. An article in the media indicated the Environment Minister David Spiers has recently launched the Greener Neighbourhood Grant Program to help boost the amount of

vegetation around the suburbs. In light of the Environment Ministers announcement, will Council be applying for this grant?"

Background

Mr Spiers was quoted as saying Adelaide's tree coverage was the lowest of Australia's capital cities at 27 per cent. He went on to say "Evidence shows that increased canopy coverage and increased water sensitive design in our suburbs will go a long way to reduce the heat impacts in our community".

The aim of the grants is to lower temperatures, improve air and water quality, and provide habitat for wildlife.

ANSWER – General Manager City Assets and Services

1. Administration tabled a list of current sites at the meeting, with a map of potential future sites to be provided separately when prepared.
2. Yes, Council will apply. Administration is currently identifying projects that meet the requirements for this grant.

Refer Attachment 1

10. MEMBER'S ACTIVITY REPORTS – Nil

11. MOTIONS ON NOTICE

11.1 Motion on Notice – Motion on Notice – Traffic Management of Colton Avenue - Councillor Clancy (Report No: 242/19)

There have been two meetings with residents in the vicinity of the new school and at the last meeting residents stated that it was essential for progress to be made on this issue and that time lines be put in place.

It is of concern that without this being done children will be at risk and that those delivering them to school will have no boundaries in place at commencement of the 2020 school year.

Councillor Clancy proposed the following motion:

Motion

C250619/1515

- 1. That the proposal to have one way traffic in a northerly direction, a drop off area near the entrance and parking on both sides of Colton Avenue be investigated as a matter of urgency.**
- 2. That the proposal come to Council in September and if approved immediately go to public consultation. Result of public consultation**

come to Council first meeting in November so that any changes can be in place for commencement of the school year.

3. If necessary that a Traffic Engineer be contracted to get the necessary work done.
4. That Administration investigate and report to Council in September the possibilities for parking during school term on King George Avenue, between Wattle Avenue and King Street.

Moved Councillor Clancy, Seconded Councillor Fleming **Carried Unanimously**

12. ADJOURNED MATTER - Nil

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

13.1 Minutes – Jetty Road Mainstreet Committee – 5 June 2019 (Report No: 244/19)

The Minutes of the Jetty Road Mainstreet Committee meeting held on 5 June 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.

Motion **C250619/1516**

That Council notes the minutes of the Jetty Road Mainstreet Committee of 5 June 2019.

Moved Councillor Lonie, Seconded Councillor Miller **Carried Unanimously**

14. REPORTS BY OFFICERS

14.1 Items in Brief (Report No: 236/19)

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.

Motion **C250619/1517**

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

1. **Donation to St Andrews by the Sea Uniting Church.**
2. **2019-20 Annual Business Plan Summary Document.**

Moved Councillor Lonie, Seconded Councillor Bradshaw **Carried Unanimously**

14.2 **2019-20 Rate Declaration** (Report No: 235/19)

General, differential and separate rates have been identified to fund Council's activities, together with the NRM Levy, as contained within the approved 2019/20 budget document. Council is now in a position to formally declare the rates for the 2019/20 financial year.

Motion**C250619/1518****1. Adoption of Valuations**

That the total capital value of land within Council's area of \$13,733,668,980, as provided by the State Valuation Office, be adopted for rating purposes for the 2019/20 financial year.

2. Declaration of Differential General Rates

In order to raise a total net amount of \$35,222,300 from the differential general rate:

- (a) in respect of rateable land with a land use of Commercial-Shop (Category 2), Commercial-Office (Category 3), Commercial-Other (Category 4), Industrial-Light (Category 5), Industrial-Other (Category 6), and Vacant Land (Category 8) , a Differential General Rate of 0.374999 cents in the dollar is declared on the capital value of such land;**
- (b) in respect of rateable land with a land use of Residential (Category 1) and Other Land (Category 9) uses, a Differential General Rate of 0.24259 cents in the dollar is declared on the capital value of such land;**
- (c) pursuant to Section 158 of the *Local Government Act 1999*, a minimum amount payable by way of the General Rate is fixed at \$1,002 and**
- (d) pursuant to Section 153(3) and (4) of the *Local Government Act 1999*, a maximum increase of 6% (of the general rate declared for the same property for the 2018/19 financial year) is fixed in the general rate charged on rateable land that is used for residential purposes and constitutes the principal place of residence of a principal ratepayer. Any amount exceeding the 6% increase will be remitted in full. The cap on an increase in general rates under this Section will not apply where property values have increased as a result of the following events: new building work and/or development activity greater than \$5,000; changes in land use wholly or partially; changes in zoning; the ownership of the rateable property has changed since 1 July of the previous year; the property is no longer the principal place of residence.**

