



NOTICE OF SPECIAL COUNCIL MEETING

To: Mayor Bill Spragg

Councillors	Ward
Councillor Ron Nelson Councillor Jan-Claire Wisdom	Manoah
Councillor Ian Bailey Councillor Jan Loveday	Marble Hill
Councillor Kirrilee Boyd Councillor John Kemp Councillor Nathan Daniell	Mt Lofty
Councillor Andrew Stratford Councillor Lynton Vonow	Onkaparinga Valley
Councillor Linda Green Councillor Malcolm Herrmann	Torrens Valley

Notice is hereby given pursuant to the provisions under Section 82 of the Local Government Act 1999 that a Special meeting of the Council will be held on:

Tuesday 11 September 2018
6.30pm
36 Nairne Road Woodside

Business of the meeting:

1. Pomona Road Bike Track Trial
2. Parliamentary Inquiry into the Heritage System regarding Places or Objects
3. AHBTC Divestment Update
4. 2017/18 Preliminary End of Year Financial Results and Carry Forwards
5. Draft Gumeracha Main Street Masterplan
6. Road Exchange McBeath Drive, Skye Horsnell Gully
7. Draft Gumeracha Precinct Federation Park and Oval Masterplan
8. Burials outside Cemeteries Policy
9. Exclusion of Community Land – Crafers Retirement Village
10. Revocation of Community Land – Bridgewater Retirement Village
11. Road Closure Glenside Lane, Crafers
12. Sale of closed unnamed road off Burton Road, Mt Torrens
13. Sale of closed unnamed road off McVitties Road, Birdwood
14. East Waste Kerbside Recycling Contract
15. Former Ashton Landfill



A copy of the Agenda for this meeting is supplied under Section 83 of the Act.

Meetings of the Council are open to the public and members of the community are welcome to attend. Public notice of the Agenda for this meeting is supplied under Section 84 of the Act.

A handwritten signature in black ink, appearing to read 'Andrew Aitken', is written over a faint, light blue grid background.

Andrew Aitken
Chief Executive Officer



AGENDA FOR SPECIAL COUNCIL MEETING

Tuesday 11 September 2018
6.30pm
36 Nairne Road Woodside

ORDER OF BUSINESS

Council Vision

Nurturing our unique place and people

Council Mission

Delivering activities and services which build a resilient community, sustain our built and natural environment and promote a vibrant economy

1. COMMENCEMENT

2. OPENING STATEMENT

“Council acknowledges that we meet on the traditional lands of the Peramangk and Kaurna people and we recognise their connection with the land.

We understand that we do not inherit the land from our ancestors but borrow it from our children and in this context the decisions we make should be guided by the principle that nothing we do should decrease our children’s ability to live on this land.”

3. APOLOGIES/LEAVE OF ABSENCE

3.1. Apology

3.2. Leave of Absence

4. DECLARATION OF INTEREST BY MEMBERS OF COUNCIL

5. PUBLIC FORUM

6. BUSINESS OF THE MEETING

6.1. Pomona Road Bike Track Trial

- 1. That the report be received and noted.*
- 2. To support a trial of a BMX facility in Stirling, within the Service Women's War Memorial Reserve (adjacent Pomona Road)*
- 3. That a report be prepared to Council on completion of the trial by 26 November 2019.*

6.2. Parliamentary Inquiry into the Heritage System regarding Places or Objects

- 1. That the report be received and noted*
- 2. To approve the submission on the South Australian Parliament's Environment, Resources and Development Committee Inquiry into the Heritage System as detailed in Appendix 2 of this report.*

6.3. AHBTC Divestment Update

- 1. Council resolves that the report be received and noted.*

6.4. 2017/18 Preliminary End of Year Financial Results and Carry Forwards

- 1. The report be received.*
- 2. The Preliminary End of Year Results for 2017-18 be noted.*
- 3. Carry forward projects from 2017-18 totalling an amount of \$2.091m of expenditure and \$1.451m of income (Attachments 2 and 3 to this report) be approved.*
- 4. The 2018-19 Proposed Budgeted Uniform Presentation of Finances reflecting a Budgeted Operating Surplus of \$302k before Capital Revenue and revised Net Borrowings of \$4.333m as summarised in Attachment 4 to this report be adopted.*

6.5. Draft Gumeracha Main Street Masterplan

- 1. That the report be received and noted*
- 2. That Council endorses a broader community engagement process to enable the local community to provide feedback on the outcomes within the draft Masterplan.*
- 3. That the Chief Executive Officer be authorised to consider and respond to minor changes to the draft Masterplan and to timing, advertisements and extent of the broader community engagement process.*
- 4. That a report is provided back to Council by January 2019.*

6.6. Road Exchange McBeath Drive, Skye Horsnell Gully

1. *The report be received and noted*
2. *In accordance with sections 12 and 15 of the Roads (Opening and Closing) Act 1991, as regards the land within the Adelaide Hills Council area, enter into an Agreement for Exchange with Boral Resources (SA) Ltd and issue a Road Process Order to open as road portions of Section 906 Hundred of Adelaide numbered "1", "2" and "3" on Preliminary Plan No. 17/0066 (Appendix 1) and in exchange to close portions of McBeath Drive marked "A", "B", "C" and "D" on Preliminary Plan No. 17/0066, subject to the following:*
 - a. *Boral Resources (SA) Ltd agreeing to pay all costs associated with the road exchange process including but not limited to all survey, valuation and reasonable legal costs;*
 - b. *Boral Resources (SA) Ltd agreeing to pay all costs associated with a Council boundary adjustment between Adelaide Hills Council and the City of Burnside to rectify the resulting Council boundary anomaly from the road exchange process*
3. *The closed road be excluded as Community Land pursuant to the Local Government Act 1999.*
4. *Council approves the sale of the differential between the total area of closed road and the total area of opened road of approximately 1,242m² to Boral Resources (SA) Ltd for the amount of \$6,210 as determined by an independent valuation.*
5. *Subject to the successful completion of the road exchange process, Council undertakes a process in conjunction with the City of Burnside to realign the local government boundary along the new location of McBeath Drive to the south side of pieces 42, 52 and 62 of the proposed residential allotments in accordance with the provisions of the Local Government (Boundary Adjustment) Amendment Act 2017 (to commence on 1 January 2019) and/or Part 2 of Chapter 3 of the Local Government Act 1999.*
6. *The Mayor and Chief Executive Officer be authorised to sign all documents necessary, including affixation of the common seal, to give effect to this resolution.*

6.7. Draft Gumeracha Precinct Federation Park and Oval Masterplan

1. *That the report be received and noted.*
2. *That Council endorse a broader community engagement process to enable the local community to provide feedback on the outcomes within the draft Masterplan.*
3. *That the Chief Executive Officer be authorised to consider and respond to minor changes to the draft Masterplan and to the timing, advertisements and extent of the broader community engagement process.*
4. *That a report be provided back to Council by January 2018.*



6.8. Burials outside Cemeteries Policy

1. *That the report be received and noted*
2. *That the Burials Outside Cemeteries Policy as provided as Appendix 1 be endorsed for community consultation.*

6.9. Exclusion of Community Land – Crafers Retirement Village

1. *That the report be received and noted*
2. *To exclude the land identified as Allotment 121 on the plan attached as Appendix 1 as Community Land pursuant to the Local Government Act 1999 when the land is vested in the Adelaide Hills Council as a land grant from the Crown*

6.10. Revocation of Community Land – Bridgewater Retirement Village

1. *That the report be received and noted*
2. *To commence a process to revoke the Community Land classification of the land located on the corner of Mt Barker Road and Second Avenue Bridgewater known as 511 Mt Barker Road Bridgewater contained in Certificate of Title Volume 5488 Folio 788 (Land) on which a portion of the Bridgewater Retirement Village is located by:*
 - a. *preparing a report as required under section 194(2)(a) of the Local Government Act 1999 and making it publicly available.*
 - b. *undertaking consultation in accordance with its Public Consultation Policy as required under section 194(2)(b) of the Local Government Act 1999.*
3. *To commence a process to vary the charitable trust affecting the Land by investigating land parcels owned by the Adelaide Hills Council, including Carripook Park, Candlebark Reserve and Vincent Playground Reserve, that may be suitable for the development of a landscaped garden for the benefit of the community and for the construction of a memorial to the Ash Wednesday Bushfires of 1983 as contemplated by the charitable trust over the Land and invite community suggestions and feedback in relation to any appropriate land parcels.*
4. *To approve a budget allocation in the amount of \$10,000 for legal expenses for the preparation of an Application to the Supreme Court to vary the charitable trust*
5. *That a further report be presented to Council for consideration after community consultation and further investigations have been completed*

6.11. Road Closure Glenside Lane, Crafers

1. *That the report be received and noted.*
2. *Subject to there being no objections lodged during the public notification period, to make a Road Process Order pursuant to the Roads (Opening & Closing) Act 1991 in accordance with the Preliminary Plan attached to this report as Appendix 2 as follows:*
 - a. *to close and merge the piece of land identified as “A” in the Preliminary Plan with Allotment 105 in Deposited Plan No 42581 comprised in Certificate of Title Volume 5291 Folio 390;*
 - b. *to close and merge the pieces of land identified as “B” and “D” in the Preliminary Plan with Allotment 103 in Deposited Plan No 42581 comprised in Certificate of Title Volume 5291 Folio 388; and*
 - c. *to close and merge the pieces of land identified as “C” and “E” in the Preliminary Plan with Allotment comprising pieces 101 and 102 in Deposited Plan No 42581 comprised in Certificate of Title Volume 5281 Folio 387.*
3. *Subject to issue of a Road Process Order in accordance with the Preliminary Plan, that:*
 - *The closed road be excluded as Community Land pursuant to the Local Government Act 1999; and*
 - *The piece marked “A” be sold to Mr Ken Lehmann and Mrs Nydia Lehmann, the owners of Certificate of Title Volume 5291 Folio 390 for the amount of \$46,500 plus GST (if applicable) and all fees and charges associated with the road closure process.*
 - *The pieces marked “B”, “C”, “D” and “E” be sold to Mr Mark Edward Penfold Jolly, Mr Christopher Rawson Penfold Jolly and Mrs Angela Evelyn Penfold Foley, as Executors for the Estate of the Late Marjorie Anne Patterson Jolly, the owners of Certificates of Title Volume 5291 Folios 387 and 388 for the amount of \$45,500 plus GST (if applicable) and all fees and charges associated with the road closure process.*
4. *Authorise the Chief Executive Officer to finalise and sign all necessary documentation to give effect to this resolution. Sale of closed unnamed road off Burton Road, Mt Torrens*

6.12. Sale of closed unnamed road off Burton Road, Mt Torrens

1. *That the report be received and noted*
2. *To sell the land comprised in Certificate of Title Volume 6191 Folio 688 known as Closed Road U in Road Plan No. 1793 and identified on the plan attached as Appendix 1 (Land) for the amount of \$9,500 (exclusive of GST) to the adjoining land owner R T & T L Gladigau*
3. *To delegate to the Chief Executive Officer to sign all documentation necessary to effect the sale of the Land.*



6.13. Sale of closed unnamed road off McVitties Road, Birdwood

1. *That the report be received and noted.*
2. *To sell the land comprised in Certificate of Title Volume 6193 Folio 468 known as Closed Road S in Road Plan No. 1793 and identified on the plan attached as Appendix 1 (Land) for the amount of \$8,500 (exclusive of GST) to the adjoining land owner Talunga Pty Ltd.*
3. *To delegate to the Chief Executive Officer to sign all documentation necessary to effect the sale of the Land.*

6.14. East Waste Kerbside Recycling Contract

1. *That the report be received and noted.*
2. *To note the inclusion of Council's annual kerbside recycling tonnes in the forthcoming East Waste request for tender process for the receipt and processing of Member Councils' recycling material.*

7. CONFIDENTIAL ITEMS

7.1. Former Ashton Landfill

8. CLOSE SPECIAL COUNCIL MEETING

**ADELAIDE HILLS COUNCIL
SPECIAL COUNCIL MEETING
Tuesday 11 September, 2018
AGENDA BUSINESS ITEM**

Item: 6.1

Originating Officer: Peter Bice, Director Infrastructure & Operations

Responsible Director: Peter Bice, Director Infrastructure & Operations

Subject: Pomona Road BMX Track Trial

For: Decision

SUMMARY

In line with the Adelaide Hills Council Sport and Recreation Strategy, there is a need to increase the availability of the BMX or Pump Trackstyle facilities across the Council Area. An opportunity exists to form a track using the natural contours of available land along Pomona Road, Stirling. Significant interest and ongoing feedback from local residents (including children/youth), bike shops and other local businesses have positioned this location as an appropriate one to undertake a trial of such a track.

The site also features the Stirling Service Women's War Memorial, which was installed and opened in 1998. As part of the upgrade to the site, Council will be polishing the plaque and formalising the landscape around the memorial and improving the amenity of the area.

RECOMMENDATION

Council resolves:

1. that the report be received and noted.
2. to support a trial of a BMX facility in Stirling, within the Service Women's War Memorial Reserve (adjacent Pomona Road)
3. that a report be prepared to Council on completion of the trial by 26 November 2019.

1. GOVERNANCE

➤ **Strategic Management Plan/Council Policy**

Goal 1 People and business prosper
Strategy 1.11 We will embrace nature play concepts in play space developments

Goal 3 Places for people and nature
Strategy 3.5 We will take a proactive approach, and a long-term view, to infrastructure maintenance and renewal

➤ **Legal Implications**

Not applicable

➤ **Risk Management Implications**

The engagement with the local Community in trialling a bike track in land adjacent Pomona Road will help mitigate the risk of:

Unsustainable practices that impact on the ability of Council to provide appropriate levels of service expected by our community from its assets.

Inherent Risk	Residual Risk	Target Risk
High (3B)	Medium (3D)	Low (2D)

➤ **Financial and Resource Implications**

The forming of a natural earth bike park on Pomona Road will be undertaken in partnership with the local community, bike shops, nursery and other interested parties. The materials, staff time and equipment usage are to be managed within existing operational budgets.

➤ **Customer Service and Community/Cultural Implications**

Opportunities for recreation can contribute to communities in many ways and the benefits for participants are significant. Improved health and wellbeing through physical activity and social connections are just some of the ways that increased recreation participation benefits the community.

Additionally, cleaning and upgrading the Service Women's War Memorial plaque and surrounds is timely to recognise the 20 year anniversary since the installation of the memorial.

➤ **Environmental Implications**

Assessments of the site have indicated that there are no adverse affects likely to the area which is to be selected for the trial. The use of natural earth, leveraging off the location of trees and the natural contours of the land reduces the likelihood of any negative environmental impacts. Additionally, local business and interested parties have expressed a desire to provide additional plantings to enhance the amenity and natural appeal of the site.

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

Council Committees: Nil

Advisory Groups: Nil

Administration: The following staff have been involved in the development of this policy:

- Director Infrastructure & Operations
- Manager Open Space
- Manager Property Services
- Manager Civil Services
- Sport & Recreation Planner
- Parks & Reserves Supervisor
- Parks & Reserves Field Staff
- Community Development Officer, Youth & Recreation

Community: Site meeting has been held with residents/youth, DPTI and local businesses who expressed an interest in contributing to the project. High level concepts were provided within a potential site footprint. The Stirling RSL has also been contacted and we will engage further with them in the planning. Discussions have also been held with the Stirling District Residents Association.

2. BACKGROUND

Consultation with the community for both the *Strategic Plan* and *Sport and Recreation Strategy* has indicated that there is a need for more recreation facilities for youth, including, but not limited to: additional skate parks, bike tracks, dirt BMX tracks, outdoor basketball courts and community access tennis courts.

While these details were always the Policy's intention, more emphasis on the following has been given to the following as a result of the consultations:

- The acknowledgement of 'Accessibility' in addition to 'participation from a wide variety of users'.
- The consideration of 'Cultural' elements as well as art elements in a regionally classified play space.
- More emphasis to the fact that a 'Play Space' encompasses more than just traditional playground equipment and can include elements such as bike facilities.

Two public submissions were received as part of the Local Area Bicycle Plan consultation process, which closed 22 March 2015 where feedback specifically related to 'Improved or Increased BMX facilities' was received.

Additionally, at its 23 May 2017 Council Meeting, a petition with 279 signatories was received specifically requesting a Bike Park in the vicinity of Stirling/Crafers/Bridgewater area.

SUMMARY

A petition has been received from 11 year-old Oliver Hopkins of Crafers with 279 signatories stating:

Currently there is no bike park in the Stirling/Crafers/Bridgewater area. My friends and I have built a few jumps near the Crafers roundabout and could use some more dirt. We would also like Council to build a dirt jump park like the one at Hawthorndene.

RECOMMENDATION

Council resolves that the petition signed by 279 signatories, requesting a Bike Park in the Stirling/Crafers/Bridgewater area, be received and noted.

3. ANALYSIS

The site is located on land parcel CR 5753/728, is currently dedicated for Plantation Purposes. Given the natural form of the proposed track, absence of any tree or vegetation removals required in this location and likely additional plantings, the proposed works are in keeping with the dedication. (Dedicated Crown land can be used for other than the dedicated purpose provided the use is not inconsistent. It is not inconsistent to have a BMX track co-existing with a plantation, so it is not necessary to change the dedicated purpose).

The outlined section of Pomona Road appears to be an ideal location (see **Appendix 1**) and noise is not expected to be an issue given the existing noise level from the South Eastern Freeway. The start and finish of the track will not flow in or out of the roadway and so is much safer than many of the informal/unapproved trails which have been formed in the area over the past few years. Some concepts of what might be expected from the track are outlined in **Appendix 2**, which are a couple of the examples of the 20 submissions received from Community Members.

Car parking is available, however is not expected to be an issue as it will likely attract mostly local residents who will ride to the facility.

From a Development perspective, the proposed BMX track would be a recreation area or playground within a recreation reserve and as Council would in part construct and/or supervise the works, it could therefore be considered Council works. Subsequently, the construction is of a recreation area and not development in the ambit of *clause 1 (e) of Schedule 3 of the Development Regulations 2008* and therefore not considered development.

The Department for Planning, Transport and Infrastructure has also outlined support for the proposed location and are willing to consider fence realignment if it were to assist the project to proceed and maximise the available space, however it is not being considered as part of this trial.

Broader consultation with local residents and online will be undertaken in the coming weeks, with the feedback assisting us to finalise the works to be done and specific footprint within the Pomona Rd site, ensuring that it maximises the benefit to the users and minimise impact on surrounding residents.

Once Council have received feedback from local residents and others through consultation, Council staff will engage with those who have offered their expertise and in kind support to plan and undertake the necessary work to enable the trial.

The area will still be able to be utilised for parking during key events, such as Tour Down Under, however noting that there is no Stirling Stage for the 2019 event and so this will not be required.

As further acknowledgement and appreciation for the sacrifices and hard work of the women who provided War Service, the Service Women's War Memorial itself is to be revitalised, with polishing of the plaque and memorial to be carried out as well as some refreshed landscaping and plantings provided in the immediate surrounds.

Council will be monitoring the presence of any litter or other impacts on the local amenity as well as any parking pressures or impacts, which may need to be considered in longer-term success of the track.

We will review the success of the track after a 12-month period, so we are able to assess any impacts across different times of the year. Feedback from direct stakeholders, local residents and the broader community will be used to inform a report to be prepared for Council on completion of the trial by 26 November 2019.

In addition, Council staff are exploring other site options across the Adelaide Hills Council area for both informal small scale BMX or pump Tracks, as well as possibility of larger scale facilities which cater to a much wider variety of user need and experience.

Should a track not prove to be successful in this location, then due to the natural form it would easily be able to be removed and returned to existing site condition with detrimental impact.

4. OPTIONS

Council has the following options:

- I. Approve the trial of the BMX Track in Stirling Service Women's War Memorial Reserve (adjacent Pomona Road)
- II. Move an alternative resolution

5. APPENDIX

- (1) Site Information
- (2) Draft track concepts provided by Community Members

Appendix 1

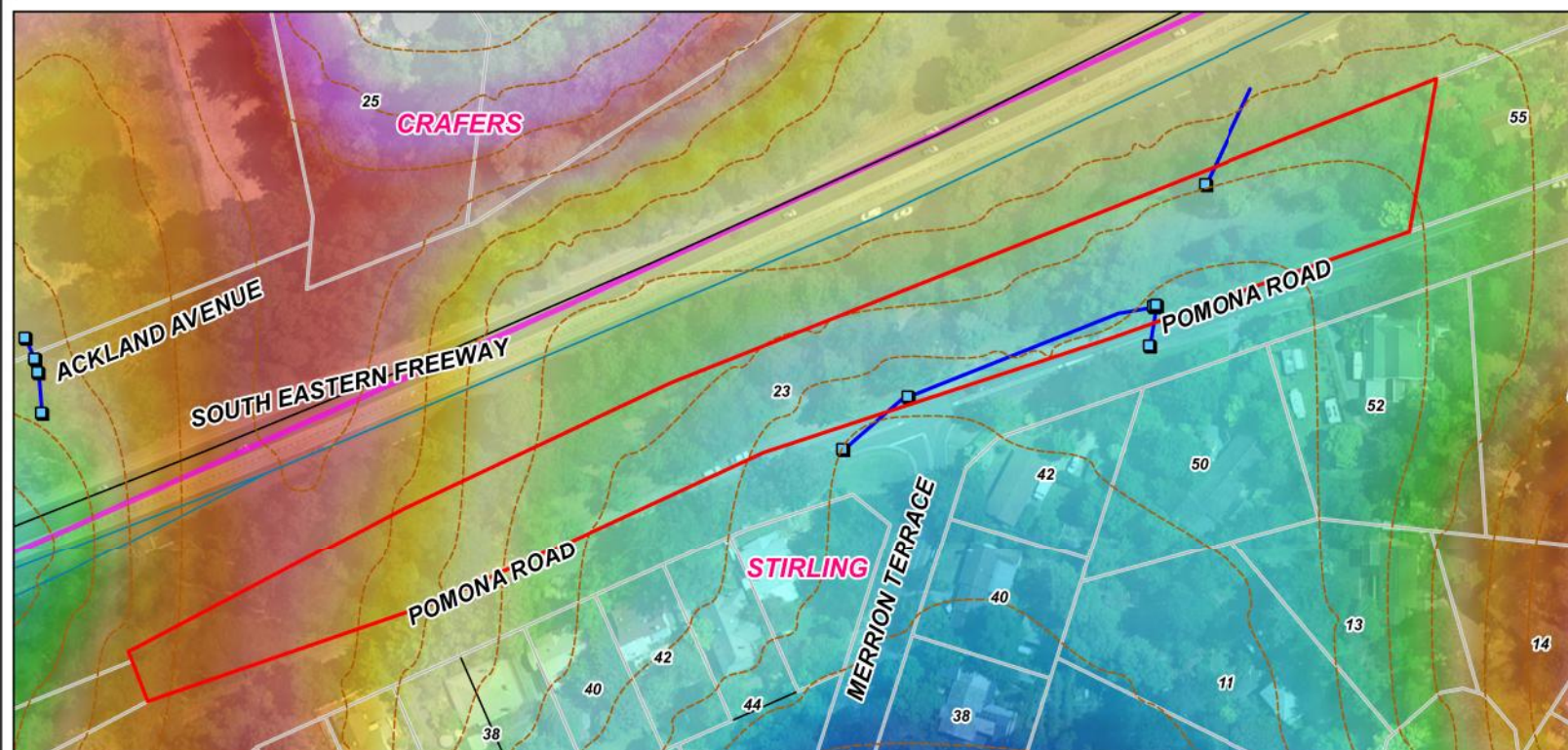
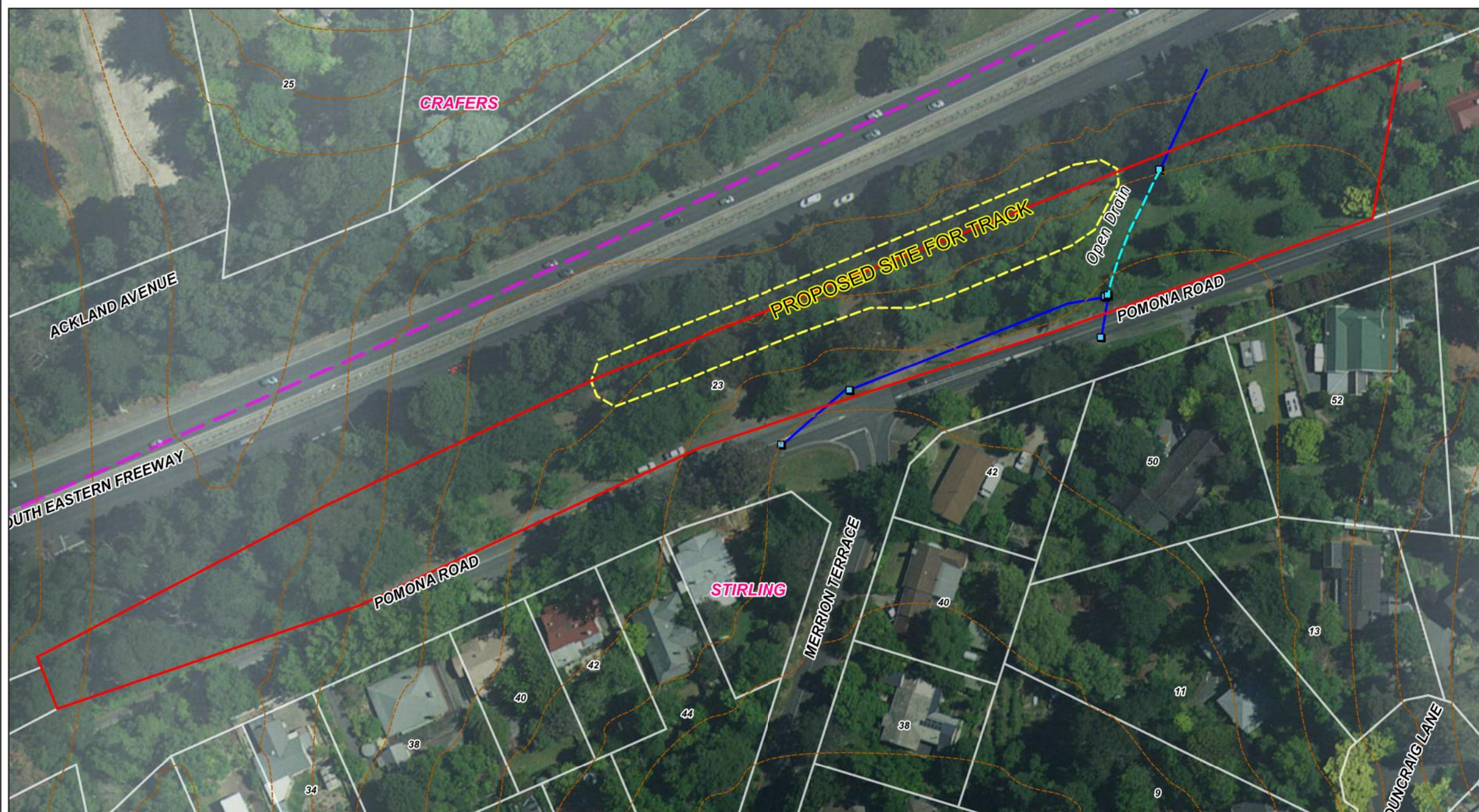
Site Information

SERVICE WOMEN'S WAR MEMORIAL RESERVE 23 Pomona Road, STIRLING



SCALE
1: 1,200

PARTICULARS
Length = 375m
Width at North Eastern end = 36m
Width at South Western end = 14m
Perimeter = 809.7m
Area = 1.07hectares (10,700m²)



Legend for Height Model

— 2m Contours (generated from 2014 DEM)

Heights by Colour Tints

526.5
524.3
522.1
519.9
517.7
515.6
513.4
511.2
509
506.9
504.7
502.5
500.3
498.1
496

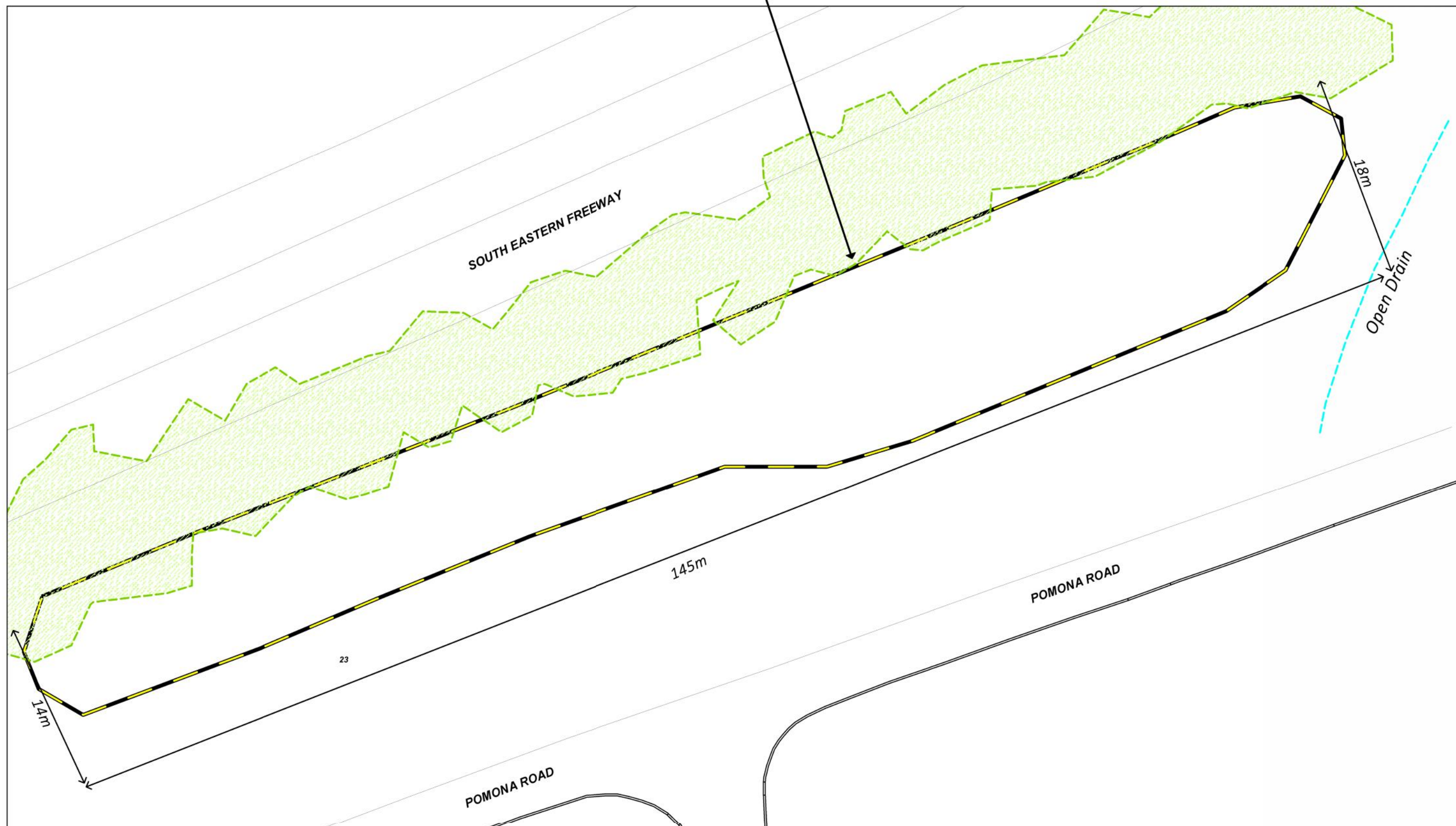
SCALE
1: 2,000

Version of Aerial Photography: Aerial Photo Dec 2016

Accuracy: The Land Parcels & Property Layer are usually within +/- 2m from the fence position. Although in rural areas such as Cherryville they can be +/- 25m. Aerial Photo, is generally +/- 80cm accuracy, and is 30cm resolution. (30cm pixel size).

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Sketch Your Concept Track Within the Yellow Dashed Outlined Area

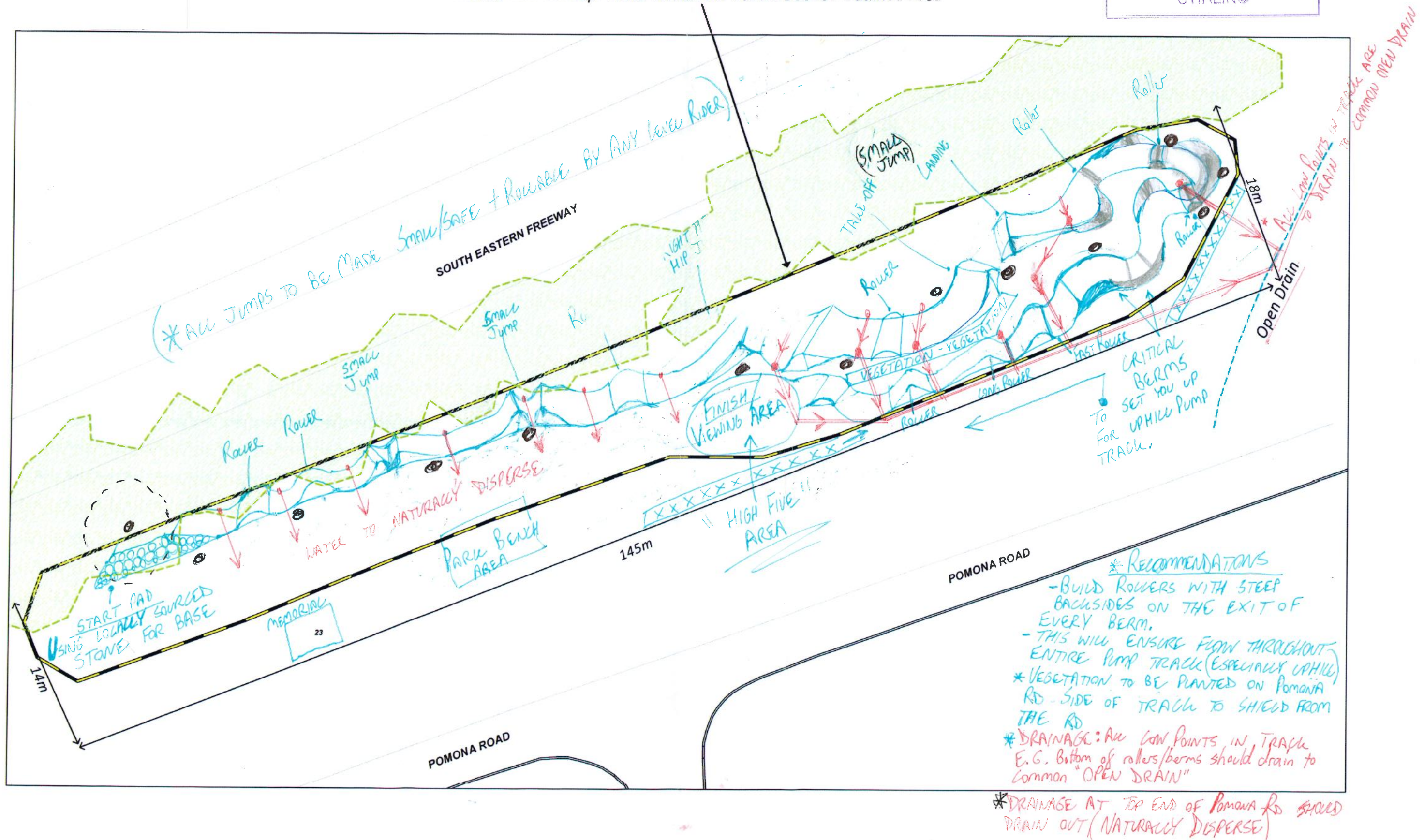


Appendix 2

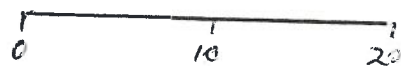
Draft track concepts provided by Community Members

STIRLING
14 MAR 2018
ADELAIDE HILLS COUNCIL
RECEIVED

Sketch Your Concept Track Within the Yellow Dashed Outlined Area



1:400



ADELAIDE HILLS COUNCIL
RECEIVED
14 MAR 2018
STIRLING

Sketch Your Concept Track Within the Yellow Dashed Outlined Area



**ADELAIDE HILLS COUNCIL
SPECIAL COUNCIL MEETING
Tuesday 11 September 2018
AGENDA BUSINESS ITEM**

Item:	6.2
Originating Officer:	James Szabo, Senior Strategic & Policy Planner
Responsible Director:	Marc Salver, Director Development & Regulatory Services
Subject:	Parliamentary Inquiry into the Heritage System regarding Places or Objects
For:	Decision

SUMMARY

The South Australian Parliament's Environment, Resources and Development Committee (ERDC) resolved at their meeting on 30 June 2018 to conduct a Parliamentary Inquiry into the operation of the Heritage system in South Australia (the Inquiry) regarding the heritage listing of places (e.g. buildings) or objects.

The ERDC has prepared a Terms of Reference for the Inquiry that seeks to investigate and report on the existing arrangements and desirable reforms for local, state and national heritage listings, with particular reference to the following key areas of investigation:

1. Highlighting the differences in, and consistency of, processes and criteria between listing and assessing local, state and national heritage;
2. How heritage should be managed in the future; including, but not limited to investigating:
 - a. How should the process for listings (from initiation to final placement on the appropriate register) be managed, and by whom;
 - b. Who should have the right to be heard in relation to listings;
 - c. Who should be the decision maker for listings and review; and
 - d. What processes should be in place for the review of listings;
3. What is the relationship and distinction between 'character' and 'heritage';
4. Have there been unexpected or perverse outcomes; and
5. Any other relevant matter.

The Inquiry into Heritage Terms of Reference is provided as **Appendix 1** to this report. The ERDC is seeking feedback by 14 September 2018.

A draft submission has been prepared by the Administration for Council's consideration and endorsement. The draft submission is provided as **Appendix 2** to this report and the Administration is recommending that this submission be endorsed for forwarding to the ERDC.

The Draft Submission links the Heritage Inquiry Terms of Reference with the Adelaide Hills Council positions set out in the Adelaide Hills Council Submission on the Local Heritage Reform Discussion Paper (2016) provided as **Appendix 3**.

In addition, in response to the ERDCs Inquiry into Heritage the Local Government Association of South Australia has prepared a Heritage Inquiry Discussion Paper provided as **Appendix 4** and hosted roundtable meetings with member Councils. The ideas expressed below have been gleaned from this paper and the subsequent discussions at meetings arranged by the LGA for the Local Government sector.

RECOMMENDATION

Council resolves:

1. That the report be received and noted
2. To approve the submission on the South Australian Parliament's Environment, Resources and Development Committee Inquiry into the Heritage System as detailed in **Appendix 2** of this report.

1. GOVERNANCE

➤ Strategic Management Plan/Council Policy

Goal 3 Places for people and nature

Council's *Management of Built Heritage Policy DEV-09* outlines Council's commitment to the preservation and ongoing management of the built heritage within its area and acknowledges the significant and positive contribution that heritage buildings and places make to the character and appeal of our townships and rural areas.

The following objectives taken from the Policy help to provide the context for how built heritage is managed within the Council area. They articulate Council's strategic objectives in relation to the management of built heritage within the Adelaide Hills district. In particular, they help to ensure Council's goal of Places for people and nature is achieved.

- Heritage places conserved for present and future generations
- Heritage places managed so that they contribute strongly to the District's attractiveness as a place to live, work, visit and do business
- Heritage places conserved and maintained and adaptively re-used while retaining heritage value
- Effective partnerships forged with owners of heritage places that contribute to the ongoing management and maintenance of heritage buildings
- High quality of workmanship and authenticity in all works to heritage places, and
- Awareness of, and support for, heritage conservation and management among the Adelaide Hills Community.

This Policy applies across a broad range of Council's operations including Council's land use, strategic and financial planning and some of our day to day services and activities.

➤ **Legal Implications**

Development Act 1993

Environment Protection and Biodiversity Conservation Act 1999

Heritage Places Act 1993

One of the main focuses for the Inquiry is to review the differences in, and consistency of, processes and criteria between listing and assessing local, state and national heritage. This section provides an outline of how the listing process is currently administered across each jurisdiction, with Table 1 identifying the level of administration relevant to each heritage list and its associated Act.

Level of Administration	Heritage List	Typical Threshold
National	National Heritage List	Outstanding heritage value to the nation
State	South Australian Heritage Register	Importance or significance in the state
Local	List in Council Development Plan	Importance or significance to the local community

Table 1: Provides an outline of the three levels of heritage administration

National Heritage

The following excerpt is taken from the Assessment of Places for the National Heritage List (2009)¹:

“Under the Environment Protection and Biodiversity Conservation Act 1999 (the EPBC Act), the Minister of the Environment is responsible for the National Heritage List. The provisions in the EPBC Act and Environment Protection and Biodiversity Conservation Regulations govern the National Heritage Listing process.

For a place to be included in the National Heritage List the Minister of the Environment must be satisfied that the place meets one or more of the National Heritage Criteria.

The usual process for listing under the EPBC Act is that the Minister of the Environment can only take this decision after receiving a formal recommendation from the Australian Heritage Council. A place has one or more National Heritage values only if it meets one or more of the National Heritage Criteria.

The EPBC Act requires the Australian Heritage Council to undertake a rigorous statutory assessment process of whether places in the Finalised Priority Assessment List for inclusion in the National Heritage List meet any of the National Heritage criteria.

As part of this process there is a public consultation phase, as well as a requirement to consult in writing with owners, occupiers and Indigenous people with a right or interest in the place, if the Council has found that the place might have National Heritage values.

¹Guidelines for the Assessment of Places for the National Heritage List (2009) Australian Heritage Council, Department of the Environment, Water, Heritage and the Arts, Australian Government.

If a place is included on the National Heritage List certain actions that have, will have or are likely to have a significant impact on the National Heritage values of the place is prohibited unless the Minister has approved the taking of the action following environmental assessment or some other provision in the EPBC Act allows the action to be taken.”

Currently within the Adelaide Hills Council there are no places on the National Heritage List.

State Heritage

State heritage items are entered and registered under the *Heritage Places Act 1993*.

Anyone can nominate a place as being of State significance. A place can also be identified by the South Australian Heritage Council (appointed under the *Heritage Places Act 1993*) itself or through a recommendation from a heritage survey.

Nominated places are assessed against the criteria outlined in section 16 of the *Heritage Places Act 1993*.

If a nominated place is considered to be of State significance it will be provisionally entered into the South Australian Heritage Register (the Register) by the South Australian Heritage Council or its delegate.

To ensure the public play a role in the decision making process, once a place has been provisionally entered into the Register, the South Australian Heritage Council provides a three month public consultation period. This period allows the public to make written representations on whether the provisional entry should be confirmed in the Register.

Once a State heritage item entry has been confirmed only the South Australian Heritage Council can remove or alter it.

Currently within the Adelaide Hills Council there are 104 registered State heritage places and 1 designated State Heritage Area in Mount Torrens.

Local Heritage

Local heritage is managed at the local government level and new listings or alterations are administered through a Local Heritage Development Plan Amendment (DPA). This process is initiated by a Heritage Statement of Intent, largely informed by a Local Heritage Survey.

During a Heritage Survey places are assessed against the criteria outlined in section 23(4) of the *Development Act 1993*.

Once the Minister agrees to the Statement of Intent, Council is required to undertake investigations to record all proposed, and any alterations to current, local heritage items to produce accurate heritage mapping for inclusion into the DPA.

Council then checks all information in the DPA before the CEO certifies it as suitable for consultation and submits it for Interim Operation approval. The Minister then considers the DPA and grants Interim Operation approval allowing Council to begin community consultation.

Council may remove any listed properties as a result of the consultation and will amend the DPA table accordingly prior to handover to the State Planning Commission. If Council determines that a listing should form part of the DPA, despite the landowners or those with an interest in a place objecting to the listing, then the Minister will seek advice from the State Planning Commission (a role previously performed by the Local Heritage Advisory Committee (LHAC)) pursuant to section 25(15)(b) of the *Development Act 1993*.

Following review (if required) the State Planning Commission prepares a report for the Minister's consideration. The Minister will then consult with Council regarding altered listings prior to considering the DPA for Approval.

Once a local heritage listing is consolidated in the relevant Development Plan only the DPA process can remove or alter that listing.

Currently within the Adelaide Hills Council Development Plan there are 242 listed local heritage places, with 38 of those listings likely to be consolidated shortly following Council's recent endorsement of the Local Heritage – Public Places DPA (Stage 1) which has been on Interim Operation since 24 October 2017.

Summary

As demonstrated the listing process for each level of administration varies, with a more common approach shared between the national and state listing processes. Notably the local heritage listing process is inherently more complex due to the legislative requirements surrounding the DPA process and the opportunities for appeal.

It is noted that the criteria for each listing process is different.

➤ Risk Management Implications

Heritage protection is an area that is subject to increased scrutiny and community angst and the submission to the Inquiry will assist in mitigating the risk of:

Not providing a submission to the ERDC Inquiry into the Heritage System resulting in an inability to influence the procedural and policy outcomes that impact on local, State or National heritage listed places.

Inherent Risk	Residual Risk	Target Risk
Medium (3C)	Low (2D)	Low

A submission that clearly defines Council's position with respect to procedural and policy outcomes that impact local, State and National heritage listings will contribute to reducing this risk.

➤ Financial and Resource Implications

The submission to the Parliamentary Inquiry into the Heritage System is unlikely to have any direct financial or resource implications for Council at this stage.

➤ **Customer Service and Community/Cultural Implications**

Although yet to be confirmed, it is probable that the Inquiry into the Heritage System may inform a revised built heritage framework under the *Planning, Development and Infrastructure Act 2016*.

If this is the case, then the Inquiry into the Heritage system may have an indirect influence on community and cultural outcomes regarding heritage listed places within the Adelaide Hills Council Area.

➤ **Environmental Implications**

Council's submission on the Inquiry into the Heritage System may have an influence on the mechanisms to be included in the Planning and Design Code to deal with built heritage under the *Planning, Development and Infrastructure Act 2016*.

If this is the case, then there is potential for indirect beneficial environmental impacts regarding the existing built environment.

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

Council Committees: Not Applicable

Advisory Groups: Not Applicable

Administration: Director Development & Regulatory Services
Manager Development Services
Team Leader Planning Services

Community: Not Applicable

2. BACKGROUND

The South Australian Parliament's Environment, Resources and Development Committee (ERDC) resolved at their meeting on 30 June 2018 to conduct an Inquiry into the operation of the Heritage system in South Australia regarding the heritage listing of places (e.g. buildings) or objects.

In conducting the Inquiry into Heritage System, the ERD Committee will investigate and report on the existing arrangements and desirable reforms for local, state and national heritage listings.

3. ANALYSIS

At the outset the Administration advises that it supports all five of the inquiry points and scope of the Terms of Reference, and provides the following additional commentary in relation to each point.

Inquiry Point 1:

Highlight the differences in, and consistency of, processes and criteria between listing and assessing local, state and national heritage.

The Administration supports ERDC's desire to ensure policy clarity and consistent, evidence-based decision making in heritage listing and assessment at all levels.

The Administration considers that the current system of listing State and local heritage places via separate acts creates confusion and ambiguity in the heritage listing process.

As such the intent towards an integrated system for the identification of heritage places that achieves greater alignment of local, State and National heritage is supported.

Such a system would replace the current separation of State and local heritage listing processes which results in duplication of authorities and administrative systems and differing processes.

In any consolidation or increased consistency between the local, state and national levels, it is considered that local heritage value criteria, thresholds, and associated guidance must be capable of capturing the value of heritage places throughout the State's diverse localities.

In addition, the Administration considers that any changes to the above arrangements to the listing of local heritage places should:

- not treat local heritage places as being of lesser value than state or national heritage
- not make it more difficult to obtain listing protection
- not result in a delisting of any current item of local heritage
- permit the listing of local character items that reflect the importance or story which local character items have to local communities, the broader community and visitors, and
- not diminish the role which councils and their Council Members have in relation to the nomination and listing of local heritage items.

Inquiry Point 2:

How heritage should be managed in the future:

- a. How should the process for listings (from initiation to final placement on the appropriate register) be managed, and by whom.***

The Administration is supportive of greater transparency, consistency, timeliness and quality of information as inputs into decision making and interpretation of criteria and considers that this would be a positive outcome of the Heritage System review.

With the current process of heritage surveys and Development Plan Amendments being often costly and time consuming for councils, the Administration considers that there is scope to streamline the identification and assessment of local heritage places in order to reduce these aspects of the process.

As such the Administration supports an approach whereby nominations for new or a review of existing listings could be initiated by anyone, without first obtaining advice from accredited professionals, or Council. However, the final decision regarding local heritage places should remain the responsibility of councils.

The Administration considers that this Inquiry point should include investigating the creation of an integrated heritage authority being made up of built heritage advisors from the Department of Environment and Water and staff of the Department of Planning Transport and Infrastructure responsible for heritage listings. This authority would result in consistent independent advice regarding heritage places being provided to the Minister for Planning when making decisions regarding local and State heritage listings

It is considered that such an approach would also streamline local and State heritage listings within a single authority. In order to facilitate this, the process and criteria for listing should be contained within one piece of legislation, where as it is noted that currently State heritage places are listed pursuant to the Heritage Places Act, 1993, and local heritage places are registered pursuant to the Development Act, 1993.

The Administration considers that in line with current practice, under such an integrated system, proposed local heritage places should be subject to interim demolition control until a final decision regarding the place(s) in question has been made.

b. Who should have the right to be heard in relation to listings?

The Administration considers that anyone seeking heritage listing of a place should have the right to be heard in support of their submission. Further, in order to ensure affected parties (i.e. landowners, councils and communities) are involved in such a process, it is suggested that early engagement and improved communication with stakeholders around suggested listings (including opportunities for economic adaptive re-use of heritage places where appropriate) should be undertaken by the relevant authority considering such listings.

c. Who should be the decision maker for listings and review?

It is considered that councils should be the initial reviewers of any proposed local heritage listings and continue to be the regulators regarding development and adaptive re-use of such local heritage buildings. However, the final decision regarding formal listing of a place should be left with the appropriate State Government department.

d. What processes should be in place for the review of listings

The Administration objects to reviews of local heritage listings if it results in the dilution of the listing process or culling of local heritage places without the input of councils.

Inquiry Point 3:

What is the relationship and distinction between ‘character’ and ‘heritage’?

The Administration supports the need for improved clarity in the use of these terms, in particular balancing the assessment of physical character of buildings with the less apparent elements of heritage i.e. the story or history surrounding a building or place.

For further clarity and also to support the abovementioned comment, the Administration considers the following excerpt taken from the LGA of South Australia’s response to the Planning Reform Issues Paper: Heritage and Character (2014)² as a good reference point when considering the relationship and distinction between character and heritage:

“Character: All areas have a character that can be analysed and described. Character is a value neutral concept that captures the interrelationship between built form, vegetation and topography in the public and private domains that distinguishes one place from another.

The concept of character is broader than just architectural style or the era of development. It is also about recognising the distinctive characteristics or urban forms and their relationship to topography, vegetation and other natural features (i.e. the buildings and the spaces and features around them and how they relate to each other).

Heritage: Heritage on the other hand has an established international frame of reference (ICOMOS³ / Burra Charter⁴) and is about how a place represents history and evolution of an area and its people or activities that have taken place. Heritage and cultural significance is embodied in the fabric and setting of the place.”

Inquiry Point 4:

Have there been unexpected or perverse outcomes.

It is noted that there have been a number of instances within the district where heritage places potentially worthy of heritage listing have fallen into disrepair over an extended period of time with no ability for Council to intervene. It is therefore suggested that the Inquiry look at ways to promote and ensure the possible maintenance and adaptive re-use of such buildings, including the establishment of heritage incentive schemes where appropriate. It is noted that our Council is looking into setting up such a scheme.

² Planning Reform Issues Paper: Heritage and Character (2014) Prepared for the Local Government Association of SA, Jensen Planning + Design

³ International Council of Monuments and Sites (ICOMOS) is a non-governmental international organisation dedicated to the conservation of the world’s monuments and sites

⁴ The Burra Charter defines the basic principles and procedures to be followed in the conservation of Australian heritage places. The Charter was adopted at a meeting of the Australia ICOMOS Charter for the Conservation of Places of Cultural Significance in 1979 at the historic mining town of Burra in South Australia. It was subsequently given the short title of “The Burra Charter.”

Inquiry Point 5:

Any other relevant matter.

The Administration suggests that the following be included in the ERDC Terms of Reference:

1. The current legislative terminology regarding determining what “materially affects a heritage place” needs to be clearly defined as this has been the cause of some consternation and ambiguity in the current development assessment process. Such a definition should provide clarity and ensure that any development assessment authority is able to make an accurate determination as to whether or not development activity is going to negatively impact on a heritage place. The definition should be able to be consistently applied to all types of activities (e.g. painting, landscaping, replacement of roofs, installation of windows etc.) affecting local, state and national heritage places.
2. Better resourcing of the State Heritage Branch which at the present time is considered to be under resourced. This has resulted, in some instances, in delays of assessments of development applications and provision of informal State heritage advice.
3. Inclusion of the ability to have informal discussions and referrals with relevant State and Federal Government Departments regarding proposed development and activities which may affect State or National heritage places. Anecdotally there is a demand for such a service, the provision of which would result in more efficient processing of development applications affecting such heritage places and result in potentially better development outcomes.
4. Exploration of the reinstatement of the previous combined State and local heritage advisory service provided by Councils, and which was subsidised by the State Government. This approach would have inherent synergies with a more integrated heritage system and there is a desire for this model to be revisited and reinstated. However, fundamental to the success of such a combined advisory service will be State Government funding support for councils in this regard.

4. Conclusion

Administration supports the ERDC Inquiry into the Heritage System as there are issues with the current system and there is scope for improvement in this regard as highlighted in Council’s earlier submission on Local Heritage Reform Discussion Paper in 2016 (refer to ***Appendix 3***).

Further, as stated in the LGA’s Discussion Paper (refer to ***Appendix 4***), councils are the closest level of government to the community. As such, councils experience firsthand the extent to which their communities value heritage, in particular local heritage and the value it contributes to their streets, suburbs and beyond. Such heritage places also provide for a sense of place and identity for the local communities in which they are located, and enhances the story of the history of such towns and communities.