3. Declaration of Separate Rates

Jetty Road Mainstreet

- (a) In exercise of the powers contained in Section 154 of the *Local Government Act 1999* and in order to support and improve the activity of promoting and enhancing business viability, profitability and trade, commerce and industry in Jetty Road Glenelg, a Differential Separate Rate of 0.125215 cents in the dollar is declared on the capital value of all rateable land:
- with a frontage to Jetty Road or Moseley Square;
 - within the side streets that intersect with Jetty Road between High Street and Augusta street;
 - the entire site referred to as the Holdfast Shores 2B Entertainment Centre and
 - that has a land use of Category 2 (Commercial – Shop), Category 3 (Commercial – Office) and Category 4 (Commercial –Other).

Patawalonga Marina

- (b) (i) In exercise of the powers contained in Section 154 of the *Local Government Act 1999* and in order to carry out the activity of the maintenance and upkeep of the Boat Lock in the Patawalonga basin, a Separate Rate of 0.94701 cents in the dollar of the capital value of land, is declared on all rateable land within the Patawalonga basin bounded by the high water mark and
- (ii) in exercise of the powers contained in Section 158(1)(b) of the *Local Government Act 1999* the amount that would otherwise be payable by way of rates in respect of this separate rate is altered by fixing the maximum amount of the separate rate payable for assessments within the area to which this separate rate applies where the capital values of which exceed \$83,526 at \$791.

4. Imposition of regional NRM Levy

In exercise of the powers contained in Section 95 of the *Natural Resources Management Act 2004* and Section 154 of the *Local Government Act 1999*, in order to reimburse the Council for the amount contributed to the Adelaide and Mount Lofty Ranges Natural Resources Management Board, being \$1,281,868, the Council declares a separate rate of 0.0097373 cents in the dollar of the capital value of all rateable land in the Council area.

5. Payment

- (a) That in accordance with Section 181(1) of the *Local Government Act 1999*, all rates are payable in four equal (or approximately equal) instalments, the due dates being:

2 September 2019
2 December 2019;
2 March 2020; and
1 June 2020.

Provided that in cases where the initial account requiring payment of rates is not sent by the time set by the *Local Government Act 1999* (the "Act"), or an amended account is required to be sent, the Chief Executive Officer is authorised to fix the date by which rates must be paid in respect of those assessments affected and

- (b) Pursuant to Section 181 (4)(b) of the *Local Government Act 1999*, the Chief Executive Officer is authorised to enter into agreements with ratepayers relating to the payment of rates in any case of hardship or financial difficulty, or where it is considered in the best interests of Council so to do (as determined by the Chief Executive Officer).

6. The current Rating Policy be updated to reflect Council's decision.

Moved Councillor Lonie, Seconded Councillor Lindop **Carried Unanimously**

14.3 Monthly Financial Report – 31 May 2019 (Report No: 237/19)

Attached are financial reports as at 31 May 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 14 August 2018 and the three quarterly budget updates approved by Council 23 October 2018, 12 February 2019 and 23 April 2019.

Alwyndor Aged Care's budget forecast deficit is to increase by \$268,000 to \$326,000 due to additional support costs associated with accreditation in line with new quality standards. The report also includes Council's resolution (C140519/1477) to increase the capital expenditure budget by \$6,300 for the installation of fencing at Angus Neill Reserve and highlights items that show a material variance from the YTD budget.

Motion**C250619/1519**

That Council receives the financial reports and budget update for the 11 months to 31 May 2019 and notes:

- **no change in the forecast Municipal operating surplus for 2018/19 of \$537,245;**
- **an increase in forecast Municipal capital expenditure of \$6,300 from \$21.677 million to \$21.683 million; and**
- **an increase in the forecast Alwyndor Aged Care 2018/19 operating deficit of \$268,000 from \$58,000 to \$326,000.**

Moved Councillor Snewin, Seconded Councillor Smedley **Carried Unanimously**

14.4 **Planning Development and Infrastructure Act Changes to Heritage Contributory Items (Report No: 238/19)**

This report is to advise Elected Members of the South Australian Government's intended changes to heritage properties under the Planning, Development and Infrastructure (PDI) Act 2016. As part of the PDI Act 2016, Council's Development Plan will be rescinded and replaced by a single state wide Planning and Design Code in July 2020. The State Government has recently released a series of advisory papers detailing how heritage places will operate under the PDI Act 2016.

Local Heritage and State Heritage places will retain their heritage status under the new PDI Act, but not the Heritage Contributory items. Holdfast Bay Council currently has 534 places listed as Heritage Contributory Items, which will no longer have any heritage status once the PDI Act becomes operational on 1 July 2020. The State Planning Commission (SPC) has advised Council's that they can lodge a Development Plan Amendment (DPA) to request the contributory items be upgraded to a local heritage place to ensure that the contributory items maintain a heritage status.

Motion**C250619/1520**

That Council:

1. **writes to the Minister for Planning advising that Council:**
 - **supports the recommendations of the Environment Resources and Development Court (ERDC) and considers that these should be the basis for the Government's and the Commission's approach to heritage places, conservation areas, contributory places and character areas in the new planning system;**
 - **is opposed to the removal of contributory items in the first generation (Gen 1) of the Planning and Design Code and**

- considers that these should be transferred over intact in Gen 1 of the Code;
- the proposal for councils to prepare Development Plan Amendments to list existing contributory items as local heritage places does not recognise the significant difficulties inherent in using the current DPA rezoning process to list local heritage properties; and
 - considers that the proposed new criteria for assessing demolition need to be strengthened to create a balance between protection and demolition.
2. This letter should also be forwarded onto the Member for Morphett, Gibson and Black as all of the impacted Heritage Contributory Items are located in that electorate.
 3. Lodges a Statement of Intent to undertake a Development Plan Amendment to analyse which of the 534 Heritage Contributory Items should be upgraded to Local Heritage Places to ensure their protection under the new Planning and Design Code.

Moved Councillor Miller, Seconded Councillor Chabrel **Carried Unanimously**

Variation

The mover Councillor Miller and seconder Councillor Chabrel agreed to the amendment proposed by Councillor Clancy for the wording "Gibson and Black" to be added to Clause 2 of Item 14.4 Planning Development and Infrastructure Act Changes to Heritage Contributory Items (Report No: 238/19).

14.5 **Live Streaming of Council Meetings** (Report No: 226/19)

At the Council meeting on 29 January 2019, Mayor Wilson asked administration prepare a report on the costs and methods of "live streaming" Council meetings.

For the purposes of this report, live streaming is defined as the ability to simultaneously record and broadcast in real time the video and audio coverage of Ordinary meetings of Council over the Internet. There are a number of benefits and disadvantages to the live streaming of Council meetings and these are outlined in the report. There are also a number of considerations, including compliances with the *State Records Act 1997*.

In order to live stream Council meetings, a technology upgrade would be required. The current Chamber operates an analogue audio technology, which is end of life. In order to live stream this technology would need to be replaced with digital technology to ensure audio quality of the broadcast. In addition, video cameras would need to be installed in the Chamber. This report outlines the options available to Council and the related costs.

Motion

C250619/1521

That Council notes the report and consider the matter for the 2020/21 budget.

Moved Councillor Miller, Seconded Councillor Clancy

Carried

Conflict of Interest

Councillor Clancy declared an actual conflict of interest for Item 14.6 Proposed Telecommunications Tower – Glenelg Oval, Report No. 231/19. The nature of the actual conflict of interest (pursuant to Section 74 of the *Local Government Act 1999*) is that she is a member of Council Assessment Panel.