It is considered that the current system lacks the clarity and guidance material required to promote consistent practice and evidence-based decision making. Future heritage reforms must therefore enable policy clarity and clear roles in development assessment decisions involving heritage places. In addition, uniform and clear guidance material (e.g. Practice Directions) to support policy interpretation and enable consistent decision making is also considered paramount to achieving good development outcomes involving heritage places.

It is a well-known fact that heritage has significant local, state and national economic benefits. Further, as well as implementing development and heritage controls, councils invest in local heritage through grants programs, advisory services, promotions and education, and research. For this reason Administration considers that the Inquiry is timely to ensure clarity and consistency is achieved and appropriately resourced in the heritage system.

It is recommended that the draft feedback submission as contained in **Appendix 2** be approved by Council and forwarded to the Environment Resource and Development Committee.

5. OPTIONS

Council has the following options:

- I. Approve the feedback submission as contained in **Appendix 2** with or without amendment (Recommended)
- II. Not approve the feedback submission and provide further direction to staff in this regard (Not Recommended).

6. APPENDICES

- (1) South Australian Parliament's Environment Resources and Development Committee Inquiry into Heritage – Terms of Reference
- (2) Draft Council Submission for Endorsement
- (3) Adelaide Hills Council 2016 Submission on the Local Heritage Reform Discussion Paper
- (4) Local Government Association of South Australia Heritage Inquiry Discussion Paper

Appendix 1

*South Australian Parliament's Environment Resources
and Development Committee of Parliament
Inquiry into Heritage – Terms of Reference*



Parliament of South Australia

ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE

Inquiry into Heritage

Terms of Reference

Parliament's Environment, Resources and Development Committee resolved at their meeting on 30 July 2018 to conduct an Inquiry into the operation of the Heritage system in South Australia.

The terms of reference for the Inquiry are as follows:

That the Committee investigate and report on the existing arrangements and desirable reforms for local, state and national heritage listings, with particular reference to:

1. Highlighting the differences in, and consistency of, processes and criteria between listing and assessing local, state and national heritage;
2. How heritage should be managed in the future; including, but not limited to investigating:
 - a. How should the process for listings (from initiation to final placement on the appropriate register) be managed, and by whom;
 - b. Who should have the right to be heard in relation to listings;
 - c. Who should be the decision maker for listings and review; and
 - d. What processes should be in place for the review of listings;
3. What is the relationship and distinction between 'character' and 'heritage';
4. Have there been unexpected or perverse outcomes; and
5. Any other relevant matter.

Submissions to the Inquiry should be submitted by Friday 14 September 2018 to:

The Parliamentary Officer
Environment, Resources and Development Committee
GPO Box 572
ADELAIDE SA 5000
Phone: (08) 8237 9387
Email : ERDC.Assembly@parliament.sa.gov.au

Appendix 2

Draft Council Submission for Endorsement



PO Box 44
Woodside SA 5244
Phone: 08 8408 0400
Fax: 08 8389 7440
mail@ahc.sa.gov.au
www.ahc.sa.gov.au

Direct line: 8408 0522
File Ref: OC18/XXXXX

12 September 2018

The Parliamentary Officer
Environment, Resources and Development Committee
GPO Box 572
Adelaide SA 5000
Phone: (08) 8237 9387

Email: ERDC.Assembly@parliament.sa.gov.au

Dear Sir/Madam

Adelaide Hills Council Submission on the South Australian Parliament's Environment, Resources and Development Committee Inquiry into Heritage

Adelaide Hills Council acknowledges that the South Australian Parliament's Environment, Resources and Development Committee (ERDC) resolved at their meeting on 30 June 2018 to conduct an Inquiry into the operation of the Heritage System in South Australia.

In conducting this Inquiry it is understood that the ERDC will investigate and report on the existing arrangements and desirable reforms for local, state and national heritage listings.

Adelaide Hills Council supports the need for the Inquiry into the Heritage system and views the timing as opportune with respect to influencing the built heritage agenda in South Australia's new planning system.

In addition, Adelaide Hills Council strongly supports the comments and recommendations provided by the Local Government Association of South Australia in their Heritage Inquiry submission, which we understand has been submitted to the ERDC.

With respect to the points raised in the South Australian Parliament's ERDC Terms of Reference Council advises that it supports all five of the inquiry points and scope of the Terms of Reference, and provides the following additional commentary to each point:

Inquiry Point 1: Highlight the differences in, and consistency of, processes and criteria between listing and assessing local, state and national heritage.

There is support for policy clarity and consistent, evidence-based decision making in heritage listing and assessment at all levels.

It is considered that the current system of listing State and local heritage places via separate acts creates confusion and ambiguity in the heritage listing process.

As such an integrated system for the identification of heritage places that achieves greater alignment of local, State and National heritage is supported.

Such a system would replace the current separation of State and local heritage listing processes which results in duplication of authorities and administrative systems and differing processes.

In any consolidation or increased consistency between the local, state and national levels, local heritage value criteria, thresholds, and associated guidance must be capable of capturing the value of heritage places throughout the State's diverse localities.

In addition, it is considered that any changes to the above arrangements to the listing of local heritage places should:

- not treat local heritage places as being of lesser value than state or national heritage
- not make it more difficult to obtain listing protection
- not result in a delisting of any current item of local heritage
- permit the listing of local character items that reflect the importance or story which local character items have to local communities, the broader community and visitors, and
- not diminish the role which councils and their Council Members have in relation to the nomination and listing of local heritage items.

Inquiry Point 2: How heritage should be managed in the future:

a. How should the process for listings (from initiation to final placement on the appropriate register) be managed, and by whom?

There is support for greater transparency, consistency, timeliness and quality of information as inputs into decision making and interpretation of criteria would be a positive outcome.

With the current process of heritage surveys and Development Plan Amendments being costly and time consuming, it is considered that there is scope to streamline the identification of local heritage places.

As such there is support for the creation of an integrated heritage authority being made up of built heritage advisors from the Department of Environment and Water and staff of the Department of Planning Transport and Infrastructure responsible for heritage listings. This authority would result in consistent independent advice regarding heritage places being provided to the Minister for Planning when making decisions regarding local and State heritage listings.

Such an approach would streamline local and State heritage listing within a single authority. In order to facilitate this, the process and criteria for listing should be contained within one piece of legislation, where as it is noted that currently State heritage places are listed pursuant to the Heritage Places Act, 1993, and local heritage places are registered pursuant to the development Act, 1993.

In line with current practice it is considered that under an integrated system that proposed local heritage places should be subject to interim demolition control until a final decision regarding the place in question has been made.

b. *Who should have the right to be heard in relation to listings?*

Council considers that anyone seeking heritage listing of a place should have the right to be heard in support of their submission. Further, in order to ensure affected parties (i.e. landowners, councils and communities) are involved in such a process, it is suggested that early engagement and improved communication with stakeholders around suggested listings (including opportunities for economic adaptive re-use of heritage places where appropriate) should be undertaken by the relevant authority considering such listings.

c. *Who should be the decision maker for listings and review?*

It is considered that councils should be the initial reviewers of any proposed local heritage listings and regulators regarding development and adaptive re-use of local heritage buildings. However, the final decision regarding formal listing of a place should be left with the appropriate State Government department.

d. *What processes should be in place for the review of listings?*

The Adelaide Hills Council objects to reviews of local heritage listings if it results in the dilution of the listing process or culling of local heritage places without the input of councils.

Inquiry Point 3: What is the relationship and distinction between ‘character’ and ‘heritage’?

There is support for improved clarity in the use of these terms, in particular balancing the assessment of physical character of buildings with the less apparent elements of heritage i.e. the story or history surrounding a building or place.

For further clarity and also to support the abovementioned comment it is considered the following excerpt taken from the LGA of South Australia’s response to the Planning Reform Issues Paper: Heritage and Character (2014)¹ as a good reference point when considering the relationship and distinction between character and heritage:

“Character: All areas have a character that can be analysed and described. Character is a value neutral concept that captures the interrelationship between built form, vegetation and topography in the public and private domains that distinguishes one place from another.

The concept of character is broader than just architectural style or the era of development. It is also about recognising the distinctive characteristics or urban forms and their relationship to topography, vegetation and other natural features (i.e. the buildings and the spaces and features around them and how they relate to each other).

Heritage: Heritage on the other hand has an established international frame of reference (ICOMOS / Burra Charter) and is about how a place represents history and evolution of an area

¹ Planning Reform Issues Paper: Heritage and Character (2014) Prepared for the Local Government Association of SA, Jensen Planning + Design

and its people or activities that have taken place. Heritage and cultural significance is embodied in the fabric and setting of the place.”

Inquiry Point 4: Have there been unexpected or perverse outcomes.

It is noted that there have been a number of instances within the Adelaide Hills Council area where heritage places potentially worthy of heritage listing have fallen into disrepair over an extended period of time, with no ability for Council to intervene. It is therefore suggested that the Inquiry look at ways to promote and ensure the possible maintenance and adaptive re-use of such buildings, including the establishment of heritage incentive schemes where appropriate.

Inquiry Point 5: Any other relevant matter.

It is suggested that the following be included in the Terms of Reference:

1. The current legislative terminology regarding determining what “materially affects a heritage place” needs to be clearly defined as this has been the cause of some consternation and ambiguity in the current development assessment process. Such a definition should provide clarity and ensure that any development assessment authority is able to make an accurate determination as to whether or not development activity is going to negatively impact on a heritage place. The definition should be able to be consistently applied to all types of activities (e.g. painting, landscaping, replacement of roofs, installation of windows etc.) affecting local, state and national heritage places.
2. Better resourcing of the State Heritage Branch which at the present time is considered to be under resourced. This has resulted, in some instances, in delays of assessments of development applications and provision of informal State heritage advice.
3. Inclusion of the ability to have informal discussions and referrals with relevant State and Federal Government Departments regarding proposed development and activities which may affect State or National heritage places. Anecdotally there is a demand for such a service, the provision of which would result in more efficient processing of development applications affecting such heritage places and result in potentially better development outcomes.
4. Exploration of the reinstatement of the previous combined State and local heritage advisory service provided by Councils, and which was subsidised by the State Government. This approach would have inherent synergies with a more integrated heritage system and there is a desire for this model to be revisited and reinstated. However, fundamental to the success of such a combined advisory service will be State Government funding support for councils in this regard.

Summary

Adelaide Hills Council supports the ERDC Inquiry into the Heritage System as there are concerns with the current system and there is scope for improvement as highlighted above.

It is considered that the current system lacks the clarity and guidance material required to promote consistent practice and evidence-based decision making. Future heritage reforms must therefore enable policy clarity and clear roles in development assessment decisions involving heritage places. In addition,

uniform and clear guidance material (e.g. Practice Directions) to support policy interpretation and enable consistent decision making is also considered paramount to achieving good development outcomes involving heritage places.

Further, it is considered that local government is closest to the community, and councils experience firsthand the extent to which heritage is valued, in particular local heritage and the value it contributes to their streets, suburbs and beyond. Such heritage places also provide for a sense of place and identity for the local communities in which they are located, and enhances the story of the history of such towns and communities.

It is a well-known fact that heritage has significant local, state and national economic benefits. Further, as well as implementing development and heritage controls, councils invest in local heritage through grants programs, advisory services, promotions and education, and research. For this reason Administration considers that the Inquiry is timely to ensure clarity and consistency is achieved and appropriately resourced in the heritage system.

Adelaide Hills Council appreciates the opportunity to support the Inquiry into the Heritage System and welcomes any further involvement in the establishment of a successful built heritage framework for South Australia.

Should you have any further queries in this regard please do not hesitate to contact Marc Salver, Director Strategy & Development on 8408-0522.

Yours sincerely

Andrew Aitken
Chief Executive Officer

cc: Stephen Smith - Local Government Association of South Australia

Appendix 3

*Adelaide Hills Council 2016 Submission on the Local
Heritage Inquiry Discussion Paper*

Submission on the Local Heritage Reform Discussion Paper

Adelaide Hills Council's Position: Summary

Adelaide Hills Council (AHC) recognises that the Minister for Planning's Local Heritage Discussion Paper is the beginning of a conversation. Given the rather general and imprecise nature of the Discussion Paper, Council is keen to be a participant in the anticipated process of creating a Heritage System which reflects the heritage character of the State, in a beneficial social, environmental, aesthetic and economic context. Council is also keen to explore how the sensible and practical aspects of the Discussion Paper can be expanded to include some of the Paper's less precise and less considered aspects.

Council's staff and elected members have participated in the various workshops and discussion opportunities, and generally support the position outlined by the Local Government Association of South Australia.

Council is particularly keen to see recognition of the importance of maintaining the heritage character found within Adelaide and other towns and localities within South Australia. As other cities and regions follow the paths of modern and commercial architecture, the historic character of this State is considered to be a "**point of difference**" which can form a solid base for future tourism marketing, and the attraction of businesses seeking a less 'pointy' and 'modern edgy' place to establish their headquarters. Protecting this character is therefore of paramount importance whilst seeking ways to streamline the development assessment process involving such local heritage places.

The position outlined by the Local Government Association of SA forms the basis of our Council's position with regard to local heritage matters as detailed in comments below.

Introduction:

The Minister for Planning's Local Heritage Discussion Paper identifies opportunities for reform around processes for identifying and managing local heritage through the *Planning Development and Infrastructure Act 2016* (the PDI Act) and non-legislative mechanisms.

Context:

As noted by the LGASA, the statutory and strategic framework, and objects and principles of the Planning Development and Infrastructure Act (PDI Act) values the ongoing protection of local heritage and recognise its social, cultural, and economic value. Similarly, the draft update of '*The 30-Year Plan for Greater Adelaide*' values an approach which seeks both increased urban infill and the preservation of existing heritage and character value.

The Local Heritage Discussion Paper:

Council is particularly keen to see recognition of the importance of the heritage character of South Australia. As other cities and regions follow the paths of modern and commercial architecture, the historic character of this State is a "**point of difference**" which can form a solid base for future

tourism marketing, and the attraction of businesses seeking a less ‘pointy’ and ‘modern edgy’ place to establish their headquarters.

The LGA further notes that “*while some specific reforms and policy directions suggested by the Local Heritage Discussion Paper are supported by local governments, significant concerns exist about the processes and levels of consideration and consultation to date*”. AHC shares the LGASA’s concerns and suggests that, prior to developing a draft Bill incorporating local heritage reforms, further consideration, clarification, and consultation is required in relation to:

- the relationship of local heritage reforms and the objectives of the planning system and planning strategy as expressed in the PDI Act and 30-Year Plan;
- how and why currently proposed reforms differ from the suite of recommendations of the Expert Panel on Planning Reform;
- the operation and implementation of reforms, in particular governance and roles and responsibilities for decision making;
- opportunities for economic benefits of heritage conservation to be realised, including holistic consideration of funding and incentives for economic use alongside policy reforms;
- new heritage listing criteria, particularly on the methodology for selection of themes, and issues of thresholds and over- and under-representation;
- existing Historic Conservation Areas/Zones and how they will be identified and protected in the future;
- interim demolition control for proposed local heritage listings;
- mechanisms for policy clarity, effective guidance, and clear decision making roles in development assessment; and,
- effective engagement of the community in development and implementation of reforms.

“Importantly, appropriate consideration of these issues requires a program of consultation with sufficient time and information for Council administrations to engage with their elected members and communities, and contribute constructive feedback to the reform process. This is likely to involve additional rounds of consultation to that currently underway.

“Local governments will continue to seek further engagement with DPTI both directly and through the LGA to contribute to a local heritage reform package that appropriately reflects the aspiration, priorities, and values of the State government and metropolitan local governments and their communities.”

Context for heritage reform:

During the Expert Panel’s consultation process the LGA identified a number of key challenges for Councils in managing heritage and character through the planning system, including:

- a lack of consistency in heritage listing, leading to confusion, uncertainty and frustration regarding what is appropriate to list;
- a heritage management process that is highly resource intensive and predisposed to conflict;

- poor understanding of what character is and how it differs from heritage value; and,
- poor and inconsistent expression of character in Development Plans.

Overall, councils reported that current arrangements tend to create ongoing uncertainty and conflict around heritage and character issues, in turn impacting upon their efficiency, resourcing, and relations with their communities.

Following multiple stages of research, consultation and deliberation, the Expert Panel developed key planning reform ideas in relation to heritage and character in two iterations, as shown in **Table 1** below.

Table 1: Summary of Expert Panel Heritage and Character Reforms¹	
<i>Our Ideas for Reform</i> August 2014 (Reform 10)	<i>The Planning System We Want</i> December 2014 (Reform 8)
10.1 Heritage recognised as relating to place, culture and community development, not simply physical structures	8.1 Heritage laws consolidated into one integrated statute
10.2 Heritage laws consolidated into one integrated statute	8.2 Heritage terminology reviewed and updated as part of new statute
10.3 An integrated statutory body to replace existing multiple heritage bodies, e.g. based on the existing heritage council or a subcommittee of the planning commission	8.3 An integrated statutory body replacing existing multiple heritage bodies, with links to the state's cultural institutions
10.4 Governance arrangements that embrace the capabilities and expertise of the state's key cultural institutions.	8.4 The new body to be responsible for administering a single integrated register of heritage sites, including state and local listings, and have the power to add special landscapes and historic markers to the register
10.5 A new integrated heritage register to include existing state and local listings and have an expanded capacity to recognise special landscapes, building fabric and setting, and place historic markers	8.5 A legislated heritage code of practice to outline how listed properties should be described, maintained and adapted
10.6 A legislated heritage code of practice to outline how listed properties can be maintained and adapted	8.6 Legislative basis for accredited heritage professionals to (similar to private certifiers) to provide advice and sign-off on changes to listed properties that are consistent with the code of practice
10.7 Legislative basis for accredited heritage professionals to undertake specified regulatory functions for private property owners on a similar basis to private certifiers	8.7 Audit of existing heritage listings to better describe their heritage attributes
	8.8 Stable, long term financing of heritage with

¹ *Our Ideas for Reform* prepared by South Australia's Expert Panel on Planning Reform, July 2014
The Planning System We Want prepared by South Australia's Expert Panel on Planning Reform, December 2014

10.8 Audit of existing heritage listings to better describe their heritage attributes	discounts on property-related taxes and a heritage lottery providing the basis for heritage grants
10.9 Consideration of financial subsidies such as discounts on property-related taxes for private owners of listed properties	

While the LGA's subsequent consultation indicated general support amongst metropolitan Councils for the key planning reform ideas in this instance, there was an awareness of the challenges and costs involved implementing the ideas, and a further concern that local character, heritage and design policy could be watered down or lost. Council's position in this regard is that the Minister and DPTI must ensure that this does not become the case, and that any heritage controls are both pragmatic and efficient but do not result in the denigration of local heritage places or neighbourhoods.

Local Government's Position on local heritage in general terms:

Local governments are a key partner in government and are committed to being constructive partners in local heritage reform, as shown by the sector's engagement with the Expert Panel on Planning Reform, and general support for the Panel's heritage recommendations.

Local government is the level of government closest to the community, and experiences firsthand the great extent to which their communities value local heritage, and the value local heritage contributes to their streets, suburbs and beyond.

Heritage has a significant local economic benefit. As well as implementing planning and heritage controls, councils invest in local heritage through grants programs, advisory services, promotion and education, and research. The strength of this investment is borne out by studies that demonstrate the economic significance of cultural heritage and its important role in tourism attraction and expenditure.²

Local governments support the principles of good planning as set out in the PDI Act, and see effective development and implementation of local heritage reforms in appropriate consultation with stakeholders as consistent with those principles, and as contributing to the objects of the Act.

The draft update to 'The 30-Year Plan for Greater Adelaide' contains many policies that acknowledge the value of local heritage, character, and context, as well as many policies to support growth and development within existing urban areas. As consultation continues on the draft update, it will be important to understand how these strategic directions work together to provide for the best possible planning outcomes.

² Adelaide City Council (2015) *Economic Value of Heritage Tourism*; Commonwealth of Australia (2015) *Australian Heritage Strategy*; Presentation by the National Trust at LGA workshop "Tourism and Heritage – a Winning Combination" October 2014; The Allen Consulting Group 2005, *Valuing the Priceless: The Value of Heritage Protection in Australia, Research Report 2*, Heritage Chairs and Officials of Australia and New Zealand, Sydney.

From a local heritage perspective, urban infill development is compatible with heritage conservation and, with good design, offers opportunities for improving streetscapes and areas in ways that can benefit local heritage places and provide incentive for their restoration and use.

Conversely, urban infill development also has the potential to impact negatively on local heritage, and clear policies and frameworks for decision making are required where heritage conservation must be considered alongside other objectives in pursuit of infill targets.

In this context, prior to development of a draft Local Heritage Bill incorporating local heritage reforms, local governments are of the view that further consideration, clarification, and consultation is required in relation to:

- the relationship of local heritage reforms and the objectives of the planning system and planning strategy as expressed in the PDI Act and 30-Year Plan
- how and why currently proposed reforms differ from the suite of recommendations of the Expert Panel on Planning Reform
- the operation and implementation of reforms, in particular governance and roles and responsibilities for decision making
- opportunities for economic benefits of heritage conservation to be realised, including holistic consideration of funding and incentives for economic use alongside policy reforms
- new heritage listing criteria, particularly on the methodology for selection of themes, and issues of thresholds and over- and under-representation
- existing Historic Conservation Areas/Zones and how they will be identified and protected in the future
- interim demolition control for proposed local heritage listings
- mechanisms for policy clarity, effective guidance, and clear decision making roles in development assessment, and,
- effective engagement of the community in development and implementation of reforms.

Importantly, appropriate consideration of these issues requires a program of consultation with sufficient time and information for councils to engage with their elected members and communities, and contribute constructive feedback to the reform process. This is likely to involve additional rounds of consultation to that currently underway.

Local governments will continue to seek further engagement with DPTI both directly and through the LGA to contribute to a local heritage reform package that appropriately reflects the aspiration, priorities, and values of the State government and metropolitan local governments and their communities.

Local Government's response to the Discussion Paper:

The LGA's consultation process on the Discussion Paper clearly reflects the position of Council's which have been vitally involved, along with their communities, in identifying and retaining their

essential historic and heritage character and places. AHC agrees with the LGA's position as indicated in Tables 2 and 3 below.

Local governments have previously expressed general support for the recommendations of the Expert Panel on Planning Reform relating to heritage. However, while some reforms suggested by the Local Heritage Discussion Paper were supported, there was broad concern expressed in the workshops about the processes and levels of consideration and consultation surrounding the local heritage reforms.

Table 2: Reform areas and key messages from local governments – a summary of the main areas of concern and key messages communicated by LGA workshop participants

<i>Reform area</i>	<i>Key messages from local governments</i>
Reform context and process	The Discussion Paper reforms lack a strategic framework, clarity of detail, and clarity of governance arrangements. The information provided and consultation process underway is insufficient for Councils to effectively contribute on behalf of their communities.
Status of heritage areas	The future of Historic Conservation Areas/Zones must be clarified. These areas are highly valued by local communities.
Economic drivers for heritage protection	The economic benefits of heritage conservation should be encouraged and communicated. Funding and incentives are essential to getting the balance right in heritage protection and should be considered holistically with policy reforms.
Local heritage listings	Clear and consistent local heritage criteria are supported. Significantly more discussion and detail is required around thresholds, selection of themes, and overrepresentation.
Communication and engagement	Early engagement is supported, as is better to communicate with owners about opportunities for economic use of such heritage places. Policies and incentives should support economic use. Currently interim demolition control saves local heritage places from the risk of demolition.
Development assessment	Reforms must enable policy clarity, effective guidance and clear roles in decision making.
Accredited heritage professionals	Heritage accreditation is supported to expand the pool of qualified professionals and maintain expertise within councils.

Legislative and strategic context

Planning, Infrastructure and Development Act 2016

Emerging from the reform discussions generated by the Expert Panel on Planning Reform, the PDI Act was assented to in April 2016, and will be brought into operation over the next 3 to 5 years.

The primary object of the PDI Act is to:

- *support and enhance the State's liveability and prosperity in ways that are ecologically sustainable and meet the needs and expectations and reflect the diversity, of the State's communities by creating an effective, efficient and enabling planning system that ...*
- *promotes and facilitates development, and the integrated delivery and management of infrastructure and public spaces and facilities, consistent with planning principles and policies, and*
- *provides a scheme for community participation in relation to the initiation and development of planning policies and strategies.*³

In association with this principal intention, the PDI Act intends to facilitate amongst other goals:

- *certainty as well as scope for innovation for developers;*
- *high standards of design quality in the built environment;*
- *financial mechanisms and incentives to support development and investment opportunities; and*
- *cooperation, collaboration and policy integration between State and local government.*

Section 14 of the PDI Act further sets out principles of good planning to inform application of the legislation and functions of the planning system. These principles relate to seven themes and those of relevance to the role of local heritage in urban environments and the planning system are summarised in **Table 3**. What is of importance at this juncture is to ensure that these goals and objectives flow through to the proposed heritage controls to ensure the protection of existing heritage character.

³ PDI Act Section 12 (1)

Table 3: Principles of good planning under the Planning, Infrastructure & Development Act 2016

<i>Theme</i>	<i>Summary of relevant principles</i>	<i>Links to local heritage management</i>
Long-term focus	Informed and equitable long term planning to address current and future challenges and priorities	The role of heritage conservation as a long term priority for the benefit of current and future generations
Urban renewal	Accommodation of urban growth in existing urban areas through renewal activities that make best appropriate use of the latent potential of land, buildings and infrastructure	Opportunities for realising latent potential in heritage places through conservation, continued use and adaptive reuse
High-quality design	Development that: <ul style="list-style-type: none"> – Reflects local setting and context, with a distinctive identity that responds to existing character of the locality; and – Is durable and adaptive, and inclusive and accessible to people with differing capabilities 	Contribution of heritage to local setting, context and character How to enable heritage places to be inclusive and accessible through conservation works and adaptive reuse
Activation and liveability	Promotion of neighbourhoods and buildings that support diverse economic and social activities, a range of housing options, active lifestyles and diverse cultural and social activities	Opportunities for heritage places to support economic activity and contribute to social and cultural life
Sustainability	Urban environments that are energy efficient and address the impacts of climate change	Embedded energy in heritage places and opportunities for sustainable adaptive reuse
Investment facilitation	Planning and design undertaken with a view to strengthening the economic prosperity of the State and employment growth, and coordinated approaches to planning that promote public and private investment toward common goals	Opportunities for heritage places to support economic activity through of conservation activities and adaptive reuse (multiplier effect) and contribution to tourism
Integrated delivery	Coordination of policies within and outside the planning system to ensure efficient and effective achievement of planning outcomes	Role of local heritage to contribute to and complement desirable planning outcomes including those relating to economic development, streetscape and character, housing choice and sustainable urban form

The 30-Year Plan for Greater Adelaide

The draft update to The 30-Year Plan for Greater Adelaide released for community consultation by the Planning Minister on 25 August 2016 maintains the broad directions set out in The 30-Year Plan released in 2010, while streamlining the format of the strategy, revisiting some priorities (such as climate change and healthy neighbourhoods), and addressing challenges that have arisen from additional development within existing urban areas as envisaged by the original Plan.