Councillor Clancy dealt with her conflict of interest by leaving at the chamber at 7.25 pm.

14.6 **Proposed Telecommunications Tower – Glenelg Oval** (Report No: 231/19)

On 12 June 2018 Council endorsed (in principle) Vodafone’s revised offer of \$23,000 pa to lease a portion of land at the Glenelg Oval Complex for a period of 20 years, for the purpose of installing telecommunications infrastructure.

As the proposed lease term exceeded five (5) years, Administration was required to undertake community consultation in order to obtain the community’s view. Community consultation and engagement was undertaken between 19 February 2019 and 12 March 2019. A total of 37 participants responded to the online survey, with 28 (76%) opposed the proposal and 8 in favour of the proposal to lease the land to Vodafone.

Administration is now seeking Council’s approval to proceed with the lease, subject to the applicant obtaining full Development Approval.

Motion**C250619/1522**

1. **That Council enters into a lease agreement with Vodafone over a portion of land (approximately 7m²) contained within Certificate of Title Volume 5869 Folio 949 (Glenelg Oval) for a period of 20 years, subject to:**
 - **the lessee obtaining Development Approval;**
 - **commencing rental of \$23,000 per annum (plus GST) with annual CPI increases.**
2. **That the Mayor and Chief Executive Officer be authorised to execute and seal any documents required to give effect to the lease.**

Moved Councillor Lonie, Seconded Councillor Bradshaw

Carried**Division Called**

A division was called and the previous decision was set aside.

Those voting for: Councillors Miller, Smedley, Patton, Chabrel, Lonie and Bradshaw (6)

Those voting against: Councillors Snewin, Fleming and Lindop (3)

Her Worship the Mayor declared the motion

Carried

Councillor Clancy re-joined the chamber at 7.39 pm.

14.7 **New Lease Agreement – Southern District Junior Soccer Association Incorporated and Southern District Little Athletics Centre Holdfast Bay Incorporated** (Report No: 227/19)

The current sub-lease agreement held between Council and the Southern Districts Junior Soccer Association Incorporated and the Southern Districts Little Athletics Centre Holdfast Bay Incorporated (“Licensees”) for their occupancy of a portion of Bowker Oval expired 30 June 2018.

Since that time, the lease has been Hold Over pending the outcome of negotiations between Council and the Department for Education (the owner of Bowker Oval) for renewal of the Head Lease.

Now that Council’s Head Lease has been executed, the Licensees seek to enter into a new sub-lease agreement for five (5) years. The term and conditions of the new sub-lease have been endorsed by the Department for Education.

Council approval is now sought for the new sub-lease agreements.

Motion

C250619/1523

1. **That Council enters into a new sub-lease with the Southern Districts Junior Soccer Association Incorporated and the Southern Districts Little Athletics Centre Holdfast Bay Incorporated over a portion of the land contained in Certificate of title Volume 5737 Folio 272 (part Bowker Oval) for a period of five (5) years, commencing 1 July 2019, based on the same terms and conditions as the current sub-lease agreement.**
2. **That a commencing annual rental of \$320 (plus GST) (subject to annual CPI increases) be charged.**
3. **That the Mayor and Chief Executive Officer be authorised to execute and seal any documents required to give effect to the lease.**

Moved Councillor Fleming, Seconded Councillor Snewin **Carried Unanimously**

14.8 **Chapel Street Plaza – Traffic Management and Safety** (Report No: 239/19)

The first stage of implementation of the Jetty Road Glenelg Masterplan (Chapel Street Plaza) involves the closure of Chapel Street, north of the Milton Street intersection. This will result in a change to the intersection and removal of the one-way movement northbound on Chapel Street, between Milton Street and Jetty Road. During the detailed design engagement process, traffic management and safety has been highlighted as a concern by some of the adjoining neighbours, including St Mary’s Memorial School. Although supportive of the Plaza concept, St Mary’s Memorial School Principal and representatives of the School Board have highlighted existing traffic management and safety concerns and have posed a number of potential short and longer term traffic changes. Administration has investigated these to determine feasibility to provide the desired solutions.

This report is to seek your consideration and direction regarding the proposed changes to alleviate some of the existing traffic issues and future pressures.

Motion

C250619/1524

1. **That Council consults with residents and nearby businesses in relation to:**
 - a. **The installation of “No Stopping 8am–9am and 3pm–4pm Monday to Friday School Days” parking controls on the eastern side of Chapel Street, between Milton Street and High Street, to provide a clearway during school pick up and drop off times immediately prior to construction of the Chapel Street Plaza.**
 - b. **The installation of left turn only signage at the exit from Milton Street to Jetty Road for the hours of 8-9am and 3-4pm Monday to Fridays during school term.**
2. **That Council considers a new initiative in the 2020/21 budget process for the construction of the raised platform on the intersection of Milton Street and Chapel Street to improve pedestrian safety.**

Moved Councillor Miller, Seconded Councillor Smedley **Carried Unanimously**

14.9 **Arts and Culture Strategy 2019-2024** (Report No: 218/19)

The Creative Holdfast Arts and Culture Strategy and Action Plan 2019–2024 outlines Council’s commitment to enable a creative and cultural city and provides a framework to guide the future planning, coordination and investment for arts and culture for the next five years.

This report summarises the project and presents the final Arts and Culture Strategy and Action Plan for endorsement. The Strategy and Action Plan has been developed in conjunction with Council staff and in consideration of the ideas and feedback provided by the community, businesses and creative industry leaders.

Motion

C250619/1525

1. **That Council notes the outcomes of the community engagement.**
2. **That Council endorse the Creative Holdfast Arts and Culture Strategy and Action Plan and its implementation during 2019–2024.**

Moved Councillor Lindop, Seconded Councillor Miller **Carried Unanimously**

14.10 **Annual Review of Delegations** (Report No: 241/19)

Delegations are the means by which Council can formally pass on its powers and functions to other bodies or individuals in order to efficiently and effectively manage the business of Council.

Section 44 (6) of the *Local Government Act 1999*, requires Council to review its delegations at least once each financial year. This review is presented for Council's endorsement for the 2018/19 financial year. The changes to the delegations are in the majority legislative amendments.

Motion**C250619/1526**

That having conducted its annual review of the Council's Delegations Register in accordance with Section 44(6) of the *Local Government Act 1999*, the Council:

1.1 Notes the review of Delegations undertaken and continues with delegations previously made to the Chief Executive Officer for the:

- 1.1.1 *Aged Care Act 1997 (Cth)*
 - 1.1.2 *Burial and Cremation Act 2013 and Burial and Cremation Regulations 2014*
 - 1.1.3 *Community Titles Act 1996*
 - 1.1.4 *Dog and Cat Management Act 1995*
 - 1.1.5 *Electronic Conveyancing National Law (SA) Act 2013*
 - 1.1.6 *Environment Protection Act 1993*
 - 1.1.7 *Expiation of Offences Act 1996*
 - 1.1.8 *Fences Act 1975*
 - 1.1.9 *Fire and Emergency Services Act 2005, and Fire and Emergency Services Act Regulations 2005.*
 - 1.1.8.1 - *Fire and Emergency Services - Delegations to CEO*
 - 1.1.8.2- *Instrument of Delegation under the Fire and Emergency Services Act 2005 to Fire Prevention Officers (Jan 2014)*
 - 1.1.10 *Food Act 2001*
 - 1.1.11 *Freedom of Information Act 1991*
 - 1.1.12 *Housing Improvement Act 1940*
 - 1.1.13 *Land and Business (Sale and Conveyancing) Act 1994*
 - 1.1.14 *Local Nuisance and Litter Control Act 2016 and Local Nuisance and Litter Control Regulations 2017*
 - 1.1.15 *Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005 and Natural Resources Management (Transitional Provisions - Levies) Regulations 2005*
 - 1.1.16 *Planning, Development and Infrastructure Act 2016*
 - 1.1.17 *Real Property Act 1886*
 - 1.1.18 *Roads (Opening & Closing) Act 1991*
 - 1.1.19 *Strata Titles Act 1988*
 - 1.1.20 *Unclaimed Goods Act 1987*
 - 1.1.21 *Work Health Safety Act 2012*
- without change.