The update presents a planning strategy for metropolitan Adelaide in the form of six strategic high level targets, 14 policy themes, 119 policies, and 47 actions. Of the six targets, four of them (Targets 1, 2, 4 and 6) relate to concentrating new urban development in established areas of a more compact urban form. Policy themes, policies, and actions relevant to local heritage management are summarised in **Table 4** below. It is considered that the impacts of infill developments on existing heritage character could be significant if not managed correctly. Of note is the fact that “character” of neighbourhoods and localities is mentioned in many of these targets. What will therefore be crucial to achieving these targets is ensuring that there is good solid policy in place to guide development assessment processes involving local heritage places.

Table 4: Summary of heritage related content of the draft update of The 30-Year Plan for Greater Adelaide

<i>Policy theme</i>	<i>Policies/Actions</i>
Adelaide City Centre Reinforce and enhance Adelaide’s reputation as a liveable and vibrant place	P13- 24 Policies relating to character, streetscape, urban form and housing diversity P17 seeks to reinforce the special character of main streets through design responses that increase activity while preserving the elements that make these places special P22 seeks to sustain the heritage and character of North Adelaide and south west and south east residential precincts with appropriate well serviced development

Table 4: Summary of heritage related content of the draft update of The 30-Year Plan for Greater Adelaide

<i>Policy theme</i>	<i>Policies/Actions</i>
<p>Design quality</p> <p>Good design outcomes are necessary to ensure new development positively and sensitively contributes to existing neighbourhoods, their local identity, distinctive character, and valued heritage</p>	<p>P29 – 31</p> <p>Encourage development that is compatible and complementary of its context</p> <p>Support the characteristics and identities of different neighbourhoods, suburbs and precincts</p> <p>Recognise areas' unique character by identifying valued physical attributes</p> <p>A 7, 9, 10</p> <p>Release guidelines for medium density urban development in local heritage and character areas</p> <p>Explore reviewing local heritage listing processes within an integrated strategic framework</p> <p>Ensure local area plans manage interface issues in the local context and identify appropriate locations for sensitive infill and areas of protection</p>
<p>Heritage</p> <p>Heritage is valued by communities and its conservation and adaptive reuse contributes to precinct revitalisation, energy efficiency and sustainability, and local economic development</p>	<p>P32 – 35</p> <p>Ensure new development is sensitive and respectful of the value of heritage</p> <p>Ensure local heritage places and areas of heritage value are identified and their conservation promoted</p> <p>Promote economic development through innovative reuse of heritage places and older buildings</p> <p>Explore reviewing local heritage listing processes within an integrated strategic framework</p>
<p>Housing mix, affordability and competitiveness</p> <p>Provision of diverse housing options within the existing urban footprint</p>	<p>P39/A15</p> <p>Explore flexibility for ancillary residences in local heritage areas for social benefit and heritage protection</p>
<p>The economy and jobs</p> <p>Linking people with jobs in employment centres and supporting new economic drivers such as services, information and communications technology, retail, and commercial sectors</p>	<p>P61</p> <p>Provide for sustainable tourism development by protecting, enhancing and promoting valuable qualities, providing appropriate infrastructure and facilitating value adding activities</p>

Addendum: Thoughts on the Local Heritage Discussion Paper 2016

As noted by the LGA:

The State Government's Local Heritage Discussion Paper Heritage reform – an exploration of the opportunities was released for public consultation in mid-August 2016. The Discussion Paper sets out to address the following issues:

- clarity of criteria and inadequate hierarchy of heritage values (national, state, local);
- poorly/inconsistently applied local heritage criteria;
- uneven recognition of local heritage across the state;
- lack of comprehensive review;
- lengthy/unpredictable listing process;
- consultation process that rely too often on 'interim operation';
- sensitive consultation occurring too late in the process;
- confusion between 'heritage' and 'character';
- inconsistent Development Assessment procedures and policies; and
- a formal role for accredited heritage professionals.

A distinct deficiency is that The Discussion Paper excludes consideration of general heritage governance, funding arrangements, and listing and development assessment issues relating to State heritage (other than minor matters).

The Paper's exclusive focus on local heritage is based on:

- the large and increasing numbers of local heritage places compared to State heritage places;
- the incompatibility of existing local listing criteria with national best practice; and,
- the opportunity for immediate benefit from reforms managed solely through the new Planning, Development and Infrastructure Act.

Key aspects of the suite of reforms presented in the Discussion Paper include standardisation of processes for local heritage listing through practice directions prepared by the State Planning Commission, a role for accredited heritage professionals, and management of places through the state-wide Planning and Design Code and heritage overlay.

Development of the Discussion Paper included consideration of other Australian jurisdictions that have undertaken heritage reforms in the last ten years.

Tables 5 and 6 below summarise the reform opportunities raised in the Discussion Paper, along with potential benefits and challenges/risks of the proposed approach as identified by the LGA. Reforms are grouped in relation to local heritage listing (L1 to L6) and development assessment (D1 to D7).

Table 5: Discussion Paper Reforms - Local Heritage Listing

<i>Ref</i>	<i>Reform opportunity</i>	<i>Benefits</i>	<i>Challenges/Risks</i>
L1	<p>Statutory listing criteria with thresholds described in a practice direction</p> <p>Local heritage criteria based on thresholds similar to State heritage criteria under the <i>Heritage Places Act 1993</i>⁴</p> <p>Inclusion/exclusion guidance for professionals and the community on what is likely to meet thresholds for heritage value</p>	<p>Provides clear guidance as to what constitutes different levels of heritage value</p> <p>Contributes to greater certainty in assessments of heritage value</p> <p>Supports compliance with best practice</p>	<p>Achieving agreement amongst stakeholders of different levels of value and thresholds</p>
L2	<p>Implement a framework and practice direction that enables understanding, evaluation and presentation of objects, places and events in the context of broad historical themes</p>	<p>Integrated rather than piecemeal approach to preserving heritage across the state</p> <p>Enables comparison of multiple similar nominations</p> <p>Allows understanding of over and under representation in listings</p>	<p>Ensuring local values are incorporated in development of broader themes</p>
L3	<p>Implement early engagement with communities and property owners from heritage survey to decision making stages through a heritage listing practice direction prepared by the Planning Commission</p> <p>Reduce public consultation timeframe</p>	<p>Potential to reduce conflict</p> <p>Potential to reduce consultation and listing process timeframes</p> <p>Shorter process reduces the need for interim operation</p>	<p>Responsibility for and monitoring of compliance with the practice direction</p> <p>Responsibility for dispute resolution where early engagement does not remove conflict</p>

⁴ The Discussion Paper suggests:

"A place is deemed to have local heritage value if it satisfies one or more of the following criteria:

- a) It is important to demonstrating themes in the evolution or pattern of local history; or*
- b) It has qualities that are locally rare or endangered; or*
- c) It may yield important information that will contribute to an understanding of local history, including natural history; or*
- d) It is comparatively significant in representing a class of places of local significance; or*
- e) It displays particular creative, aesthetic or technical accomplishment, endemic construction techniques or particular design characteristics that are important to demonstrating local historical themes; or*
- f) It has strong cultural or spiritual associations for a local community; or*
- g) It has a special association with the life or work of a person or organisation or an event of local historical importance.*

Table 5: Discussion Paper Reforms - Local Heritage Listing

<i>Ref</i>	<i>Reform opportunity</i>	<i>Benefits</i>	<i>Challenges/Risks</i>
L4	Simplify the process to amend the Planning and Design Code to incorporate a listing, involving the Planning Commission, experts, accredited professionals and community representatives	Shorter and more efficient process for listing	Perceived or actual reduced community input Options for challenging a listing Mechanisms to resolve conflict arising within or from outside the Commission led process
L5	Require clear and comprehensive descriptions of listings, prepared by accredited professionals governed by a practice direction Review and update existing statements of heritage value and listed elements at some time in the future	Provides clarity for professionals and the community about the elements of a place that are important to heritage value Provides relevant information for any future development applications and appeals	May generate large quantities of material Requires monitoring and updating over time in relation to condition of places Providing descriptions for existing local heritage places may be time and cost prohibitive
L6	Discontinue a traditional register of local heritage places, instead identifying listings by gazette as amendments to the Planning and Design Code, on a heritage overlay, and through the online planning portal	Avoids duplication through multiple instruments Maintains heritage information in functional instruments and active information sources	Loss of dedicated repository of local heritage information

Table 6: Discussion Paper Reforms – Development Assessment

<i>Ref</i>	<i>Reform opportunity</i>	<i>Benefits</i>	<i>Challenges/Risks</i>
D1	Clearly distinguish between ‘character’ and ‘heritage’ in the Planning and Design Code Distinguish between heritage and character value in translation of existing Historic Conservation areas into the Code via character subzones or heritage overlays ⁵	State-wide clarity of interpretation across all planning policy Appropriate planning controls for heritage and character protection respectively	Developing a shared understanding of terms acceptable to all stakeholders Communicating the defined terminology effectively to all stakeholders Considering stakeholder perceptions and community values in distinguishing between heritage and character for existing protected areas Consistent use of terminology in new policy including local variations

⁵ In reference to reform opportunity D1, the Discussion Paper notes the following distinctions:

Table 6: Discussion Paper Reforms – Development Assessment

<i>Ref</i>	<i>Reform opportunity</i>	<i>Benefits</i>	<i>Challenges/Risks</i>
D2	Develop hierarchy of heritage values (national, state, and local places and areas)	Greater policy clarity and guidance in assessment pathways	Achieving agreement amongst stakeholders of different levels of value and thresholds Accommodating all forms of heritage value in a hierarchical system
D3	Review definition of development relating to heritage places to reduce the number of potential applications	Reduced number of assessments relating to straightforward and minor matters Encourages improvement of heritage places	Actual or perceived dilution of heritage protections leading to loss of heritage value
D4	Introduce ‘exempt’, ‘accepted’ or ‘deemed to satisfy’ assessment pathway for defined minor and low risk works	Shorter and more efficient process commensurate to the potential impact of proposed works Encourages improvement of heritage places	Actual or perceived dilution of heritage protections leading to loss of heritage value
D5	Introduce statements of significance, descriptions of elements, and tables of controls for all heritage places (refer to example in Figure 5.1)	Greater clarity of relationship of physical fabric to heritage value Contributes to transparency and clarity in assessment process Provides information resources for heritage managers	May generate large quantities of material Requires monitoring and updating over time in relation to condition of places
D6	Allow ‘on merit’ assessment of demolition of heritage places	State-wide consistency of demolition controls and public notification requirements	Actual or perceived dilution of heritage protections leading to loss of heritage value

***“Heritage** is about retaining cultural ‘value’, not simply identifying with a history. It generally involves conservation of the fabric of a place to help **reconcile its cultural value with its asset value**.*

***Character** is less about a ‘value’ and is more a tool to recognise the presence of, or desire for, particular physical attributes to determine **how similar or different the future character of areas should be**”.*

Table 6: Discussion Paper Reforms – Development Assessment

<i>Ref</i>	<i>Reform opportunity</i>	<i>Benefits</i>	<i>Challenges/Risks</i>
D7	Empower accredited heritage professionals to provide heritage equivalent of current Building Rules Consent Only	Expedites simple assessments Frees up Council planners to focus on more complex applications	Removes decision making power of Councils over local heritage places

Lastly, below is an example from the Victoria planning system which shows how heritage places are listed in their planning schemes. This is considered to be a good approach which could be followed in our State in order to provide clarity around assessing developments involving heritage places.

Example table of controls from a Victorian planning scheme⁶

Maribyrnong Planning Scheme						<i>Example of a Heritage Overlay schedule</i>			
PS Map ref	Heritage Place	External Paint Controls Apply?	Internal Alteration Controls Apply?	Tree Controls Apply?	Outbuildings or fences which are not exempt under Clause 43.01-4	Included on the Victorian Heritage register under the Heritage Act 1995?	Prohibited uses may be permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
HO112	Washingtonia Palm 78 Cowper St, Footscray The heritage place is the Washingtonia Palm tree and the land beneath the canopy of the tree for a distance of one metre beyond the drip line, root zone or canopy perimeter, whichever is the greater.	No	No	Yes	No	No	No	–	–
HO113	Klipspringer 40-54 Cranwell St, Braybrook	No	No	No	No	No	No	–	–

⁶ Excerpt from the *Heritage Overlay Guidelines* published by the Victorian Government Department of Sustainability and Environment, January 2007

Appendix 4

*Local Government Association of South Australia
Heritage Inquiry Discussion Paper*

Heritage Inquiry Discussion Paper

**Local Government
Association of
South Australia
August 2018**

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Heritage Inquiry Discussion Paper
August 2018

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Background

The South Australian Parliament's Environment, Resources and Development Committee (ERD Committee) resolved at their meeting on 30 July 2018 to conduct an inquiry into the operation of the heritage system in South Australia.

This Local Government Association SA (LGA) Discussion Paper links the Heritage Inquiry Terms of Reference with relevant local government positions set out in the following documents:

- Local Heritage and Character Position Paper, LGA SA September 2016
- LGA Policy Manual
- The 2016 South Australian Community Consultation on Local Heritage, National Trust of South Australia

The Discussion Paper is the first step toward developing an LGA submission to the inquiry and a starting point for discussion with selected Councils around possible responses to the Terms of Reference.

Inquiry Terms of Reference

In conducting the Inquiry into Heritage, the ERD Committee will investigate and report on the existing arrangements and desirable reforms for local, state and national heritage listings, with particular reference to:

1. Highlighting the differences in, and consistency of, processes and criteria between listing and assessing local, state and national heritage;
2. How heritage should be managed in the future; including, but not limited to investigating:
 - a. How should the process for listings (from initiation to final placement on the appropriate register) be managed, and by whom;
 - b. Who should have the right to be heard in relation to listings;
 - c. Who should be the decision maker for listings and review; and
 - d. What processes should be in place for the review of listings;
3. What is the relationship and distinction between 'character' and 'heritage';
4. Have there been unexpected or perverse outcomes; and
5. Any other relevant matter.

Discussion

Inquiry Topic 1:

Highlighting the differences in, and consistency of, processes and criteria between listing and assessing local, state and national heritage.

Current LGA Position

The local government sector supports policy clarity and consistent, evidence-based decision making in heritage listing and assessment at all levels.

Greater alignment of local, state and national heritage is supported on the condition that appropriate recognition of local characteristics is provided.

In any consolidation or increased consistency between the local, state and national levels, local heritage places should not be treated as of lesser value than state or national heritage. For example, a threshold for local heritage assessment should provide clear guidance to different levels of local heritage value and apply a similar level of rigour to that required in assessing State heritage value.

Local heritage value criteria, thresholds, and associated guidance must be capable of capturing the value of heritage places throughout the State's diverse localities. In developing clear and consistent local heritage criteria, detailed discussions with local government are required around thresholds, selection of themes, and overrepresentation.

Discussion questions to further inform LGA submission

- Where there are differences between the process and criteria for listing and assessing local, state and national heritage:
 - Are there valid reasons for those differences that need to be considered?
 - Would consistency improve processes or outcomes?
- Which aspects of state, local and national processes and criteria could or should be expanded to the other systems?

Inquiry Topic 2:

How heritage should be managed in the future; including, but not limited to investigating:

- a. How should the process for listings (from initiation to final placement on the appropriate register) be managed, and by whom;**
- b. Who should have the right to be heard in relation to listings;**
- c. Who should be the decision maker for listings and review; and**
- d. What processes should be in place for the review of listings?**

Current LGA Position

How the listing process should be managed and by whom	<p>Greater transparency, consistency, timeliness and quality of information as inputs into decision making and interpretation of criteria would be a positive outcome.</p> <p>Designation of local heritage items must remain the responsibility of Local Government. Councils should be the primary initiators and protectors of local heritage.</p> <p>There is scope to streamline the identification of local heritage places. The current process of heritage surveys and Development Plan Amendments can be costly and time consuming.</p> <p>Councils would prefer that heritage advice come from an integrated authority operating independently of the planning system.</p> <p>Metropolitan Councils support advice on heritage values coming from recognised professionals situated outside the planning system.</p> <p>Heritage accreditation is supported to expand the pool of qualified professionals and maintain expertise within Councils. The methods used to accredit, and review accreditation of professionals needs to be carefully considered with a well thought out accreditation framework.</p> <p>Proposed local heritage places should be subject to interim demolition control.</p>
Who should have the right to be heard	Local Government supports early engagement and improved communication with stakeholders around listing and opportunities for economic use.
Who should be the decision maker for listings and review	Designation of local heritage items must remain the responsibility of Local Government. Councils should be the primary initiators and protectors of local heritage.

Process for the review of listings	<p>Reviews of local heritage listings are opposed if intended to result in culling local heritage places or diminishing heritage protections. Retrospective alteration of listings could unfairly alter property values.</p> <p>Some rural and regional Councils object to the expense of review of current listings through a heritage survey.</p>
Any other matter relating to management of heritage into the future	<p>Local Government recognises the need to protect our heritage while at the same time ensuring growth and economic development for communities. Policies and incentives for management of heritage should support economic use.</p>

Discussion questions to further inform LGA submission

- How should the process for listings (from initiation to final placement on the appropriate register) be managed, and by whom?
- Who should have the right to be heard in relation to listings?
- Who should be the decision maker for listings and review?
- What processes should be in place for the review of listings?

Inquiry Topic 3:

What is the relationship and distinction between ‘character’ and ‘heritage’?

Current LGA Position

Local government supports the need for improved clarity in the use of these terms to facilitate consistent interpretation and use of appropriate planning controls.

Discussion questions to further inform LGA submission

- Is the DPTI definition supported?
 - *Heritage is about retaining cultural ‘value’, not simply identifying with a history. It generally involves conservation of the fabric of a place to help reconcile its cultural value with its asset value.*
 - *Character is less about a ‘value’ and is more a tool to recognise the presence of, or desire for, particular physical attributes to determine how similar or different the future character of areas should be.¹*
- If not, what alternative definition is preferred?

¹ Department of Planning, Transport & Infrastructure, *Local Heritage Discussion Paper Heritage reform – an exploration of the opportunities*, August 2016

Inquiry Topic 4:

Have there been unexpected or perverse outcomes?

Current LGA Position

No defined position in relation to perverse outcomes defined as “outcomes contrary to to the accepted or expected standard or practice”.²

Discussion questions to further inform LGA submission

- Are there specific examples of unexpected or perverse outcomes resulting directly from aspects of the current heritage system?
- Are there specific examples of unexpected outcomes being consistently or repeatedly experienced because of particular aspects of the system?

² <https://en.oxforddictionaries.com/definition/perverse>

Inquiry Topic 5:

Any other relevant matter

Current LGA Position

Local government holds positions on a range of issues relating to current arrangements and proposed planning reforms that fall outside Terms of Reference 1 to 4 but are directly relevant to the operation of the heritage system.

As the level of government closest to the community, Councils experience firsthand the great extent to which their communities value heritage, in particular local heritage and the value it contributes to their streets, suburbs and beyond.

Local governments support the principles of good planning set out in the Planning Development and Infrastructure Act (the Act) and see effective development and implementation of local heritage reforms in appropriate consultation with stakeholders as consistent with those principles, and as contributing to the objects of the Act.

In consultation with Councils the LGA has previously identified the following key messages from local government around local heritage reform in particular.

Status of heritage areas

In the context of planning reform, Councils emphasise that Historic Conservation Areas/Zones and contributory items are highly valued by communities, and their future must be clarified.

Development assessment

Future heritage reforms must enable policy clarity and clear roles in development assessment decisions. Uniform and clear guidance material to support clear policies and enable consistent decision making is required. The current system lacks the guidance material to promote consistent practice and evidence-based decision making.

The interface of development assessment and heritage is particularly significant in the context of State Government directions for urban development.

Urban infill development is compatible with heritage conservation, and with good design offers opportunities for improving streetscapes and areas in ways that can benefit local heritage places and incentivise their restoration and use. Conversely, such development also has the potential to impact negatively on local heritage, and clear policies and frameworks for decision making are required where heritage conservation must be considered alongside other objectives in pursuit of infill targets.

Economic drivers for heritage protection

Heritage has a significant local economic benefit. As well as implementing planning and heritage controls, Councils invest in local heritage through grants programs, advisory services, promotions and education, and research.

The strength of this investment is borne out by studies that demonstrate the economic significance of cultural heritage and its important role in tourism attraction and expenditure.³

There is also strong evidence to demonstrate that heritage has a strong employment multiplier and creates jobs. The State Government must fully understand, appreciate and take into account the strong economic benefits of heritage in any further thinking about reforms.

The economic benefits of heritage conservation should be encouraged and communicated. Funding and incentives are essential to getting the balance right in heritage protection and should be considered holistically with policy reforms.

Financial contributions

The State Government should acknowledge the importance to the community of the conservation and promotion of heritage and contribute financially and on an equitable basis to conserve heritage items, particularly State Heritage Buildings.

Local Government supports the provision of Federal Government funding to ensure that adequate finance is provided to maintain buildings of historic importance.

Councils may provide incentives to encourage good management of local heritage items but allocation of local resources for such incentives should remain a local decision.

Taxation incentives should be provided for private expenditure on works associated with restoration of buildings on Local, State and Federal Government heritage registers

Notice procedures

The procedures specified in Australian heritage legislation should include appropriate provisions for notices to be served on both the owner of any property proposed for listing and the Council responsible for the area in which the proposed listing is situated.

Discussion questions to further inform LGA Submission

- Which relevant issues outside Terms of Reference 1 to 4 should be included in the LGA's submission?

³ Adelaide City Council (2015) *Economic Value of Heritage Tourism*; Commonwealth of Australia (2015) *Australian Heritage Strategy*; Presentation by the National Trust at LGA workshop "Tourism and Heritage – a Winning Combination" October 2014; The Allen Consulting Group 2005, *Valuing the Priceless: The Value of Heritage Protection in Australia, Research Report 2*, Heritage Chairs and Officials of Australia and New Zealand, Sydney.

Next Steps

Further information can be obtained at www.parliament.sa.gov.au/erdc.

Although written submissions are open until **14 September 2018**, the LGA would appreciate councils providing comments on the terms of reference to Stephen Smith, Director Policy, at stephen.smith@lga.sa.gov.au by **30 August 2018**.

The responses will inform the LGA's written submission to Inquiry into Heritage.

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**ADELAIDE HILLS COUNCIL
SPECIAL COUNCIL MEETING
Tuesday 11 September 2018
AGENDA BUSINESS ITEM**

Item: 6.3

Originating Officer: Richard Fox, Senior Property Projects Officer

Responsible Director: Terry Crackett, Director Corporate Services

Subject: Adelaide Hills Business and Tourism Centre divestment update

For: Information

SUMMARY

This report provides an update on the progression of the divestment strategy for the Adelaide Hills Business and Tourism Centre (AHBTC) at Lobethal.

RECOMMENDATION

Council resolves that the report be received and noted.

1. GOVERNANCE

➤ **Strategic Management Plan/Council Policy**

Goal 2	Connect
Strategy 2.4	We will implement the Adelaide Hills Business and Tourism Centre (Old Woollen Mill) Masterplan to stimulate local job creation, boost tourism and create a vibrant cultural hub

This report summarises the current position in relation to the divestment component of the AHBTC site.

➤ **Legal Implications**

Not Applicable

➤ **Risk Management Implications**

The progress of the divestment strategy will assist in mitigating the risk of:

Ageing and potentially failing infrastructure possibly resulting in site safety implications leading to safety hazards, reductions in service levels/fitness for purpose and increasing cost profile.

Inherent Risk	Residual Risk	Target Risk
EXTREME (4B)	MEDIUM (2C)	LOW (1D)

Lack of strategic direction/commitment by Council to the AHBTC site leading to community/ business concern.

Inherent Risk	Residual Risk	Target Risk
EXTREME (4B)	MEDIUM (2C)	LOW (1D)

Settlement for the Southern Site has achieved the target for both risks.

➤ **Financial and Resource Implications**

The divestment strategy is progressing in accordance with the expected financial outcomes. A summary of income and expenditure for the Southern Site is attached as **Appendix 1**.

➤ **Customer Service and Community/Cultural Implications**

Not applicable

➤ **Environmental Implications**

Not applicable

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

Council Committees: Not applicable

Council Workshops: Not applicable

Advisory Groups: Property Advisory Group

Administration: Not applicable

Community: Not applicable

2. BACKGROUND

The AHBTC has been the subject of numerous reports to Council over many years. The resolutions central to this report are those of the Council meetings of 22 March 2016 and 24 October 2017.

Resolutions of 22 March 2016.

Council resolves:

1. That the report be received and noted
2. To endorse the inclusion of funding into the Draft 2016/17 Annual Business Plan and Budget to enable the progression of the Divestment Strategy.
3. That a Development Application to obtain conditional approval for the community titling of proposed Lot 201 be submitted.
4. That in relation to current Lessees that:
 - a. RIPE be advised that Council will be allowing the Adelaide Hills Craft Brewery Pty Ltd an option to purchase Building 2 and that if purchased the Adelaide Hills Craft Brewery Pty Ltd will be RIPE's Lessor until the current Lease, including renewal, expires on 1/06/2018
 - b. Robert Johnson be advised that the Lease of Building 3C will not be renewed after 31 March 2017 and that the premises will be leased to the Adelaide Hills Craft Brewery Pty Ltd.
 - c. Adelaide Hills Craft Brewery Pty Ltd be advised that:
 - The Right of First Refusal Clause to purchase currently leased premises, as appears as Appendix 5, will be included into the Leases of Buildings 3A and 3B
 - Building 3C will be included into its leased area from 1 April 2017. The Right of First Refusal Clause will then also apply to Building 3C.
 - It is unlikely that the Council will accept an offer to only purchase Buildings 3A, 3B and 3C without also including Building 2.
 - d. Udder Delights Group Pty Ltd be advised that the Right of First Refusal Clause to purchase currently leased premises, as appears as Appendix 5, will be included into the Leases of Buildings 15, 16, 17, 18 and 19.

- e. Monsteda Pty Ltd be advised that the Right of First Refusal Clause to purchase currently leased premises, as appears as Appendix 5, will be included into the Leases of Buildings 4, 5C, 5D and 7.
 - f. The relocation of Simon Greenleaf's winery to, and lease of, the rear of Building 21 and portion of Building 22, be negotiated with Simon Greenleaf.
 - g. Subject to the above successful relocation of Simon Greenleaf winery from Building 5A, further discussions be held with Jedmar Pty Ltd regarding the leasing of both Buildings 5A and 5B
 - h. If the above negotiation with Jedmar Pty Ltd is successful then a Right of First Refusal Clause to purchase, as appears as Appendix 5, be included in the future Lease of Buildings 5A and 5B.
 - i. Tillbrook Estate be offered an incentive to vacate Building 17 by 14 June 2017.
 - j. Henstock Pty Ltd be advised that an option to purchase Lot B in Appendix 4 to this report will be negotiated if the Council desires to sell the premises.
 - k. Action be initiated to sell Lots C, D and E on the Southern Site in Appendix 4 to Blisstrade Pty Ltd and / or adjoining landowners.
 - l. The Chief Executive Officer be delegated the authority to finalise the above matters.
5. The Mayor and Chief Executive Officer be authorised to finalise and sign all necessary documentation to finalise all transactions proposed in this set of recommendations.