- 1.2** Notes the review of Delegations undertaken and continues with delegations previously made to the Alwyndor Management Committee for the:
- 1.2.1.1** *Aged Care Act 1997 (Cth)*
- 1.2.1.2** *Aged Care (Accommodation Payment Security) Act 2006* without change.
- 2.** Revocations
- 2.1** Hereby revokes its previous delegations to the Chief Executive Officer of those powers and functions under the following:
- 2.1.1** *Development Act 1993 and Development Regulations 2008*
- 2.1.2** *Heavy Vehicle National Law (South Australia) Act 2013*
- 2.1.3** *Liquor Licensing Act 1997*
- 2.1.4** *Local Government Act 1999*
- 2.1.5** *Residential Parks Act 2007*
- 2.1.6** *Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014*
- 2.1.7** *Safe Drinking Water Act 2012*
- 2.1.8** *South Australian Public Health Act 2011, South Australian Public Health (Legionella) Regulations 2013, South Australian Public Health (Wastewater) Regulations 2013 and South Australian Public Health (General) Regulations 2013*
- 2.1.9** *Supported Residential Facilities Act 1992*
- 2.2** Hereby revokes its previous delegations to the Alwyndor Management Committee under the *Local Government Act 1999*.
- 2.3** Hereby revokes its previous delegations to the General Manager Alwyndor under the *Local Government Act 1999*.
- 3.** Delegations made under the *Local Government Act 1999*
- 3.1** In exercise of the power contained in Section 44 of the *Local Government Act 1999* the powers and functions under the following Acts and specified in the proposed Instruments of Delegation contained in Attachments 2-12 (each of which is individually identified as indicated below) are hereby delegated this 25th day of June 2019 to the person occupying the office of Chief Executive Officer subject to the conditions and or limitations specified herein or in the Schedule of Conditions in each such proposed Instrument of Delegation:
- 3.1.1** *Development Act 1993 and Development Regulations 2008* (Attachment 2)
- 3.1.2** *Heavy Vehicle National Law (South Australia) Act 2013* (Attachment 3)
- 3.1.3** *Liquor Licensing Act 1997* (Attachment 4)
- 3.1.4** *Local Government Act 1999* (Attachment 5)
- 3.1.5** *Residential Parks Act 2007* (Attachment 6)

- 3.1.6 ***Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014 (Attachment 7)***
 - 3.1.7 ***Safe Drinking Water Act 2012 (Attachment 8)***
 - 3.1.8 ***South Australian Public Health Act 2011, South Australian Public Health (Legionella) Regulations 2013, South Australian Public Health (Wastewater) Regulations 2013 and South Australian Public Health (General) Regulations 2013 (Attachment 9)***
 - 3.1.9 ***Supported Residential Facilities Act 1992 (Attachment 10)***
 - 3.1.10 ***Electricity Act 1996 and Electricity (Principles of Vegetation Clearance) Regulations 2010 (Attachment 11)***
 - 3.1.11 ***Gas Act 1997 (Attachment 12).***
- 3.2 **Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the *Local Government Act 1999* as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in each such proposed Instrument of Delegation.**
4. **Delegations made under the *Local Government Act 1999* to the Alwyndor Management Committee and the General Manager Alwyndor:**
- 4.1 **In exercise of the power contained in Section 44 of the *Local Government Act 1999* the powers and functions under the *Local Government Act 1999* and specified in the proposed Instrument of Delegation contained in Attachment 13 are hereby delegated this 25th day of June 2019 to the Alwyndor Management Committee subject to the conditions and or limitations specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation. The delegations will come into effect from 12:00am 1 August 2019.**
 - 4.2 **Such powers and functions may be further delegated by the Alwyndor Management Committee in accordance with Sections 44 and 101 of the *Local Government Act 1999* as the Alwyndor Management Committee sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in each such proposed Instrument of Delegation.**
 - 4.3 **In exercise of the power contained in Section 44 of the *Local Government Act 1999* the powers and functions under the *Local Government Act 1999* and specified in the proposed Instrument of Delegation contained in Attachment 14 are hereby delegated this 25th day of June 2019 to the General Manager Alwyndor subject to the conditions and or limitations specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.**

5. **Delegations made under *Development Act 1993***
 - 5.1 In exercise of the powers contained in Section 20 and 34(23) of the *Development Act 1993*, the powers and functions under the *Development Act 1993* and the *Development Regulations 2008* contained in the proposed Instrument of Delegation (annexed to this Report dated 25th June 2019 and entitled Annual Review of Delegations and marked Attachment 2) are hereby delegated this 25th day of June 2019 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the *Development Act 1993*.
 - 5.2 Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the *Development Act 1993*.
6. **Delegations under *Supported Residential Facilities Act 1992***
 - 6.1 In exercise of the power contained in Section 9 of the *Supported Residential Facilities Act 1992*, the powers and functions under the *Supported Residential Facilities Act 1992* contained in the proposed Instrument of Delegation (annexed to this Report dated 25th June 2019 and entitled Annual Review of Delegations and marked Attachment 10) are hereby delegated this 25th day of June 2019 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the *Supported Residential Facilities Act 1992*.
 - 6.2 Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the *Supported Residential Facilities Act 1992*.
7. **Authorisations and Subdelegation under the *Road Traffic Act 1961***
 - 7.1 In accordance with the Instrument of General Approval and Delegation to Council dated 22 August 2013 from the Minister for Transport and Infrastructure (the 'Instrument') the Council authorises the following person(s) pursuant to Clause A.7 of the Instrument to endorse Traffic Impact Statements for the purposes of Clause A of the Instrument provided that such person(s) shall take into account the matters specified in Clause A.7 of the Instrument in respect of Traffic Impact Statements:
 - Mr Roberto Bria, Chief Executive Officer (Acting)
 - Mr Howard Lacy, General Manager City Assets and Services

- Mr Rajiv Mouveri, Manager, Assets and Facilities
- Mr Damien Landrigan, Traffic and Transport Officer.

- 7.2 In accordance with Clause A.7 of the Instrument, the Council is of the opinion that the following person(s) is/are experienced traffic engineering practitioner(s) for the purposes of preparing a Traffic Impact Statement as required by Clause A.7 of the Instrument:
- Mr Roberto Bria, Chief Executive Officer (Acting)
 - Mr Howard Lacy, General Manager City Assets and Services
 - Mr Rajiv Mouveri, Manager, Assets and Facilities
 - Mr Damien Landrigan, Traffic and Transport Officer.
- 7.3 In exercise of the power contained in, and in accordance with, Clause G.1 of the Instrument, the power contained in Section 33(1) of the *Road Traffic Act 1961* and delegated to the Council pursuant to Clause G of the Instrument and contained in the proposed Instrument of Subdelegation (annexed to this Report dated 25th June 2019 and entitled Annual Review of Delegations and marked Attachment 7) is hereby sub-delegated 25th day of June 2019 to the person occupying the office of Chief Executive Officer of the Council subject to:
- (i) the conditions contained in the Instrument; and
 - (ii) any conditions contained in this Resolution or in the Instrument of Subdelegation; and
 - (iii) the creation of a separate instrument in writing reflecting such subdelegation under the Instrument and this Resolution.
- 7.4 In accordance with Clause E.2 of the Instrument, the Council is of the opinion that the following person(s) has (have) an appropriate level of knowledge and expertise in the preparation of traffic management Plans:
- Mr Roberto Bria, Chief Executive Officer (Acting)
 - Mr Howard Lacy, General Manager City Assets and Services
 - Mr Rajiv Mouveri, Manager, Assets and Facilities
 - Mr Damien Landrigan, Traffic and Transport Officer.
8. Delegations under *Safe Drinking Water Act 2011* (of enforcement agency)
- 8.1 In exercise of the power contained in Section 43 of the *Safe Drinking Water Act 2011* the powers and functions of the Council as a relevant authority under the *Safe Drinking Water Act 2011* contained in the proposed Instrument of Delegation (annexed to this Report dated 25th June 2019 and entitled Annual Review of Delegations and marked Attachment 8) are hereby delegated this 25th day of June 2019 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the *Safe Drinking Water Act 2011*.