	Carried Unanimously
--	---------------------

Resolutions of 24 October 2017.

Council resolves:

1. That the report be received and noted
2. A contract for the Sale and Purchase of proposed Allotment 702 substantially in accordance with the draft plan attached as Appendix 1 be negotiated and entered into between the Council and Henstock Technologies Pty Ltd for a sale price of \$806,750 subject to the following conditions:
 - a. Issuance of an approval for the land division application of the draft plans attached as *Appendix 1*
 - b. Deposit by the Registrar-General of the plans attached as *Appendix 1*, subject to minor boundary realignments resulting from a road closure process to reflect the physical location of the existing buildings
 - c. Finance approval for the purchaser
 - d. The purchaser entering into a lease with Council for Building 31a at market rental for five years, with a right for the Lessee to terminate with six month' notice in writing and with a right to sub-lease to community organisations
 - e. Vacant possession of Buildings 30 and 35
 - f. The removal from Building 29 of all material not belonging to Henstock Technologies Pty Ltd.
3. A contract for the Sale and Purchase of proposed Allotment 703 substantially in accordance with the draft plan attached as Appendix 1 be negotiated and entered into between the Council and Bliss Trade Pty Ltd for a sale price of \$403,000 subject to the following conditions:
 - a. Issuance of an approval for the land division application of the draft plans attached as *Appendix 1*
 - b. Deposit by the Registrar-General of the plans attached as *Appendix 1*, subject to minor boundary realignments resulting from a road closure process to reflect the physical location of existing buildings
 - c. Finance approval for the purchaser
 - d. The purchaser entering into a lease with Council for Building 26 at market rental for five years, with a right for the Lessee to terminate with six month' notice in writing and with a right to sub-lease to community organisations.
4. The land identified in blue and labelled D in the draft plan attached as Appendix 1 be transferred to Mr A and Mrs K Huxter for \$1 by merger with their current property to form Allotment 704
5. The land identified in green and labelled E in the draft plan attached as Appendix 1 be transferred to Ms A Tolcvay for \$1 by merger with her current property to form Allotment 705
6. The CEO has delegation to finalise negotiations with Henstock Technologies Pty Ltd and Bliss Trade Pty Ltd for the preparation of a Contract for Sale and Purchase for each purchaser on terms that are industry standard for this type of contract
7. The Mayor and CEO to sign all necessary documentation to affect to this resolution including the division of the land substantially in accordance with the plan attached as Appendix 1, the sale and settlement of proposed Allotments 702 and 703 and the transfer and merger of the relevant portions of Lot 704 (identified in blue) and Lot 705 (identified in green) in the draft plans attached as Appendix 1.

	Carried Unanimously
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3. ANALYSIS

The resolutions of 24 October 2017 encompass the divestment of the Southern Site of the AHBTC and were the consequence of resolutions 4j and 4k of 22 March 2016.

The Southern Site divestment has now been completed in full. The deposit of the plan of division (see 2b of 24 October 2017) occurred on 30 July 2018 and in doing so fulfilled resolutions 4 and 5. Settlement for the sale of Allotments 702 and 703 took place on 31 August 2018 and 20 August 2018 respectively.

The completion of the Southern Site divestment has now provided the resources to proceed with the works required to obtain development approval for the primary division of the Northern Site and the secondary division of the northern part of the Northern Site.

The concept primary division of the Northern Site was presented in Appendix 2 of the report to Council of 22 March 2016. Further investigation as work has progressed has resulted in a number of minor revisions to this plan, none of which alter the adopted direction of Council. These revisions are as follows:

- A road process order pursuant to the *Roads (Opening and Closing) Act 1991*, approved by Council on 12 December 2017, has realigned the Mill Road boundary such that Building 10 is now entirely within the AHBTC land
- The western boundary of the northern car park has been realigned
- The public toilets shown as being part of Lot 401 will now be part of the common property
- The concept Allotment 1000 will not now be a stand-alone Torrens Title. With a high cost for the separation of services and limited appeal by itself, it is considered more practical to align this area with the interests of existing tenants. The concept Allotment 1000 and adjacent drainage reserve are now merged into an enlarged Lot 203.

The proposed secondary division of the northern part of the Northern Site is only very slightly affected by these revisions by the addition of an easement on a portion of the western edge of piece 202. The latest revision of the plan is shown in **Appendix 2**.

The primary plan of division for the Northern Site will be assessed at the September DAP meeting, with the secondary division to be assessed at either the October or November meetings.

The separation of services is a significant factor in the division of the Northern Site. A development application for the separation of the electrical services has been lodged as approval of Heritage SA is required. Concurrently, a tender document is being developed in order to engage a contractor for the electrical services work. Design work for separation of fire services is also in progress.

An environmental site assessment is required for the Northern Site and a contractor will be engaged during September to carry out this work.

4. OPTIONS

Council has the following options:

- I. To receive the report.

5. APPENDICES

- (1) Summary of Income and Expenditure for the Southern Site
- (2) Revised Primary Plan of Division – AHBTC Northern Site

Appendix 1

*Summary of Income and Expenditure for the
Southern Site*

AHBTC Southern Site – Summary of Income and Expenditure

Income

Sale of Allotment 702	806,750
Sale of Allotment 703	403,000
Total Income	1,209,750

Expenditure

Total Divestment Costs	306,000
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Surplus	\$903,750
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Appendix 2

Revised Primary Plan of Division- AHBTC Northern Site

PRIMARY COMMUNITY DIVISION

ADELAIDE HILLS COUNCIL

NORTHERN SITE

Dev No 473/C050/16

ALLOTMENTS 88 & 90 in F4620
ALLOTMENTS 220, 221 & 222
IN D117912

HUNDRED OF ONKAPARINGA
IN THE AREA NAMED
LOBETHAL

PIECES SCHEDULE	
ONE LOT COMPRISES	TOTAL AREA
201* AND 202*	8904m ²

* ASTERISK DENOTES PIECE IDENTIFIER ONLY

SHEET 1 OF 4 SHEETS

REV 7- AMENDED PLAN 23/7/18

PORTION OF THE COMMON PROPERTY MARKED X IS TOGETHER WITH A FREE AND UNRESTRICTED RIGHT OF WAY OVER THE PORTION MARKED E HEREON

PORTION OF THE COMMON PROPERTY AND LOT 205 DRAINAGE RESERVE MARKED C IS SUBJECT TO AN EASEMENT TO THE COMMONWEALTH OF AUSTRALIA VIDE T3589822

PORTION OF LOT 203, 205 DRAINAGE RESERVE AND PIECE 202 MARKED A IS SUBJECT TO EASEMENTS TO THE MINISTER FOR INFRASTRUCTURE VIDE T3094085

PORTION OF LOT 205 DRAINAGE RESERVE MARKED B IS SUBJECT TO A N EASEMENT TO THE MINISTER FOR INFRASTRUCTURE VIDE T2702849

PORTION OF LOT 203 AND PIECE 202 MARKED D IS TO BE SUBJECT TO A SERVICE EASEMENT TO THE COUNCIL FOR THE AREA FOR DRAINAGE PURPOSES LIMITED IN HEIGHT TO BELOW THE UNDERSIDE OF THE CONCRETE FLOOR ABOVE

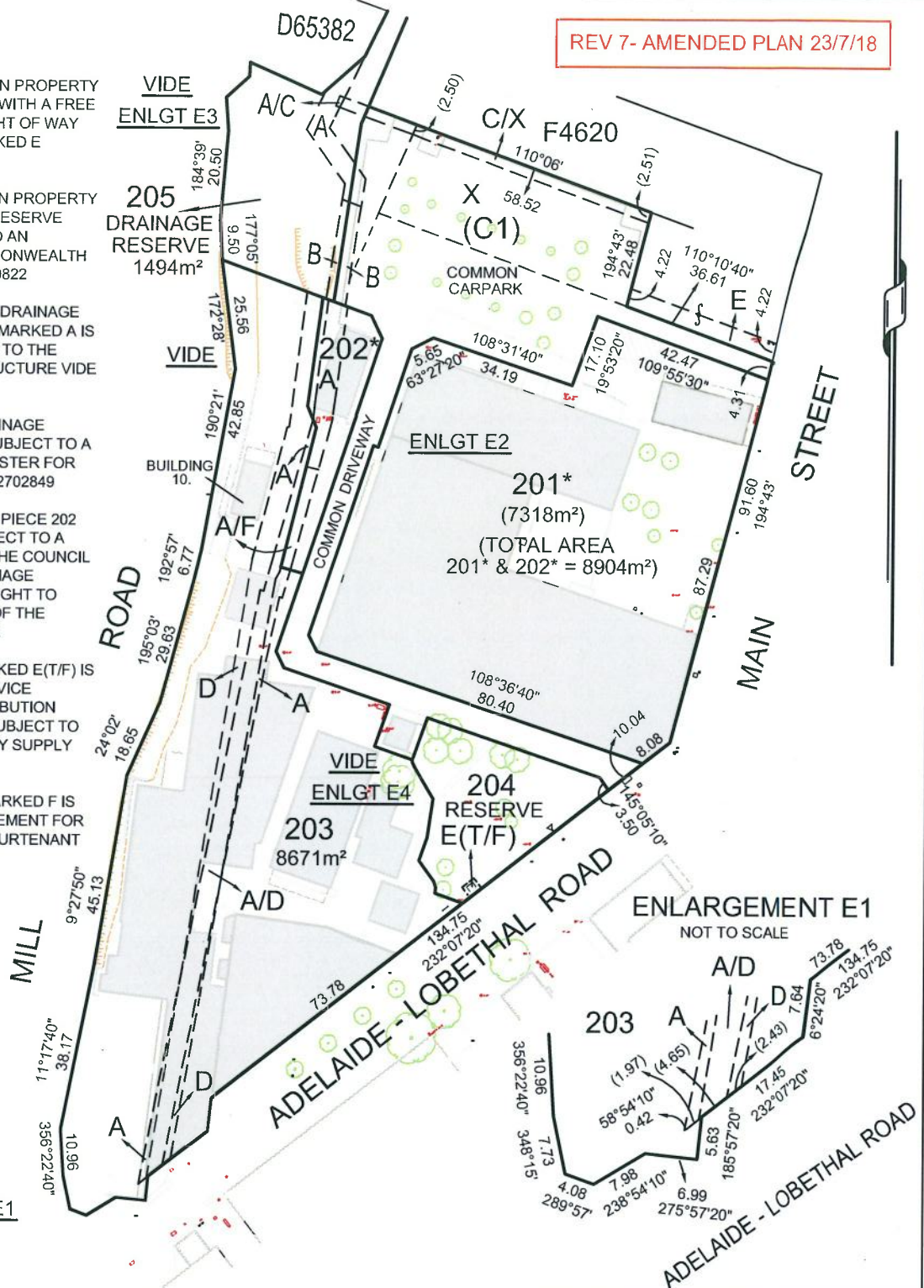
PORTION OF LOT 204 MARKED E(T/F) IS TO BE SUBJECT TO A SERVICE EASEMENT TO THE DISTRIBUTION LESSOR CORPORATION SUBJECT TO L8890000 FOR ELECTRICITY SUPPLY PURPOSES

PORTION OF PIECE 202 MARKED F IS TO BE SUBJECT TO A EASEMENT FOR SUPPORT PURPOSES APPURTENANT TO ALLOTMENT 203

VIDE
ENGLT E1



IMPORTANT NOTE
THIS PLAN WAS PREPARED AS A CONCEPT COMMUNITY DIVISION AND SHOULD NOT BE USED FOR ANY OTHER PURPOSE. THE DIMENSIONS SHOWN HEREON ARE SUBJECT TO SURVEY AND THE REQUIREMENTS OF COUNCIL AND OTHER RELEVANT AUTHORITIES. LOT BOUNDARIES SCALED FROM DC08 PLANS FROM LTO AND DETAIL SURVEY PROVIDED BY THE ADELAIDE HILLS COUNCIL.
NO RELIANCE SHOULD BE PLACED ON THE INFORMATION ON THIS PLAN FOR ANY FINANCIAL DEALINGS INVOLVING THIS LAND. THIS NOTE IS AN INTEGRAL PART OF THE PLAN.



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**ADELAIDE HILLS COUNCIL
SPECIAL COUNCIL MEETING
Tuesday 11 September 2018
AGENDA BUSINESS ITEM**

Item:	6.4
Originating Officer:	Mike Carey, Manager Financial Services
Responsible Director:	Terry Crackett, Director Corporate Services
Subject:	2017-18 Preliminary End of Year Financial Results and Carry Forwards
For:	Decision

SUMMARY

This report provides Council with a preliminary view of Council's financial performance to budget for the year ended 30 June 2018, and proposes changes to the 2018-19 Budget to account for the 2017-18 requested carry forwards.

The Adelaide Hills Council's preliminary 2017-18 Operating Surplus before Capital is \$2.253m which is \$267k favourable to budget. Further, after Council's capital financial performance is taken into account, the net borrowing result is favourable to budget by \$182k, after allowing for the impact of:

- requested expenditure carry forwards of \$2.091m where expenditure is still required in 2018-19 to complete those projects
- capital income carry forwards of \$1.451m where the income will be received/accounted for in 2018-19.

Council was able to utilise its short term drawdown facility and reduce its cash position in the order of \$1.8m instead of entering into new borrowings of \$4m as budgeted. As a result overall borrowings are favourable to budget by \$2.753m of which \$640k relates to proposed net carry forwards that will require funding in 2018-19.

It should be noted that further changes to Council's operating and net borrowing result is possible following the finalisation of Council's statutory accounts and subsequent audit. The finalisation of the accounts will address matters including asset revaluation, finalisation of Council's subsidiaries as well as depreciation and other asset adjustments. The external auditors are scheduled to commence the Audit process in early September 2018.

RECOMMENDATION

Council resolves that:

1. The report be received.
 2. The Preliminary End of Year Results for 2017-18 be noted.
 3. Carry forward projects from 2017-18 totalling an amount of \$2.091m of expenditure and \$1.451m of income (Attachments 2 and 3 to this report) be approved.
 4. The 2018-19 Proposed Budgeted Uniform Presentation of Finances reflecting a Budgeted Operating Surplus of \$302k before Capital Revenue and revised Net Borrowings of \$4.333m as summarised in Attachment 4 to this report be adopted.
-

1. GOVERNANCE

➤ Strategic Management Plan/Council Policy

Goal 5 Organisational Sustainability
Strategy Financial Sustainability

➤ Legal Implications

Chapter 8 of the Local Government Act addresses Administrative and Financial Accountability under Part 2 Annual Business Plan and Budget and Part 3 Accounts, financial statements and audit.

More specifically:

- Under Section 123 (13), a council must, as required by the regulations, and may at any time, reconsider its annual business plan or its budget during the course of a financial year and, if necessary or appropriate, make any revisions.
- Under Section 127 of the Local Government Act, Council must prepare for each financial year financial statements and notes in accordance with standards prescribed by the regulations as soon as is reasonably practicable after the end of the relevant financial year
- Regulation 10 of the *Local Government (Financial Management) Regulations 2011* requires Council to report on the financial results of Council by no later than 31 December in each year.

➤ Risk Management Implications

Monitoring and reporting on Council's financial results will assist in mitigating the risk of:

Inaccurate budgets and unforecasted deficits leading to inadequate resourcing for current and future activities.

Inherent Risk	Residual Risk	Target Risk
Medium (4D)	Low (2E)	Low (2E)

It ensures that financial resources are deployed in areas that align with Council's Strategic Management Plans, are affordable and support Council's Long Term Financial Plan.

➤ **Financial and Resource Implications**

The 2017-18 financial result means that Council is well positioned to continue to be financially sustainable into the future. Council will continue to review and monitor future financial results and its financial position in conjunction with its Long Term Financial Plan (LTFP).

➤ **Customer Service and Community/Cultural Implications**

Not applicable.

➤ **Environmental Implications**

Not applicable.

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

Administration: All budget holders have reviewed the end of year financial position for their respective areas of responsibility to ensure variations are identified and explained. The Executive Leadership Group has also reviewed the preliminary end of financial year result.

Community: Not Applicable

2. BACKGROUND

The purpose of this report is to provide Council with a preliminary view of the actual financial performance compared to budget for the year ending 30 June 2018 and to seek approval to carry forward previously approved budget funding to the 2018-19 financial year.

It should be noted that further changes to Council's operating and net borrowing result is possible following the finalisation of Council's statutory accounts and subsequent audit. The finalisation of the accounts will address matters including asset revaluation, finalisation of Council's subsidiaries as well as depreciation and other asset adjustments. The external auditors are scheduled to commence the Audit process in early September 2018.

3. ANALYSIS

Overall Result compared to budget

\$000's	Actual 30 June 18 \$'000s	Budget 30 June 18 \$'000s	Variance Fav/(Unfav) \$'000s
Operating income	44,514	44,241	273
Operating expenditure	42,261	42,255	(6)
Operating Surplus before Capital	2,253	1,986	267
Capital Income	1,356	2,831	(1,475)
Capital Expenditure	14,776	16,873	2,097
Net expenditure - Capital projects	(13,420)	(14,042)	622
Depreciation	7,959	8,027	(68)
Net Lending / (Borrowing) for Financial Year	(3,208)	(4,030)	822
Proposed Capital Expenditure Carry Forwards			(2,091)
Proposed Capital Income Carry Forwards			1,451
Overall Favourable Adjusted Variance			182

In terms of Council's operating result, Council's Operating Surplus before Capital is \$2.253m which is **\$267k** favourable to budget. In addition, the net expenditure for Capital Projects was less than budgeted by \$622k resulting in an improved net borrowing result of nearly \$889k.

Once proposed carry forwards are factored in, the 2017-18 net lending result is still favourable to budget by **\$182k** which has been utilised to reduce borrowings.

Statement of Financial Position

\$000's	Actual 30 June 18 \$'000s	Budget 30 June 18 \$'000s	Variance
Assets	322,263	327,982	(5,719)
Liabilities - Borrowings	(14,918)	(17,671)	2,753
Other Liabilities	(11,689)	(10,124)	(1,565)
Net Assets	295,655	300,187	(4,532)

The preliminary financial statements have not yet taken into account any changes as a result of Asset Revaluation which was budgeted at \$5m for the 2017-18 year. This largely explains the variance in Net Assets from budget. As such it is considered that there are no issues in relation to the Statement of Financial Position at this current time.

Borrowings at 30 June 2018 of \$14.918m, including the short term drawdown facility of \$4.9m, are favourable to budget by \$2.753m. Council's budgeted borrowings at 30 June 2018 of \$17.671m were based on borrowings at 30 June 2017 of \$13.651m and the budgeted net borrowing result of \$4m for the 2017-18 financial year.

Cash Flow Position

\$000's	Actual 30 June 18	Budget 30 June 18	Variance
Net Flows from Operating Activities	11,659	10,013	1,646
Net Flows from Investing (Capital) Activities	(13,376)	(13,999)	623
Sub Total	(1,742)	(3,986)	2,269
New Flows from Financing Activities	(58)	4,020	(4,078)
Net Increase/(Decrease) Cash Held for Year	(1,775)	34	(1,809)

Council was able to utilise its short term drawdown facility and reduce its cash position in the order of \$1.8m instead of entering into new borrowings of \$4m as budgeted. This was largely as a result of favourable Operational and Capital cash flows.

As a result overall borrowings are favourable to budget by \$2.753m of which \$640k relates to proposed net carry forwards and hence will require funding in 2018-19.

Overall Capital Result

A Capital Works Summary has been prepared comparing the capital expenditure against budget by Asset Category for the 2017-18 financial year. (**Attachment 1** to this Report)

The results show a capital spend of \$14.776m against a budget of \$16.874m, being a significant increase over previous years. In comparing to budget, it is noted that there is an overall underspend of \$2.097m of which it is proposed to carry forward \$2.091m across 43 projects. Commentary for the variances in each of the Asset Categories within the overall Capital Program is included in Attachment 1.

With reference to carry forwards it is noted that each year, Council has a number of projects or initiatives that for a number of reasons are not finalised by the end of the financial year. Reasons for this may include:

- Lengthy tender processes and/or contract negotiations
- Delays due to inclement weather
- Projects split over 2 or more years where an estimate has been made as to how much is spent in each financial year, or
- Delays as a result of community consultation.

All carry forward requests have been reviewed by Council Officers to ensure funding is available, resulting in:

- requested expenditure carry forwards of \$2.091m where expenditure is still required in 2018-19 to complete those projects
- capital income carry forwards of \$1.451m where the income will be received /accounted for in 2018-19

The proposed expenditure carry forward projects totalling \$2.091m compares to the previous year's carry forwards total of \$3.772m.

A detailed proposed Carry Forward list from 2017-18 has been attached for Council Members' consideration as **Attachment 2** to this report with the listing of Carry Forward Income totalling \$1.451m as **Attachment 3**.

In summary, the net savings on the Capital Works Expenditure Program is \$6k and the carry forward requests can be accommodated without a negative impact on Council's 2018-19 financial position.

Updated 2018-19 Budget

As the proposed carry forwards will be undertaken in the 2018-19 financial year, the Proposed Uniform Presentation of Finances Statement for the year ending 30 June 2019 has been updated to reflect these proposed changes. This revised statement is shown as **Attachment 4** to this report.

4. OPTIONS

Council has the following options:

- I. To resolve that the report be received and approve the 2017-18 Capital Expenditure and Income Carry Forwards and the subsequent financial impact on the 2018-19 Adopted Budget; or
- II. To defer this report in order for further information to be provided.

The recommended option will ensure that the budget for incomplete projects is available to complete these projects in 2018-19.

As these projects' budgets were approved in 2017-18, the majority of these carry forward projects already have contractual commitments entered into prior to 30 June and/or expenditure incurred subsequent to 30 June.

5. APPENDICES

- (1) 2017-18 Capital Works Summary
- (2) 2017-18 Capital Expenditure Carry Forwards
- (3) 2017-18 Capital Income Carry Forwards
- (4) 2018-19 Proposed Budgeted Uniform Presentation of Finances

Appendix 1

2017-18 Capital Works Summary

**ADELAIDE HILLS COUNCIL
CAPITAL WORKS SUMMARY**

Asset Category	2017-18 Budget \$'000s	2017-18 Actuals \$'000s	Variance to Budget \$'000s	Proposed Carry Forwards \$'000s	Adjusted Variance \$'000s	Comment
Bridges	345	292	53		53	Savings across the Program
Buildings	2,406	1,310	1,096	632	464	Savings across the Program but largely within Project 3505 AHBTC Divestment as well as the region wide General buildings and retirement village projects allocation
CWMS	835	865	(30)	42	(71)	Additional expenditure largely relates to Project 3520 Mt Torrens Gravity/Rising Main Upgrade
Fleet	1,254	1,280	(27)		(27)	Additional vehicles not budgeted in original program
Footpaths	1,009	895	114	95	19	Overall savings across the Footpath Program with some reallocation to cover additional expenditure requirements
Guardrails	100	46	54	54	-	
ICT	707	501	206	311	(105)	Requirement for additional expenditure in relation to Project 3637 CRM Functionality & Web Forms, Project 3635 Contact Centre Software & Project 3640 Information Management System
Kerbing	361	359	2		2	Minor Savings across the Program
Library	78	71	8	8		Minor variance
Other	1,346	1,260	86	57	30	Includes Project Management Allocation savings compared to budget
Plant & Equipment	22	150	(129)		(129)	New Stirling office fitout, Arts & Heritage Hub fitout and a number of other plant & equipment and furniture and fittings expenditure allocated to operating but transferred to Capital per Asset Capitalisation threshold policy as part of end of year capitalisation review
Retain Wall etc	408	375	33	52	(19)	A number of savings within this Program partially covered some additional expenditure requirements on projects including Project 3566 Pomona Road Roundabout Stirling and Project 3559 Aldgate Township - car park exit retaining wall
Sealed Road Pavement	2,629	2,202	427	364	63	Savings within Asset Category transferred to Sealed Roads Seal Asset Category
Sealed Roads - Seal	2,127	2,246	(119)		(119)	A number of variances across Projects including Project 3588 Paech Brothers Road, Balhannah which was project managed by Mt Barker Council
Shoulders	500	485	15		15	Minor Savings across the Program
Sport & Rec	474	385	90	94	(4)	A number of savings on Sport & Recreation Projects largely covered additional expenditure requirements including Project 3409 Bridgewater Oval - Rectification Works
Stormwater	499	349	150	120	30	A number of projects with savings offset additional expenditure on projects within this Program
Unsealed	1,773	1,561	212	263	(51)	Variance in Asset Category largely relates to additional expenditure in relation to Project 3334 Blockers Hill Road, Basket Range Resheeting
WIP & Flooding Projects		145	(145)		(145)	Expenditure required for Moffett Street Woodside Stormwater Easement and Drainage Construction
Grand Total	16,874	14,776	2,097	2,091	6	