- 8.2 Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the *Safe Drinking Water Act 2011*.
9. Delegations under the *Heavy Vehicle National Law (South Australia) Act 2013*
- 9.1 In exercise of the powers contained in Section 44 of the *Local Government Act 1999* and Section 22B of the *Heavy Vehicle National Law (South Australia) Act 2013* (as relevant) the powers and functions under the *Heavy Vehicle National Law (South Australia) Act 2013* contained in the proposed Instrument of Delegation (annexed to this Report dated 25th June 2019 and entitled Annual Review of Delegations and marked Attachment 3) are hereby delegated this 25th day of June 2019 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the *Heavy Vehicle National Law (South Australia) Act 2013*.
- 9.2 Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the *Heavy Vehicle National Law (South Australia) Act 2013*.

Moved Councillor Smedley, Seconded Councillor Lonie Carried Unanimously

15. RESOLUTIONS SUBJECT TO FORMAL MOTIONS - Nil
16. URGENT BUSINESS – SUBJECT TO THE LEAVE OF THE MEETING - Nil
17. ITEMS IN CONFIDENCE - Nil

CLOSURE

The Meeting closed at 7.45 pm.

CONFIRMED Tuesday 9 July 2019

MAYOR

Attachment 1



WSUD Applications in the City of Holdfast Bay

WSUD applications achieved



LGA Boundary

DCDB Suburb

WSUD SUMPS

Rain Gardens

Residential Storm Water Catchments

Storm Water Diversion Catchments

TreeNet Inlet

Underground Soakage Pit

ID	Type	Description	Road
1	USP	Underground Soakage Pit - Ringwood Carpark 3000 x 5000	Jetty road
2	USP	Underground Soakage Pit with pollutant filter - Purdeys Lane West, Glenelg East CP 600/600	Purdeys Lane
3	USP	Underground Soakage Pit - James Place	James Place
4	USP	Underground Soakage Pit - Bowler Carpark/McLaughlan Ave	McLaughlan Ave
5	TreeNet Inlet	SW Gross Pollutant Trap - CDS P2018L (1499) - Pier street	Pier Street
6	TreeNet Inlet	WSUD - Tree net inlets X10	Bristol Street
7	TreeNet Inlet	29 in Farrell Street	Farrell Street
8	TreeNet Inlet	21 in Weewanda Street	Weewanda Street
9	TreeNet Inlet	4 in Marooong Avenue	Marooong Avenue
10	TreeNet Inlet	4 in Patawilya Grove	Patawilya Grove
11	SWDC	WSUD - Large detention basin with WSUD - Highland Avenue	Bob Lewis Reserve
12	SWDC	Storm Water Diversion Catchments	Kouli Parade/ Seakiff station
13	RSWC	Residential Storm water catchments	12 Old Tapleys Hill Road
14	Rain Gardens	SW Gross Pollutant Trap - Ecosol RSF 6000	Esplanade Brighton
15	Rain Gardens	WSUD X5	Moseley Street
16	Rain Gardens	WSUD X4	Walkers Road
17	Rain Gardens	WSUD X5	Whyte Street
18	Rain Gardens	WSUD	The Broadway
19	Rain Gardens	WSUD	Leak Avenue
20	Rain Gardens	WSUD	Blackburn Avenue
21	Rain Gardens	Dover Square Brighton Tennis Club carpark	Dover Square Tennis Club
22	Rain Gardens	Requires further investigation.	Kibby Community Centre Car Park
23	Rain Gardens	Durham Street	Durham Street
24	Rain Gardens	Verge treatment, permeable paving.	Partridge Street
25	Rain Gardens	Portland Street	Portland Street
26	Rain Gardens	77 inlets to be applied on partridge 19/20	Partridge Street
27	Rain Gardens	Augusta Street - Various Rain Garden Applications, Tree pits and inlets	Augusta Street
28	Rain Gardens	Pier Street - Various Rain Garden Applications and inlets	Pier Street
29	RSWC	Residential Storm water catchments	8 Wilkinson Avenue

0 0.5 1 km