Appendix 2

2017-18 Capital Expenditure Carry Forwards

ADELAIDE HILLS COUNCIL
CAPITAL WORKS PROGRAM
PROPOSED 2017-18 CARRY FORWARDS

Project Number & Description	Proposed Carry Forward	Asset Category	Comment
3107 : Toilets Demolition: Various: Buildings	55,000	Buildings	Funding for the removal and replacement of the toilets at the Crafrers Hall.
3216 : Asbestos Removal Program	7,120	Buildings	Completion of fence removal and replacement at Woodside Bowling Club
3413 : Stirling Library fitout works	50,000	Buildings	Delay in final location and layout of Customer service relocation into library
3505 : AHBTC Masterplan and Divestment	120,000	Buildings	Required to meet the 2018-19 Project Management Costs for the project. Remaining funds identified as savings.
3506 : AHBTC Masterplan and Divestment - activation of community space	33,227	Buildings	Relates to the timing of the appointment of the Project Director. Funds needed in 2018/19.
3510 : General upgrades and maintenance - region wide	280,000	Buildings	Mylor Oval Retaining Wall, WHS improvements at Gumeracha and Heathfield Depot staff areas and Fire Water Storage Booster Tank Upgrade at Stirling Office
3513 : Mt Torrens Township reserve upgrade - buildings	29,300	Buildings	Project was delayed due to building approvals of historic site.
67803215 : Crafrers Hall: Crafrers: Buildings	57,740	Buildings	Current design works are on-going for the redevelopment of the Crafrers Hall
3521 : Pump station and treatment plant - SCADA upgrade	10,000	CWMS	Delayed works
3523 : Valve automation Birdwood CWMS	15,000	CWMS	Delayed works
3524 : Woodside Pump station renewal	16,500	CWMS	Delayed works, late delivery of pump
3647 : Gumeracha Main St Master Plan	20,000	Footpaths	Council contribution towards the Residents Win funded Stage 1 of the Gumeracha Main Street
3649 : Gumeracha Residents Win	55,000	Footpaths	Council contribution towards the Residents Win funded Stage 2 of the Gumeracha Main Street (State Government Additional Funding received in June 2018)
3650 : Frick Street	20,000	Footpaths	Project budgeted across 2017-18 and 2018-19
3264 : Old Mount Barker Road, Aldgate - New guard rail	53,800	Guardrails	Required to complete Blackspot project agreed scope, embankment vegetation works outstanding
3372 : E-Development - Stage 2	22,500	ICT	Currently in development with OpenOffice and will be released to test environment shortly
3634 : Cemetery Management System - Online	20,000	ICT	Project delayed to enable update of Open Office system in late 2018.
3635 : Contact Centre Software	24,000	ICT	System implemented and configured. Training and Go-Live scheduled for mid-September
3640 : Organisational Information Management System Implementation	111,419	ICT	Information System build stage delayed to enable upgrade of other core applications. Build since commenced.
3641 : PA System Council Meetings	63,190	ICT	Public Address System in Chamber installed in July
70329215 : Asset Management System	69,735	ICT	Implementation timeline extended due to resource requirements
3158 : Furnishings replacement/upgrading: Library	2,000	Library	Delayed -late delivery by overseas supplier
3643 : Reading Room Norton Summit Community Centre	5,583	Library	Project still underway - implementation through Norton Summit Community Centre
3176 : Cemeteries Upgrades	16,850	Other	Work scheduled but unexpected staff leave has delayed delivery
3626 : Extension of Stirling Cemetery Yr 1	30,000	Other	Masterplan required to be undertaken before extension works commenced
3628 : Installation of Coolaman Sculpture - Gumeracha	10,000	Other	Delayed artist works
3128 : War Memorials Program: Region wide	6,500	Retain Wall etc	Project in conjunction with Stirling RSL was identified in 2018/19 and funding required to complete works
3559 : Aldgate Township - car park exit retaining wall and others	38,241	Retain Wall etc	Contractor engaged in last quarter of 2018/19 but work delayed by Contractor program
3564 : Mt Torrens entrance sign - contribution to stone	7,500	Retain Wall etc	Contribution to new entrance statement (associated land development works delayed)
3570 : Glebe Road Balhannah - traffic management	8,000	Sealed Road Pavement	Traffic management modification to meet Code compliance.
3574 : Lower Hermitage Road Upper Hermitage - road widening	301,180	Sealed Road Pavement	Design has identified some complexity to be resolved by project team - construction delayed
3575 : Millar Road Upper Hermitage - intersection upgrade	32,500	Sealed Road Pavement	To be delivered with Lower Hermitage Capital Project
3576 : Mt Torrens - car park at end of Amy Gillett	22,000	Sealed Road Pavement	Design underway in 2018/19 and funding required to undertake construction.
3178 : Master Plan Heathfield Recreation Grounds	23,830	Sport & Recreation	A portion has been used as matched funds in a grant funding application that is yet to be announced. The remainder has been allocated to implementation of the masterplan project at the site.
3594 : Ashton Oval - Fire Fighting Tank	27,000	Sport & Recreation	Contract signed now waiting on the construction of the steel tank prior to works commencing on site mid to late September or early October.
3595 : Balhannah - Gilleston Reserve - dog park improvement	14,000	Sport & Recreation	Works delayed due to contractor health problems - funds required to meet committed contract
3599 : Heathfield Oval Master Plan Implementation	10,460	Sport & Recreation	A portion has been used as matched funds in a successful grant application for court resurfacing. The remainder has been allocated to implementation of the masterplan project at the site.
3648 : Woodside Recreation Grounds WSUD	18,463	Sport & Recreation	Design works commenced in 2017/18 but not completed by June 30. Design now complete and funding required to complete contracted payments.
3611 : Gumeracha - Stormwater Master plan (Design only)	50,000	Stormwater	Consultant engaged and investigation underway - funds required to meet committed contract
3614 : Kidney Street Uraidla - easement drainage	10,400	Stormwater	Need to reassess priority given increased costs to deliver
3619 : Stormwater Master Planning Aldgate	60,000	Stormwater	Out to Tender
3342 : Edwards Street, Crafrers - Road Extension	13,000	Unsealed	Final land acquisition costs as per Council resolution.
3403 : Unsealed Roads - region wide	250,000	Unsealed	Ongoing flood recovery works on our unsealed network (% of expenditure can be claimed)
	2,091,038		

Appendix 3

2017-18 Capital Income Carry Forwards

ADELAIDE HILLS COUNCIL
CAPITAL WORKS PROGRAM
PROPOSED 2017-18 CAPITAL INCOME CARRY FORWARDS

Project Number & Description	Proposed Carry Forward
3647 : Gumeracha Main St Master Plan	20,000
3648 : Woodside Recreation Grounds WSUD	18,500
3649 : Gumeracha Residents Win	32,500
3264 : Old Mount Barker Road, Aldgate - New guard rail	100,000
3650 : Frick Street	70,000
AHBTC Proceeds	1,209,950
	1,450,950

Appendix 4

*2018-19 Proposed Budgeted Uniform Presentation of
Finances*

Adelaide Hills Council

BUDGETED UNIFORM PRESENTATION OF FINANCES

Proposed 2018-19

	2018-19 Original Budget \$'000	Carry Forwards	2018-19 Proposed Budget \$'000
INCOME			
Rates	37,101		37,101
Statutory charges	1,080		1,080
User charges	1,207		1,207
Grants, subsidies and contributions	4,109		4,109
Investment income	28		28
Reimbursements	266		266
Other income	379		379
Net gain - equity accounted Council businesses	100		100
Total Income	44,270	0	44,270
EXPENSES			
Employee costs	16,621		16,621
Materials, contracts & other expenses	18,121		18,121
Depreciation, amortisation & impairment	8,358		8,358
Finance costs	868		868
Total Expenses	43,968	0	43,968
NET BUDGETED SURPLUS / (DEFICIT) BEFORE CAPITAL AMOUNTS	302	0	302
Net Outlays on Existing Assets			
Capital Expenditure on Renewal and Replacement of Existing Assets	(10,408)	(1,115)	(11,523)
Proceeds from Sale of Replaced Assets	501		501
Depreciation	8,358		8,358
NET OUTLAYS ON EXISTING ASSETS	(1,549)	(1,115)	(2,664)
Net Outlays on new and Upgraded Assets			
Capital Expenditure on New and Upgraded Assets & Remediation costs	(5,203)	(976)	(6,179)
Capital Grants and Monetary Contributions for New and Upgraded Assets	500	241	741
Proceeds from Sale of Surplus Assets	2,257	1,210	3,467
NET OUTLAYS ON NEW AND UPGRADED ASSETS	(2,446)	475	(1,971)
Net Lending/ (Borrowing) for Financial Year	(3,693)	(640)	(4,333)

**ADELAIDE HILLS COUNCIL
SPECIAL COUNCIL MEETING
Tuesday 11 September 2018
AGENDA BUSINESS ITEM**

Item: 6.5

Originating Officer: Sharon Leith Sustainability Officer

Responsible Director: Peter Bice Director Infrastructure and Operations

Subject: Draft Gumeracha Main Street Masterplan

For: Decision

SUMMARY

The purpose of this report is to present the draft Gumeracha Main Street Masterplan (the draft Masterplan) for endorsement for broader community engagement and feedback. The draft Masterplan has been developed with the Gumeracha Main Street Project Group (GMSPG) through an extensive community engagement process. The draft Masterplan is made possible through a grant from the Australian Government through the Building Better Regions (\$20,000), Department of Planning, Transport and Infrastructure (DPTI) with the Residents Win program (\$32,500) and Council funding (\$22,500) for a total of \$75,000. This draft Masterplan builds on the Design Framework (Residents Win funding application) developed in November 2017. The intention is that this draft Masterplan ensures a coordinated design approach to the main street, facilitates the design documentation of crossing points and the installation of 'Quick Win' projects.

Key design considerations within the draft Masterplan are as follows:

- Consistent feature ornamental cherry street trees within footpath area
- Numerous slow points on the entrance into Gumeracha including cobblestone rumble strips, build outs at specific locations,
- Gateway markers and wayfinding signage
- Low colourful planting within build outs and adjacent hospital
- Artworks along the concrete wall in front of the hospital
- Additional seating at key locations eg in front of Pharmacy.

A broader engagement process is now planned to obtain further feedback on the draft Masterplan and will be undertaken concurrently with the Gumeracha Precinct (Federation Park and Oval) Masterplan consultation to combine the two projects subject to Council endorsement. This broader engagement process will be undertaken in October 2018 for three weeks commencing on Thursday 11 October 2018 and closing on Thursday 1 November 2018.

Council has also been successful in obtaining further grant funding from the Residents Win program of \$120,000 for Stage 2 implementation works. Council has bought forward \$100,000 from 2020/2021 to the 2019/2020 budget to coincide with any Power Line Environment Committee (PLEC) powerline undergrounding, ensure that momentum is not lost for this project and implementation of some elements can be undertaken. This was endorsed at a Special Council meeting on the 12 June 2018.

RECOMMENDATION

Council resolves:

1. That the report be received and noted
2. That Council endorses a broader community engagement process to enable the local community to provide feedback on the outcomes within the draft Masterplan.
3. That the Chief Executive Officer be authorised to consider and respond to minor changes to the draft Masterplan and to timing, advertisements and extent of the broader community engagement process.
4. That a report is provided back to Council by January 2019.

1. GOVERNANCE

➤ Strategic Management Plan/Council Policy

Goal 3.9 Place
Strategy 3.9 We will encourage community – led placemaking approaches to enhance townships and public spaces Goal

➤ Legal Implications

Not Applicable

➤ Risk Management Implications

The endorsement of the draft Masterplan for broader community consultation will assist in mitigating the risk of:

Limited business opportunities and lack of economic vibrancy, unloved streetscape especially trees and unsafe pedestrian crossings within the Gumeracha Main Street leading to increased visual and economic degradation.

Inherent Risk	Residual Risk	Target Risk
Medium (3C)	Medium (2C)	Low (2D)

The draft Masterplan provides a guiding coordinated document that will enable streetscape implementation to be staged and funded.

➤ Financial and Resource Implications

Council has provided a contribution of \$22,500 (exclusive of GST) for this project resulting in \$75,000 (this includes \$20,000 Building Better Regions Grant and \$32,500 from DPTI) being available for Stage 1 of the project.

Council has also been successful in obtaining further grant funding of \$120,000 for Stage 2 implementation works. Council has also bought forward \$100,000 from 2020/2021 to the 2019/2020 budget to coincide with any PLEC works, ensure that momentum is not lost for

this project and implementation of some elements can be undertaken. This was endorsed at a Special Council meeting on the 12 June 2018.

A further \$500,000 has been allocated within the Long Term Financial Plan as Council's contribution towards undergrounding of the powerlines within the Main Street. It is anticipated that further funding may be required to complete the implementation of the draft Masterplan outcomes and this will be incorporated within budget requests and supplemented with grant funding.

➤ **Customer Service and Community/Cultural Implications**

The preparation of the draft Masterplan has been a community driven place making approach that will ensure a coordinated staged and funded process to assist in the revitalisation of the Main Street. This will result in an improved benefit to the Gumeracha and Adelaide Hills community.

➤ **Environmental Implications**

Not Applicable

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

Council Committees: Not Applicable

Council Workshops: Gumeracha Placemaking projects including the Gumeracha Main Street Masterplan was presented at a Council workshop on 13 March 2018. Masterplanning including reference to the Gumeracha Main Street Masterplan was presented at a Council Professional Development session on 17 July 2018.

Advisory Groups: Not Applicable

Administration: Chief Executive Officer
Director Infrastructure and Operations
Director Community Capacity
Director Development and Regulatory Services
Director Corporate Services
Executive Manager Governance and Performance
Executive Manager Organisational Development
Manager Sustainable Assets
Sustainability Officer
Aboricultural and Horticultural Officer
Economic Development Officer
Civil Projects Coordinator
Community Development Officer-Torrens Valley Community Centre
Community and Cultural Development Officer

Community:

GMSPG were matched with Jensen PLUS who prepared a Design Framework for the Main Street, which was successful in Residents Win grant funding. On completion of the draft Design Framework community consultation was undertaken from 1 November to 22 November 2017. This included online surveys on the Council website, hard copy surveys at key facilities within the hills, kitchen table conversations in the Main Street and in the Gumeracha Library foyer, large plans on display at the Gumeracha Primary School. Information on the sessions was distributed via Council website, GMSPG website, social media, hard copy notices in key locations within Gumeracha. This Design Framework was the precursor for the development of the draft Masterplan. A Co-Design workshop was held on Friday 10 (Gumeracha Library foyer) and Saturday 11 August (in the Main Street) to obtain further clarity around design development, the specific location of site furniture and crossing points. Over the two days over 30 people contributed to the design process. The outcomes from this Co-design workshop approach have been incorporated within the draft Masterplan. Information on the Co-design workshop was distributed via Council website, GMSPG website and social media.

2. BACKGROUND

In mid-2016 the community-led Gumeracha Main Street Project Group (GMSPG) was formed. This followed a series of community and business meetings and a visioning session, as well as numerous contacts and meetings with relevant Council staff. GMSPG's main objective is to improve the amenity, functionality and business prosperity of the Main Street (formally known as Albert Street) in Gumeracha.

In March 2017 GMSPG and Council applied for a Residents Win Grant through the Department of Planning, Transport and Infrastructure (DPTI) which is targeted towards 'creating people friendly streets and safer roads'. This process involved matching the project with a relevant consultant to prepare a concept plan and information to enable the application to be prepared.

GMSPG were matched with Jensen PLUS who prepared a Design Framework for the Main Street. This Design Framework was used as the basis for a Residents Win Stage 1 grant application which resulted in a grant of \$32,500 (exclusive of GST) being offered from DPTI in March 2018. Council provided a contribution of \$22,500 (exclusive of GST) for this project resulting in \$55,000 being available for Stage 1 of the project. In kind contribution was also provided from Council and GMSPG.

Stage 1 includes detailed design and documentation of three crossing points and design and installation of 'Quick Wins' including signage, seating, landscaping and/or parklets. In the Stage 1 application process key tasks to be undertaken and an associated budget estimate was also prepared for Stage 2.

In addition GMSPG and Council also applied for Building Better Regions grant funding from the Commonwealth of Australia through the Department of Industry, Innovations and Science for \$20,000 to undertake a Gumeracha Main Street Masterplan. This Masterplan process was intended to compliment the Residents Win funding and provide further design

context for the main street. GMSPG and Council were also successful with this grant funding ensuring \$75,000 (GST exclusive) for the design and document of the Main Street.

In addition to the \$75,000 allocated for the design process Council has also been successful in obtaining Residents Win grant funding of \$120,000 for Stage 2 implementation works. Council has also bought forward \$100,000 from the 2020/2021 to 2019/2020 budget to ensure that momentum is not lost for this project and then implementation of some elements can be undertaken. This was endorsed at a Special Council meeting on the 12 June 2018.

A Council Project Team has also been formed with the Strategic and Sustainability Officer, Economic Development Officer, Civil Projects Coordinator, Community Development Officer-Torrens Valley Community Centre and Community and Cultural Development Officer. This group has met two times to provide input prior to engagement of the consultant and then to review the draft Masterplan. Members of the group have been invited and also attended the Co-design workshops.

A further \$500,000 has been allocated within the Long Term Financial Plan as Council's contribution towards undergrounding of the powerlines within the Main Street.

Jensen PLUS have been engaged as the successful consultant to manage these projects and have completed the Stage 1 draft Masterplan which will guide the design documentation, implementation and installation of the 'Quick Win' elements within the Main Street.

3. ANALYSIS

A Co-design workshop organised and facilitated by JensenPLUS was held on Friday 10 and Saturday 11 August 2018 to test the ideas identified in earlier engagement and the Design Framework. The Co-design workshop also provided further insight into the local issues and opportunities. Over the two day period positive feedback was received from over 30 participants. The discussions and testing of the ideas provided the basis for this draft Masterplan and its concepts. Five key ideas were reinforced through this community engagement process. These included:

- New street tree and amenity planting
- Increase seating and replace the bus stops
- New signage to support the Main Street and businesses in the adjacent streets
- New protuberances to slow and calm traffic at John Fisher Avenue, the Medical Centre and the Post Office and make it easier to cross the road, and
- Increase art opportunities within the street.

Within the Masterplan the design approach is to build on the existing features and town heritage to improve safety and amenity.

Key design considerations included within the draft Masterplan are as follows:

- Consistent feature ornamental cherry street trees within footpath area
- Numerous slow points on the entrance into Gumeracha including cobblestone rumble strips, build outs at specific locations
- Gateway markers and wayfinding signage
- Low colourful planting within build outs and adjacent hospital
- Artworks along the concrete wall in front of the hospital, and
- Additional seating at key locations eg in front of Pharmacy.

Whilst the design and installation of the 'Quick Wins' still has to be confirmed the consultant has identified that by high pressure cleaning the paving throughout the town this would lift the visual look. This could possibly be one of the 'Quick Win' projects.

In addition to the \$75,000 allocated for the design process Council has also been successful in obtaining further DPTI Residents Win grant funding of \$120,000 for Stage 2 implementation works. Council has also bought forward \$100,000 from the 2020/2021 to 2019/2020 budget to ensure that momentum is not lost for this project and implementation of some elements can be undertaken. This was endorsed at a Special Council meeting on the 12 June 2018.

6. BUSINESS OF THE MEETING

6.1. Residents Win Stage 2 Funding Increase Proposal – Gumeracha Main Street

Moved Cr Linda Green
S/- Cr Jan-Claire Wisdom

126/18

Council resolves:

1. That the report be received and noted
2. That Council support the movement of the \$100,000 allocation in the 2020-21 Long Term Financial Plan Capital Allocation to 2019-20 to enable the receipt of \$120,000 grants funding to be received this current financial year 2017-18 as a contribution towards the Stage 2 works in Gumeracha.

	Carried Unanimously
--	---------------------

The total budget for Stage 2 implementation of the draft Masterplan within 2019/2020 is \$220,000.

The timing of this project along with the potential undergrounding of the powerlines (Power Line Environment Committee scheme) will provide an integrated design response for the Main Street Gumeracha, if subsequently approved by PLEC and SA Power Networks. Council are also currently preparing a Stormwater Management Plan for the Gumeracha township including the Main Street.

A broader engagement process is now planned to obtain further feedback on the draft Masterplan and possible Quick Wins. This will involve:

- Listening Post's to be set up in the Main Street and in the Gumeracha Precinct area;
- Attendance at the Nature Play Day planned for 11 October 2018 in Federation Park; and
- Online engagement through My Say on the AHC website.

The broader engagement process will be undertaken concurrently with the Gumeracha Precinct Masterplan (Federation Park and Oval) consultation to combine the two projects and limit consultation fatigue within the Gumeracha community. The community can then if they wish provide feedback on both projects.

This broader engagement process will be undertaken in October 2018 for three weeks commencing on Thursday 11 October 2018 (Nature Play Day in the Park) and closing on Thursday 1 November 2018. Listening Posts will be undertaken on either Saturday 20 or Saturday 27 October 2018. The October dates ensure that the consultation process is outside of school holiday time.

A Public Notice will be placed in the Courier, posters located in the Torrens Valley Community Centre foyer and other key buildings, and information distributed via social media to inform the broader community of the engagement process. In addition the GMSPG have extensive local networks which will ensure a comprehensive distribution of the information. The broader community engagement process for the Gumeracha Main Street Masterplan will be undertaken by Council and the GMSPG.

The intention is that further design documentation and installation of the 'Quick Win' components of the project will be undertaken over the next six months. At this stage implementation of the 'Quick Win' component is likely to occur in February or March 2019.

4. OPTIONS

Council has the following options:

- I. Receive the draft Masterplan and resolve to undertake community engagement as identified in this report. (Recommended)
- II. Resolve not to undertake community consultation. Should the Council decide not to undertake this broader community consultation the placemaking approach to partner with the community to develop the draft Masterplan may be perceived to be compromised. (Not Recommended)

5. APPENDIX

- (1) Albert Street Gumeracha-Main Street Master Plan - Draft Design Report

Appendix 1

*Albert Street Gumeracha-Main Street Masterplan –
Draft Design Report*

Albert Street Gumeracha

August 2018

Main Street Master Plan

Draft Design Report



Australian Government

BUILDING OUR FUTURE



Government of South Australia

Department of Planning,
Transport and Infrastructure



Adelaide Hills
COUNCIL

**JENSEN
PLUS**

Planning
Landscape Architecture
Urban Design
Social Planning

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Next Steps	21

Revision B
30th August 2018

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1. Summary

Summary

As part of the Residents Win Funding Program Jensen PLUS were invited to work together with the Gumeracha Main Street Project Group (GMSPG) to devise techniques to improve the safety of Albert Street (as a road / thoroughfare). It became clear at the outset of this process that a holistic view should be taken prior to “jumping in” with engineering or traffic calming suggestions for the road. Albert Street needed to be considered in the context of the township as a whole and considered as an incubator, conductor and focal point for community activity.

From experience in other local projects it is evident that an intensive upgrade of 2-3 blocks can prove more beneficial to the overall appeal and image of a place than a scheme which is diluted over a large expanse. Thus

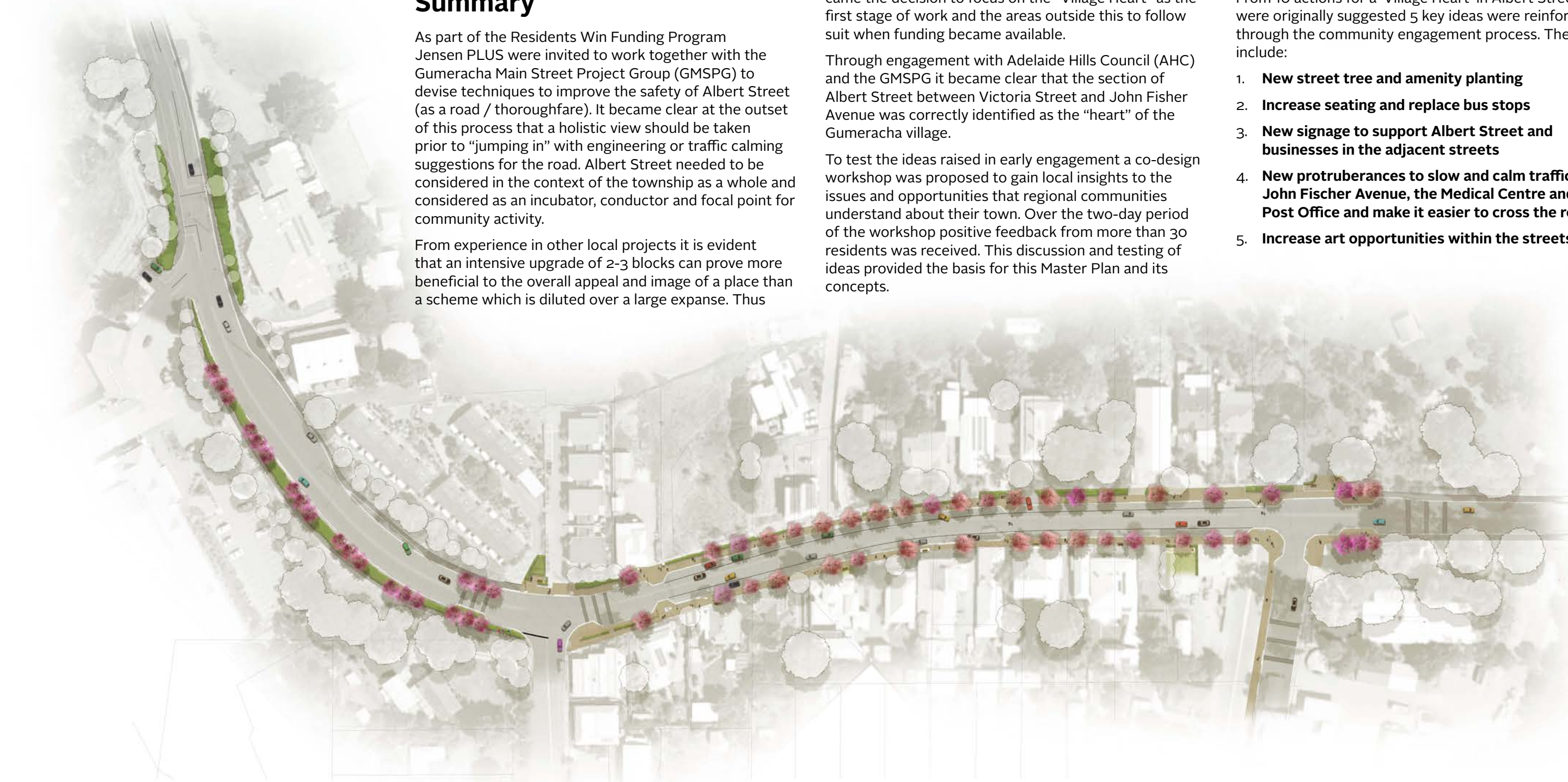
came the decision to focus on the “Village Heart” as the first stage of work and the areas outside this to follow suit when funding became available.

Through engagement with Adelaide Hills Council (AHC) and the GMSPG it became clear that the section of Albert Street between Victoria Street and John Fisher Avenue was correctly identified as the “heart” of the Gumeracha village.

To test the ideas raised in early engagement a co-design workshop was proposed to gain local insights to the issues and opportunities that regional communities understand about their town. Over the two-day period of the workshop positive feedback from more than 30 residents was received. This discussion and testing of ideas provided the basis for this Master Plan and its concepts.

From 10 actions for a ‘Village Heart’ in Albert Street that were originally suggested 5 key ideas were reinforced through the community engagement process. These include:

1. **New street tree and amenity planting**
2. **Increase seating and replace bus stops**
3. **New signage to support Albert Street and businesses in the adjacent streets**
4. **New protruberances to slow and calm traffic at John Fischer Avenue, the Medical Centre and the Post Office and make it easier to cross the road**
5. **Increase art opportunities within the streetscape**





Albert Street, the “Village Heart” of Gumeracha extends from Victoria Street to John Fisher Avenue. Its heritage buildings are prominent and an important part of the town’s character.



2. Introduction

An introduction to the Gumeracha Main Street project



Streets at Goodwood Road in Adelaide have been designed with colour and quality, and can host community events



At Sixth Street, Murray Bridge, Jensen PLUS led a team to transform the streetscape into an attractive, green and functional street. Rain gardens pictured here catch stormwater and passively irrigate the new trees and plantings.

Location

Gumeracha is a town in the Adelaide Hills, South Australia, located on the Adelaide-Mannum Road, about 37km from Adelaide. It has a population of approximately 700 residents and is surrounded by large tracts of orchards, grape growing and dairy farms.

Project Objectives

The key deliverable for the Gumeracha Main Street project is to develop a Masterplan for the wider precinct and finalise detailed design for 'The Village Heart' precinct, including a shovel ready 'Quick Win' project to be implemented in the short term.

In addition this framework aims to achieve the following objectives:

- _ Provide a document which is consistent with other relevant plans
- _ Adopt a multidisciplinary approach to developing an integrated strategy and plan
- _ Highlight and focus on areas within a budgetary framework
- _ Develop a framework that reflects community aspirations and addresses the inter-relationships between the elements of the urban environment
- _ Facilitate the development of a more attractive and vibrant public realm
- _ Consolidate priorities for the Adelaide Hills Council, the Gumeracha Main Street Project Group and the community of Gumeracha
- _ Create linkages with the Gumeracha Precinct-Federation Park and Oval and concurrent masterplan process
- _ Consider opportunities presented by undergrounding powerlines to enhance the streetscape
- _ Actively attract people to visit and stop in Gumeracha

Previous Work

As part of the Residents Win Funding Program Jensen PLUS were invited to work together with the Gumeracha Main Street Project Group to devise techniques to

improve the safety of Albert Street (as the main road / thoroughfare). It became clear at the outset of this process that a holistic view should be taken prior to "jumping in" with engineering or traffic calming suggestions for the road. Albert Street needed to be considered in the context of the township as a whole and considered as an incubator, conductor and focal point for community activity. It is primarily a "Main Street" that should be supportive of people and use and not just a busy "connector" between hills towns. The Gumeracha Main Street Project Group and broader community were also of this mindset, however reflecting these important characteristics on the ground is difficult, particularly without guiding plans or principles or budgets!

Jensen PLUS, after investigations and analysis of consultation results were undertaken, sketched a design framework to inform subsequent physical works to Albert Street. This drawing intended to define a series of Main Street nodes;

- _ The Arrival
- _ Village Heart
- _ Federation Park Hub
- _ Civic + Sports Hub

Through engagement with Adelaide Hills Council and the Gumeracha Main Street Project Group it became clear that the section of Albert Street between Victoria Street and John Fisher Avenue was correctly identified as the "heart" of the Gumeracha village. This was a local destination, where day-to-day life happened and was a precinct that had the potential to best represent what it meant to live, work and play in Gumeracha. So many amazing small business enterprises and producers have recently established themselves throughout the local area but are disjointed with no "face" - a revitalised and improved Village Heart area has the potential to represent this local product and the people, so long as the physical allows it to grow.

Lessons learnt from elsewhere

Experience from other main streets and regional towns

can help to identify wider trends and context that could influence the future of Gumeracha Main Street as well. Wider trends include:

- _ Main streets focusing not just on shopping but moving to a broader offer including retail, entertainment, and community activity
- _ Quality and niche food and beverage uses are frequently leading the influx of activity to new areas
- _ Authentic shops (not chains or franchises), and experiences unique to the place (including public art) are essential for local and tourist vibrancy
- _ Quality public realm is essential to attracting more customers/visitors, and enticing them to stay longer. This includes seating, shelter, signage, wifi and outdoor experiences
- _ Designing streets for people that are safe, functional, comfortable and green are increasingly pre-requisites to successful main street precincts.

All these lessons helped form the approach to the Gumeracha Main Street design investigations and framework.



PERAMANGK CULTURE & HARMONY

We are committed to recognising the complete history of our township, knowing and celebrating local Aboriginal culture and developing a two way partnership with Peramangk Peoples for a harmonious future.

FRIENDLY

Gumeracha Main Street is a community space where locals and visitors feel comfortable to enjoy. In businesses and outside it is a space for people of all ages, cultures and backgrounds - everyone is welcome.

NATURE

Gumeracha Main Street is connected to the natural environment. It provides access and visual amenity to the natural beauty that surrounds it. Design elements reflect the close relationship between the street and the world beyond.

ABUNDANCE

We celebrate the produces of local artisans. Fresh food, locally made products and artworks are available in businesses on the street and public spaces reflect the community and its abundant offerings.

LINGER

Gumeracha Main Street is a place to spend time for leisure, business and community. It provides places to meet, stop, shop and play.

DISCOVERY

The Main Street has a character of its own. There are elements of surprise and an allure to explore and discover the heart and history of the township.

UNINHIBITED

Gumeracha Main Street is not limited by convention. It respects heritage while embracing new and exciting elements which make it stand out from the crowd. Art is celebrated and shared and good design is considered in all aspects.

SAFE

Gumeracha Main Street is a place where everyone feels safe - whether that's crossing the road, walking at night or splashing in puddles. Spaces are designed with consideration for all users of the street - from the very young to the very old.

3. Site Context



Overhead power lines take preference over street trees resulting in pollarding .



Town wayfinding signage is basic and in varying states of repair.



The western entries to Albert Street are wide and promote high vehicle speeds.



Street tree planting has been poorly positioned for pedestrian movement.



Seating is limited in scope given the steepness of Albert Street.



Gumeracha Main Street is on a steep slope with minimal stormwater infrastructure.



Historical pruning regimes due to the power lines have affected street tree health.



The Gumeracha Hotel currently lacks connection to the streetscape.



Large verges at back of NW footpath create an opportunity to increase greening.



Uniqueness + creativity in local art displayed within Federation Park.



Pram ramps for crossing, a wide road and vehicle speeds are issues outside the Gumeracha Hotel + Albert Street generally.



Maintenance issues to be addressed.



Local businesses are creating a streetscape impression in innovative ways.



Building set backs can allow for parking to the front of some businesses.



Local history monuments express Gumeracha's rich + unique heritage.



Federation Park's attractive framed view via a memorial archway.



Length of concrete retaining wall to Memorial Hospital is an opportunity for public art and an entry statement to Albert Street.

New businesses are establishing just off Albert Street and options for highlighting and integrating these into the overall experience of Gumeracha will add to the vitality of the town and its main street.





4. Investigations + Engagement

Engaging the local community

Engagement (in particular the workshops held on site) was very successful with good attendance, great participation and wide appreciation for the chance to be involved in the identification and prioritisation of concepts and projects for both early wins and a longer term strategy.

An Engagement Framework was agreed at the start-up meeting of the project to get the best response from the Gumeracha community. It was based on the following key project objectives and outcomes.

Engagement framework

Objectives

- _ Coordinate and implement logical and clear engagement of two contracts with separate funding, Stage 1 Concept Design Package (Masterplan) and Stage 2 Detailed Design + Quick Wins Detail Package, to satisfy one community, in one place, to achieve one vision from the big picture through to the small
- _ Consider Albert Street in the context of the township as a whole and as an incubator, conductor and focal point for community activity
- _ Establish a “Main Street” that is supportive of people and use, while reflecting important characteristics of the area
- _ Focus future investment on those areas that really generated the most business activity, trade and opportunity for social integration
- _ Revitalise and improve the Village Heart area that has the potential to represent this local product and the people with public art, signage, landscaping, parklets and view orientated seating
- _ Focus on revitalising the Village Heart in the first stage of work and the areas outside of this to follow with attraction of funding

Outcomes

- _ Acquiring an understanding of the existing condition of public spaces and recreation areas
- _ Engaging the local community in identifying the desired character and the uniqueness of the town
- _ Planning for the development or enhancement of open spaces and pedestrian/cycle links
- _ Providing a unified, community-friendly design for the main street
- _ Producing a blueprint for improved township entrance statements
- _ Consolidating future development priorities for Council and the township of Gumeracha
- _ Prioritising identified projects with respect to importance, cost and ability to be achieved.

The Engagement Framework outlined actions for this project based on these objectives and outcomes by defining the stakeholders, the principles for engagement, and outlining important engagement steps.

Stakeholders

The Engagement Framework identified several stakeholders who included;

- _ The Gumeracha Main Street Project Group
- _ Main street traders, those in the near vicinity and landowners and,
- _ The community of Gumeracha
- _ The Adelaide Hills Council
- _ The Department of Planning, Transport and Infrastructure

Engagement approach -

Co-Design Workshop

Engagement with communities to facilitate respectful collaboration is a tried and tested approach for many of Jensen PLUS' projects. For Gumeracha an intensive on the ground approach involving the community was



Day 1 of the Co-Design workshop the community members of Gumeracha discuss concepts with Council + consultants.



Gumeracha locals suggested 'Quick Wins' they believed would make an impact to their Main Street.



Community members prioritise landscape elements they want to see most.

undertaken to ensure the existing conditions were discovered and understood, what the community values and opportunities for improving key local places and the links between them. To achieve strong community and stakeholder engagement an intensive 2 day workshop was envisaged.

The workshop was facilitated by Adelaide Hills Council staff and consultants Jensen PLUS. Significant promotion of the workshop in the community through social media, posters in shop windows and invitations ensured the community had the opportunity to participate. The community were able to see their ideas from previous consultation workshops turned into a plan and precedent image boards and then were asked to prioritise ‘quick wins’ and preferred landscape elements. Over 30 people in total attended the workshops at different times.

The Gumeracha Library was the venue for the first session on Friday 10th August, while the Saturday 11th August session went out to the Gumeracha Hotel verandah to engage residents as they went about their weekend errands.

Friday Session:

The Co-Design workshop agenda included the following activities:

- **Key stakeholder introductory presentation** by Jensen PLUS’ Michael McKeown and Chelsea Lewis from the Gumeracha Main Street Project Group provided background information to the project and facilitated a brief group discussion.
- **Open Studio** - The session then encouraged the community members present to contribute to the design process by viewing the prepared ideas on the walls. These were structured so precedents and a plan were available with capacity for comments to be expressed regarding the likes, dislikes, and desires for each element and indication of preferred

landscape elements recorded by yellow stickers. Other community members dropped in during the afternoon to add their views.

Saturday Session:

- **Open Studio** - The open studio ‘took to the street’ and set up the precedent image boards under the Hotel verandah. Red stickers were supplied to the residents for voting and at the end of the two days certain elements were obviously favoured by the community - being covered in the yellow and red dots!
- **Immersion Street Walk** - Michael McKeown led a group in walking the length of the street discussing changes to planting, paving, furniture etc. Again, those from the general community who attended welcomed many of the ideas and provided specific local knowledge, fresh ideas and views that are so important when designing for local communities.



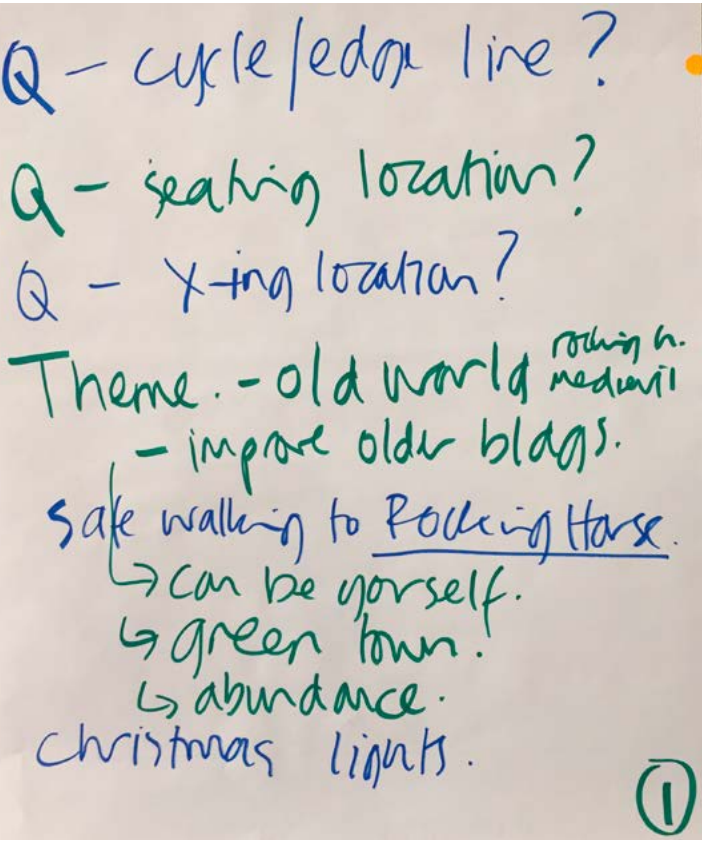
The Friday session began with presentations describing ‘how did we get here’ and ‘where to from here’?



Community voting for ideas and adding new ones.



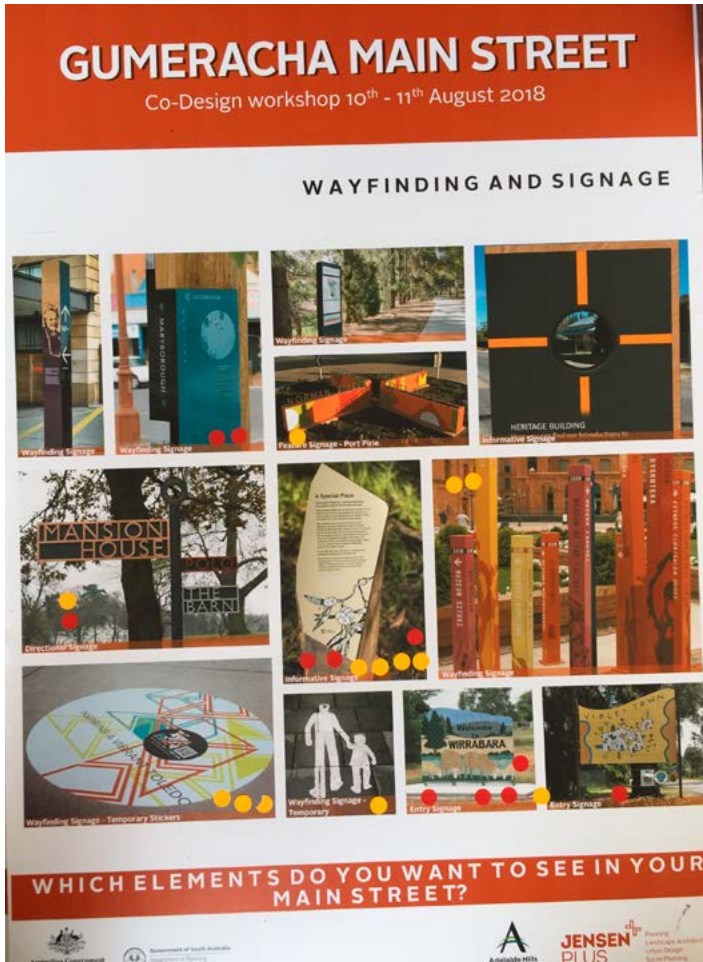
The Precedent Image boards on display in the Gumeracha Library.



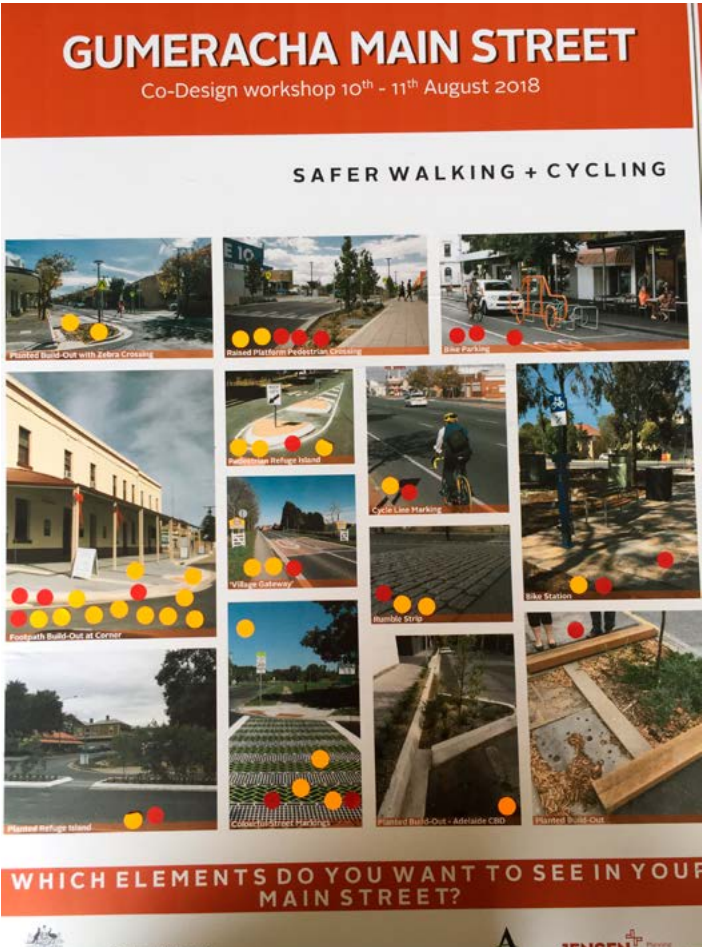
Jensen PLUS took advantage of discussions with community members to understand issues important to them and additional ideas they suggested!



A community member reviewing the precedent boards.



Poster - Wayfinding and Signage with stickers showing community preferences



Poster - Safer walking + Cycling with stickers showing community preferences



By the end of the two days certain elements were obviously favoured.



The Hotel verandah provided some shelter from the occasional shower.



The GMSPG kept community drop-ins well fed.



Cold temperatures and the odd shower of hail didn't keep everyone away.



Day Two saw great additions to the Quick Win ideas

5. Overall Master Plan

A concept design for main street improvements





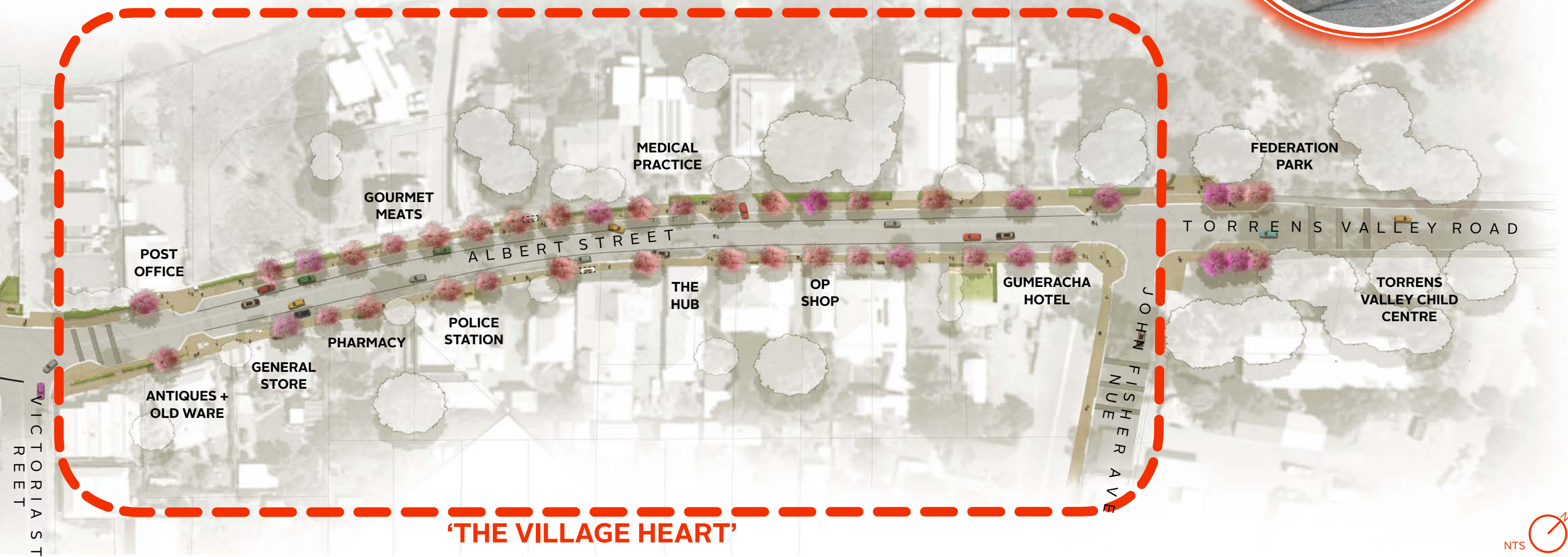
WAYFINDING / MARKER ELEMENTS



CHERRY AVENUE



PEDESTRIAN CROSSINGS



Concept Design

‘The Arrival’



Before



After - Artist's Impression: An artist designed wall marks initial entrance to Gumeracha and new planted build outs, rumble strips and feature street tree planting adds to the amenity while calming traffic
Note : Image depicts street after power undergrounding and streetlight installation

REFER TO PLAN IN BOX BELOW



GUMERACHA PRIMARY
SCHOOL

EXISTING ENTRANCE TO
GUMERACHA DISTRICT
SOLDIERS MEMORIAL
HOSPITAL

NEW LOW, COLOURFUL
+ SPREADING AMENITY
PLANTING TO BANK,
INCLUDING NEW FEATURE
ORNAMENTAL CHERRY
STREET TREES

EXISTING FOOTPATH TO
MAIN STREET

NEW AMENITY PLANTING
TO SIGNIFY ENTRY TO
TOWNSHIP OF GUMERACHA.

EXISTING PEDESTRIAN
CROSSING WITH TRAFFIC
LIGHTS

GUMERACHA DISTRICT
SOLDIERS MEMORIAL
HOSPITAL

ARTIST DESIGN ON CONCRETE
RETAINING WALL

'VILLAGE GATEWAY' NEW
PLANTED BUILD OUTS WITH
COBBLE STONE RUMBLE STRIPS
TO CALM TRAFFIC ENTERING
GUMERACHA MAIN STREET

COLOURFUL MARKERS TO
DEMARCAT BEGINNING OF
GUMERACHA MAIN STREET

GUMERACHA
RETIREMENT VILLAGE

TORRENS VALLEY ROAD



LOCATION PLAN



REFER TO PLAN ABOVE

1:500@A3

Concept Design

‘The Village Heart’ - Part 1

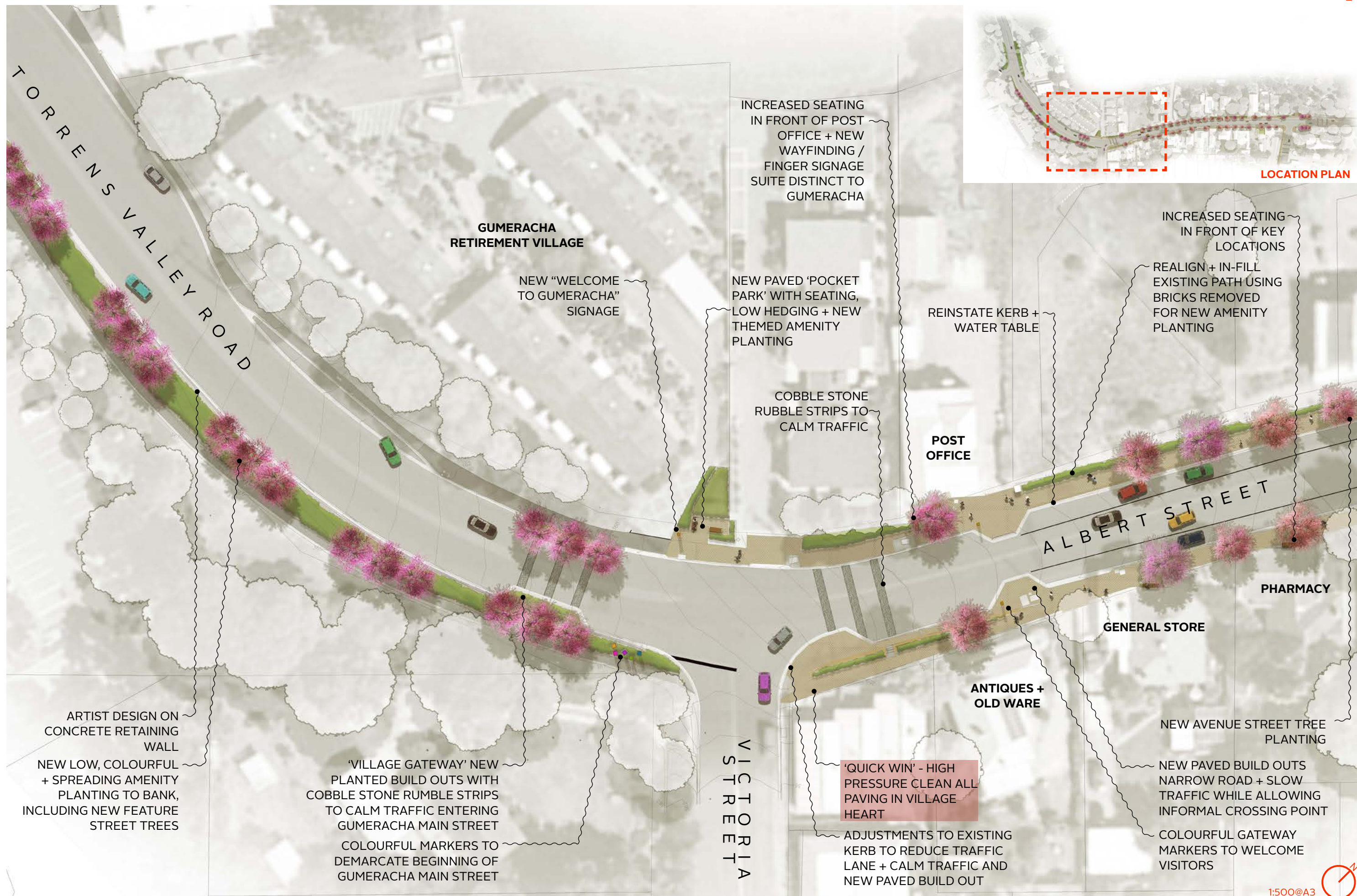


Before



After - Artist's Impression: Paved build outs, unique marker signs and rumble strips to slow traffic and denote an entrance to the "Village Heart".

Note : Image depicts street after power undergrounding and streetlight installation



Concept Design

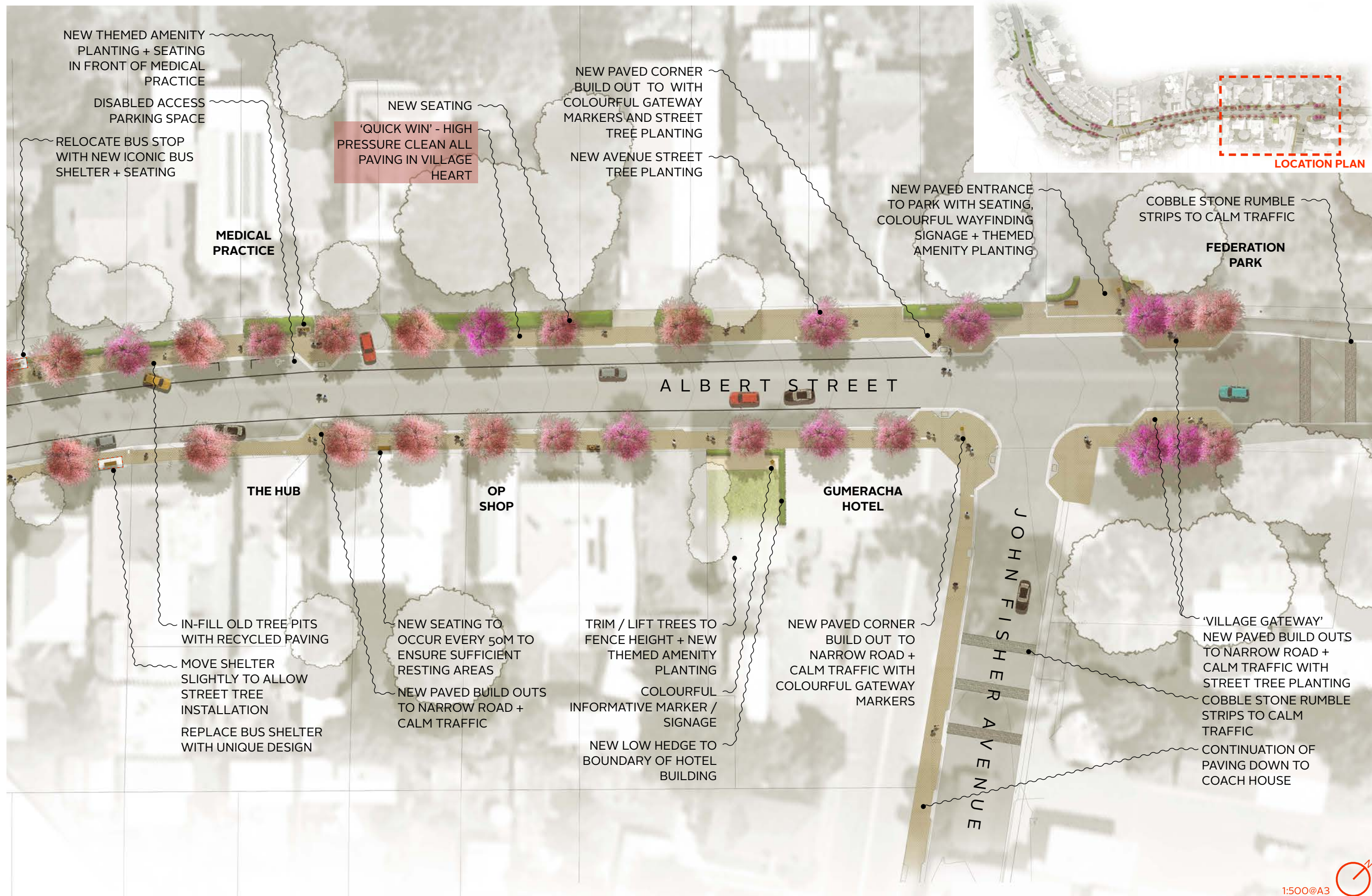
‘The Village Heart’ - Part 2



Before



After - Artist's Impression: Corner build outs, colourful gateway markers and avenue street tree planting
Note : Image depicts street after power undergrounding and streetlight installation





The heritage character of Albert Street is a community favourite and the proposed amendments to the streetscape aim to improve the amenity setting for this character.



6. Next Steps

What next?

Continuing Engagement

We will continue engaging with key stakeholders including DPTI, Adelaide Hills Council and the Gumeracha Main Street Project Group to confirm the direction of the project following the Co-design workshop and the production of this report draft.

Council and the GMSPG will coordinate a broader community consultation and Jensen PLUS will assist in this process.

On completion of this engagement a review of the feedback will be undertaken and we will incorporate the agreed changes into the Concept Design Package.

Quick Win Detailed Design Package

To meet agreed funding targets a shovel ready 'Quick Win' project will be developed to construction detailing of any newly designed elements and will include management of the process. This may involve:

- _ Layout Plans showing locations for the Quick Wins to assist in installation
- _ Typical construction details (if new elements are being constructed) for tender to be further detailed in manufacturers' shop drawings
- _ Tender specification and drawing package
- _ Liaison with others involved in delivering Quick Wins
- _ Working with an artist to develop conceptual ideas for public art
- _ Signage and graphic design

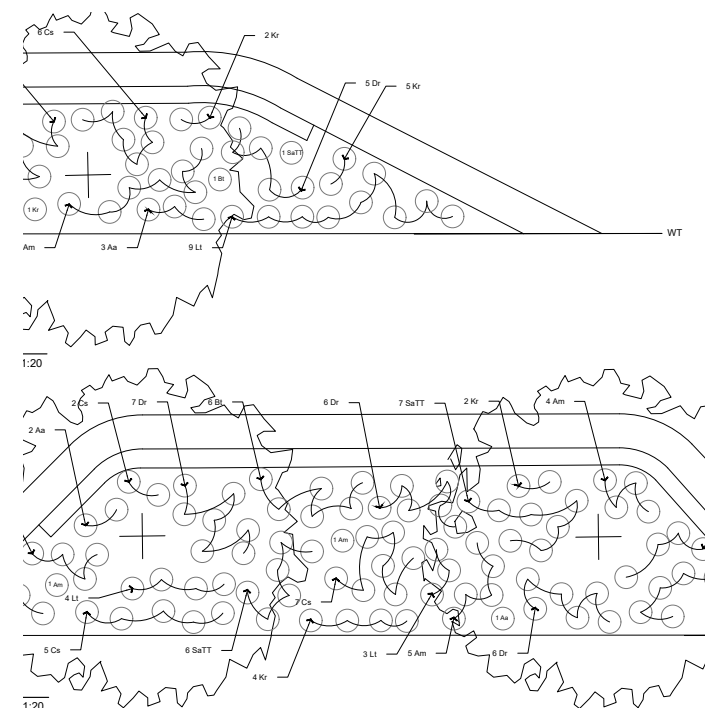
Detailed Design Drawings

Jensen PLUS will then produce a detailed design and documentation set of the agreed upgrade elements inside the 'Village Heart' of Albert Street. This set will be collated in a simplified form for another round of community consultation.

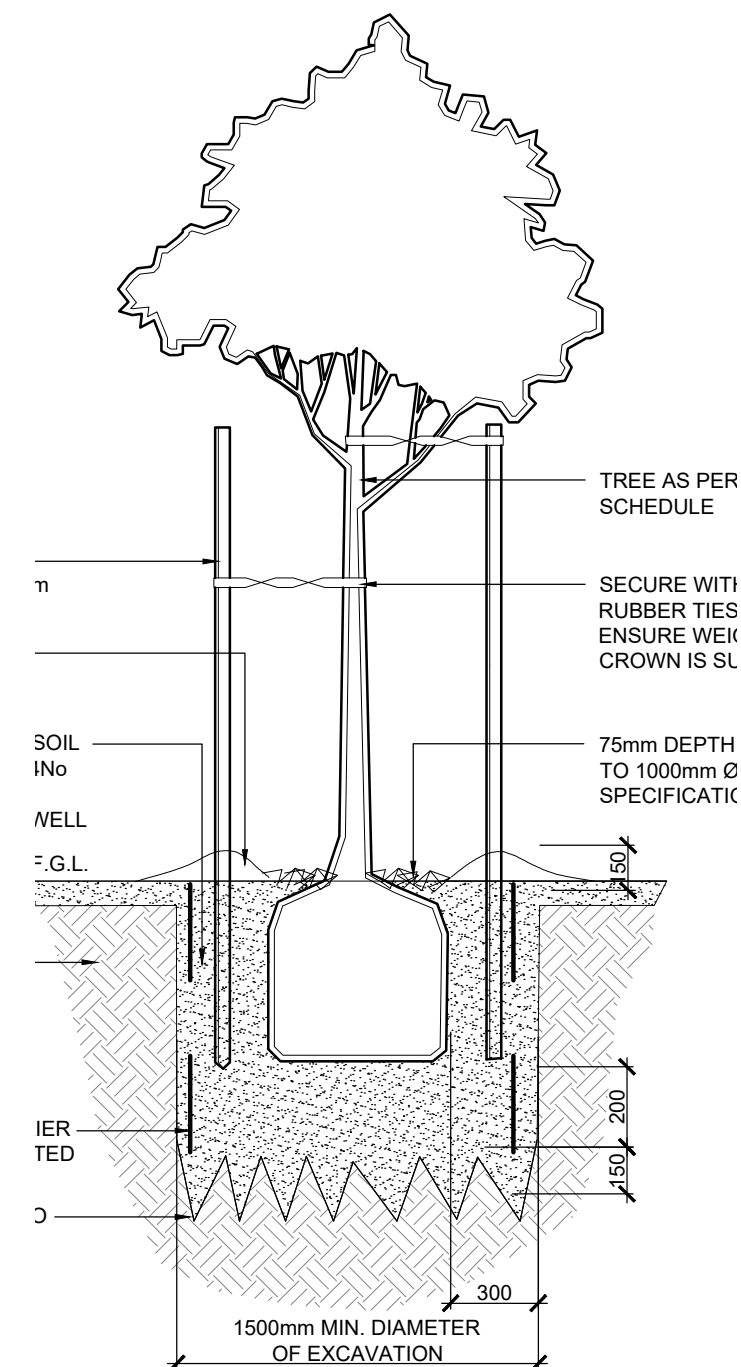
Council and the GMSPG will again coordinate a engagement process to gain community input with

Jensen PLUS' assistance in material preparation.

Building from Client, Stakeholder and community feedback we will finalise the detailed design set and produce a documentation package suitable for any tendering process and update the Concept Design Package.



Build out planting detail example



Tree planting detail example

21 Roper Street
Adelaide 5000 South Australia
08 8338 5511
admin1@jensenplus.com.au
www.jensenplus.com.au

**ADELAIDE HILLS COUNCIL
SPECIAL COUNCIL MEETING
Tuesday 11 September 2018
AGENDA BUSINESS ITEM**

Item: 6.6

Originating Officer: Natalie Westover, Manager Property Services

Responsible Director: Terry Crackett, Director Corporate Services

Subject: Road Exchange – McBeath Drive Skye/Horsnell Gully

For: Decision

SUMMARY

The purpose of this report is to seek a resolution to undertake an exchange of land to facilitate an alteration to the location of an unmade section of the road known as McBeath Drive which borders the suburbs of Skye and Horsnell Gully in accordance with Preliminary Plan No. 17/0066 (**Appendix 1**). This section of unmade road is the border between Adelaide Hills Council (AHC) and the City of Burnside (COB) with the boundary being the centreline of the unmade road in the location identified in **Appendix 2**.

The unmade section of McBeath Drive predominantly exists over an area of land which is unsuitable for the creation of a road due to the topography of the land.

A Development Approval was issued by the Development Assessment Commission on 8 July 2016 to Boral Resources (SA) Ltd (Boral) for a boundary realignment which has the effect of creating 3 residential allotments requiring access from McBeath Drive (**Appendix 3**).

The boundary realignment contemplates a realignment of the existing road reserve and will also require a Council boundary adjustment between AHC and the COB.

RECOMMENDATION

Council resolves that:

1. The report be received and noted
2. In accordance with sections 12 and 15 of the *Roads (Opening and Closing) Act 1991*, as regards the land within the Adelaide Hills Council area, enter into an Agreement for Exchange with Boral Resources (SA) Ltd and issue a Road Process Order to open as road portions of Section 906 Hundred of Adelaide numbered "1", "2" and "3" on Preliminary Plan No. 17/0066 (**Appendix 1**) and in exchange to close portions of McBeath Drive marked "A", "B", "C" and "D" on Preliminary Plan No. 17/0066, subject to the following:
 - a. Boral Resources (SA) Ltd agreeing to pay all costs associated with the road exchange process including but not limited to all survey, valuation and reasonable legal costs;

- b. Boral Resources (SA) Ltd agreeing to pay all costs associated with a Council boundary adjustment between Adelaide Hills Council and the City of Burnside to rectify the resulting Council boundary anomaly from the road exchange process
3. The closed road be excluded as Community Land pursuant to the *Local Government Act 1999*.
 4. Council approves the sale of the differential between the total area of closed road and the total area of opened road of approximately 1,242m² to Boral Resources (SA) Ltd for the amount of \$6,210 as determined by an independent valuation.
 5. Subject to the successful completion of the road exchange process, Council undertakes a process in conjunction with the City of Burnside to realign the local government boundary along the new location of McBeath Drive to the south side of pieces 42, 52 and 62 of the proposed residential allotments in accordance with the provisions of the *Local Government (Boundary Adjustment) Amendment Act 2017* (to commence on 1 January 2019) and/or Part 2 of Chapter 3 of the *Local Government Act 1999*.
 6. The Mayor and Chief Executive Officer be authorised to sign all documents necessary, including affixation of the common seal, to give effect to this resolution.
-

1. GOVERNANCE

➤ Strategic Management Plan/Council Policy

Goal 3	Places for people and nature
Strategy 3.5	We will take a proactive approach, and long term view, to infrastructure maintenance and renewal

The current legal road reserve is unsuitable for the construction of a road due to the topography of the land, a road in that location would be difficult to construct and maintain.

The proposed new residential allotments include a fire protection buffer zone on the opposite side of the proposed road which will create an anomaly of the Council boundary running through the new allotments. As the proposed road will solely service the new residential allotments which are in the COB area, the logical position is for the road to also be wholly within the COB area. COB has assessed and approved the construction plans for the proposed road.

➤ Legal Implications

The road exchange process is undertaken in accordance with the requirements of the *Roads (Opening and Closing) Act 1991*.

The *Local Government (Boundary Adjustment) Amendment Act 2017* is due to commence on 1 January 2019. This new Act will simplify the process for undertaking a Council boundary adjustment of this nature so it is recommended that the process to adjust the boundary be delayed until this Act commences.

➤ **Risk Management Implications**

The road exchange process will assist in mitigating the risk of:

Community members traversing across private land in the belief it is a public thoroughfare leading to increased risk and liability to the landowner.

Inherent Risk	Residual Risk	Target Risk
Low (2D)	Low (2E)	Low (2E)

The road exchange process will assist in mitigating the risk of:

The inability of Boral to complete their land division leading to a decrease in confidence in the Council .

Inherent Risk	Residual Risk	Target Risk
Extreme (3A)	Low (3E)	Low (3E)

The council boundary adjustment process will assist in mitigating the risk of:

Allotments straddling council boundaries leading to administrative complexities in managing services and rates to the allotments.

Inherent Risk	Residual Risk	Target Risk
High (2A)	Low (2E)	Low (2E)

The report issue is a new mitigation action specific to this circumstance.

➤ **Financial and Resource Implications**

Boral has agreed to pay all costs associated with the road exchange process and the council boundary realignment process and to purchase 1242m² of land from AHC at a cost of \$6,210.

The processes to be undertaken by AHC will be managed within existing resource allocations.

➤ **Customer Service and Community/Cultural Implications**

Not Applicable

➤ **Environmental Implications**

Not Applicable

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Property Advisory Group

Administration: Manager Development Services
Coordinator Property & Buildings, City of Burnside

Community: Public consultation in relation to the proposed road process was undertaken under delegated authority in accordance with Council's *Public Consultation Policy* and the requirements of the *Roads (Opening and Closing) Act 1991*.

Consultation commenced on 7 February 2018 for a period of 28 days and included:

- Publication of a notice in the Eastern Courier Messenger;
- Publication of a notice in the Hills Courier Messenger;
- Publication of a notice in the Government Gazette;
- Serving of a notice in writing on each person affected by the proposed road realignment;
- Serving of a notice in writing on prescribed public authorities and utilities;
- Deposit of a copy of the public notice at the Adelaide office of the Surveyor-General.

There were no objections or requests for easement received.

2. BACKGROUND

McBeath Drive is an unmade section of road that runs from the top of Kensington Road Wattle Park to join the made section of McBeath Drive Skye.

The unmade section of McBeath Drive is the border between Horsnell Gully within the Adelaide Hills Council to the south and Skye within the City of Burnside to the north and exists on a steep slope on the northern side of the ridge with the Council boundary running down the middle of the unmade road (**Appendix 2**). There is an existing walking trail area that connects the top of Kensington Road and the made section of McBeath Drive which runs along the ridgeline predominantly on the land owned by Boral.

Boral owns the land on either side of the unmade road and obtained a Development Approval in 2016 to undertake a boundary realignment over their land which will result in 3 residential allotments on the northern side of McBeath Drive. The approved land division contemplates that a road exchange will be required to create the 3 allotments in that location and that the 3 allotments will be split into 2 pieces each with a buffer zone on the southern side of McBeath Drive for fire protection purposes (**Appendix 3**).

3. ANALYSIS

Upon examination of Preliminary Plan 17/0066, it is apparent that the proposed Road Exchange would result in:

- A total of 5,035 square metres of road being opened and 6,387 square metres of road being closed;
- A net increase to Boral land holdings by 1,352 square metres;
- A net reduction in COB land holdings by 110 square metres; and
- A net reduction in AHC land holdings by 1,242 square metres.

The approved land division and contemplated road exchange, if approved, will result in the allotments and road straddling the boundary between the AHC and the COB creating administrative, rating and liability issues. Staff from both the AHC and the COB have expressed a preference that the boundary between the Councils be adjusted to rectify the anomaly caused by the land division.

The new *Local Government (Boundary Adjustment) Amendment Act 2017* will commence on 1 January 2019. Draft guidelines released for consultation indicate that the process for the type of boundary adjustment required in this circumstance will be quite simple with the new Commission to determine the level of consultation, if any, required.

It may be possible for AHC and COB to work with the Commission to have a proposal under the new framework 'ready to go' on 1 January 2019 so all that is required after the commencement of the new provisions is formal sign-off. This will be further investigated once the guidelines have been finalised and released.

Boral has committed to bearing all costs associated with this boundary realignment process and to purchase 1,242 square metres of land from AHC at a cost of \$6,210.

In the event that the proposed road exchange is successful and an application for boundary realignment is unsuccessful under either the existing or new legislation, it will be incumbent on AHC and COB to develop an alternative management agreement moving forward in relation to the servicing of the three proposed residential allotments. This arrangement would likely take the form of an operational services agreement between the two councils.

4. OPTIONS

Council has the following options:

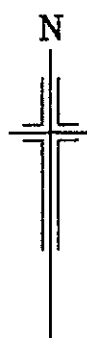
- I. Resolve to endorse the road exchange process and commence the council boundary adjustment in accordance with the recommendation (Recommended)
- II. Resolve not to endorse the road exchange process which will result in the inability of Boral to undertake the land division as contemplated in their development approval (Not Recommended)

5. APPENDICES

- (1) Preliminary Plan No. 17/0066
- (2) Map and Aerial of location of McBeath Drive
- (3) Plan of Division
- (4) New road location

Appendix 1

Preliminary Plan No. 17/0066



BURNSIDE COUNCIL

D71289
A11
CT 6071/8

SKYE
MCBEATH DRIVE

SEC 906
CT 6140/938

SEC 917
CT 6140/940

1
F130055
CT 5754/762
AC
R6583
CT 5859/529

2
F130056
CT 5751/303

MCBEATH DRIVE

KENSINGTON ROAD

MCBEATH DRIVE
HORSNELL GULLY

SEC 906
CT 6140/938

ADELAIDE HILLS COUNCIL



SECTION OF EXISTING ROAD TO REMAIN UNCHANGED



ROAD TO BE OPENED



ROAD TO BE CLOSED

AREA SCHEDULE (subject to survey)

1 208m²
2 2288m²
3 2539m²

A 1443m²
B 1414m²
C 1165m²
D 2365m²

PRELIMINARY PLAN

17/0066

PLAN UNDER THE ROADS (OPENING & CLOSING) ACT, 1991 AS AMENDED

TITLE REFERENCE FOR ROAD N/A

IRRIGATION AREA DIVISION
HUNDRED ... ADELAIDE
AREA ... HORSNELL GULLY & SKYE
COUNCIL ... ADELAIDE HILLS COUNCIL & CITY OF BURNSIDE

SCALE 0 20 40 80 120 160 METRES

STATEMENTS CONCERNING EASEMENTS ANNOTATIONS AND AMENDMENTS

ROAD TO BE CLOSED LETTERED A, B, C & D.
ROAD TO BE OPENED NUMBERED 1, 2 & 3.

ROAD TO BE CLOSED LETTERED A, B, C & D IS TO MERGE WITH CT 6140/938.

CERTIFIED CORRECT AS TO INTENT

DATED 1/10/2017

ADELAIDE HILLS COUNCIL

CERTIFIED CORRECT AS TO INTENT

DATED 4/12/2017

CITY OF BURNSIDE

I HEREBY CERTIFY THAT THE PORTIONS OF ROAD TO BE CLOSED HEREON ARE ROAD WITHIN THE MEANING OF SECTION 3 OF THE ROADS (OPENING & CLOSING) ACT, 1991 AS AMENDED

AUTHORITY REFERENCE: DPB ADELAIDE PAGE 259

5/6/2017

LICENSED SURVEYOR

Alexander & Symonds Pty.Ltd.

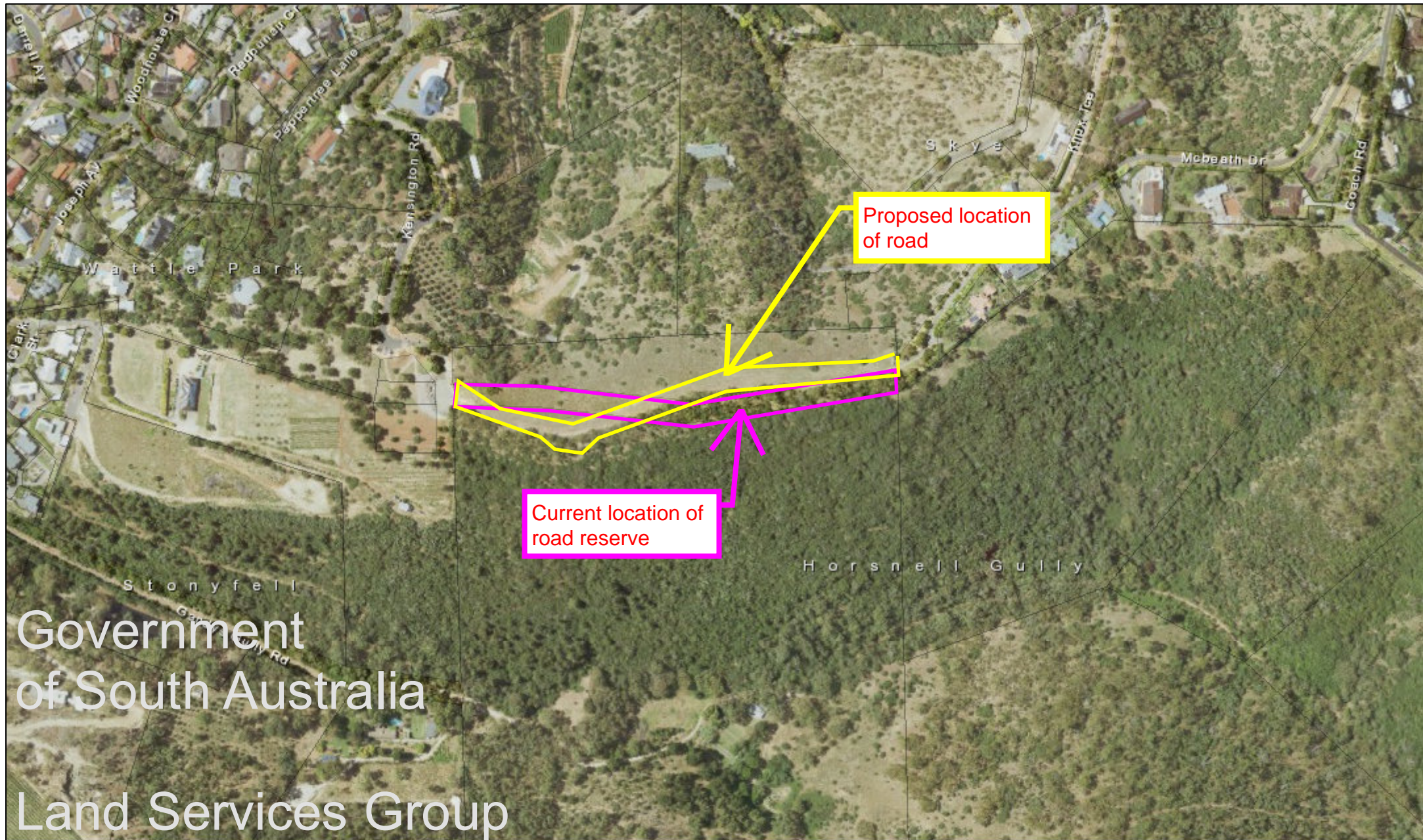
11 KING WILLIAM STREET, KENT TOWN
P.O. BOX 1000 KENT TOWN 5071
Tel (08) 8130 1666 Fax (08) 8362 0099 A.B.N. 93 007 753 988

REFERENCE A119315.ROAD
A119315PP(A)

KJD 3.05.2017

Appendix 2

Map and Aerial of location of McBeath Drive



Appendix 3

Plan of Division

PURPOSE:	DIVISION (BOUNDARY ADJUSTMENT - NO ADDITIONAL ALLOTMENTS)	AREA NAME:	GREENHILL HORSNELL GULLY STONYFELL	APPROVED:	<u>AMENDED PLAN</u> <u>18/02/2016</u> D SHEET 1 OF 7 _text_01_V01
MAP REF:	6628/42/M,N,P 6628/43/J,R 6628/49/D	COUNCIL:	ADELAIDE HILLS COUNCIL CITY OF BURNSIDE	DEPOSITED/FILED:	
LAST PLAN:		DEVELOPMENT NO:	473/D034/14/001/ 180/D026/14/001/		

AGENT DETAILS:	Andrew Davidson PROPERTY DEVELOPMENT CONSULTANTS PO BOX 654 GLENSIDE SA 5065 T 08 8390 0099 F 08 8390 0066 admin@andrewdavidson.com.au www.andrewdavidson.com.au ANDA	SURVEYORS CERTIFICATION
AGENT CODE:		
REFERENCE:	3070-PT001	

SUBJECT TITLE DETAILS:									
PREFIX	VOLUME	FOLIO	OTHER	PARCEL	NUMBER	PLAN	NUMBER	HUNDRED / IA / DIVISION	TOWN
CT	5329	300		ALLOTMENT(S)	50	F	33755	ADELAIDE	
CT	5797	721		ALLOTMENT(S)	21	F	129975	ADELAIDE	
CT	5830	634		SECTION(S)	1178			ADELAIDE	
CT	5865	6		ALLOTMENT(S)	1	F	130665	ADELAIDE	
CT	5874	309		ALLOTMENT(S)	31	F	129985	ADELAIDE	
CT	6140	938		SECTION(S)	906			ADELAIDE	
CT	6140	939		SECTION(S)	916			ADELAIDE	
CT	6140	940		SECTION(S)	917			ADELAIDE	
CT	6140	941		ALLOTMENT(S)	91	F	214467	ADELAIDE	
CT	6140	942		ALLOTMENT(S)	92	F	214467	ADELAIDE	
CT	6140	943		ALLOTMENT(S)	93	F	214467	ADELAIDE	
CT	6140	944		ALLOTMENT(S)	94	F	214467	ADELAIDE	
CT	6140	945		ALLOTMENT COMPRISING PIECES	(95*-98*)	F	214467	ADELAIDE	

OTHER TITLES AFFECTED:	
------------------------	--

EASEMENT DETAILS

STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE	IN FAVOUR OF	CREATION
EXISTING	1	SHORT	FREE AND UNRESTRICTED RIGHT(S) OF WAY	A		A51 IN F33755	
EXISTING	1	LONG	EASEMENT(S)	B		THE ETSA CORPORATION	TG 8023845
EXISTING	1	LONG	EASEMENT(S)	C		THE ETSA CORPORATION	TG 8023845
EXISTING	91*	LONG	EASEMENT(S)	D		TRANSMISSION LESSOR CORPORATION (SUBJECT TO LEASE 9061500) AND ELECTRANET	T 2739440
EXISTING	7.8.91*	LONG	EASEMENT(S)	E		DISTRIBUTION LESSOR CORPORATION (SUBJECT TO LEASE 8890000)	T 3384332
EXISTING	3	LONG	EASEMENT(S)	F		COUNCIL FOR THE AREA	T 3252557
EXISTING	92*	LONG	EASEMENT(S)	G		THE ETSA CORPORATION	T 1793367
EXISTING	91*	LONG	EASEMENT(S)	H		THE ETSA CORPORATION	T 2739440
EXISTING	91*	LONG	EASEMENT(S)	J		THE ETSA CORPORATION	T 3384332
EXISTING	2	LONG	EASEMENT(S)	K		THE ETSA CORPORATION	T 2739439
EXISTING	2	LONG	EASEMENT(S)	L		THE ETSA CORPORATION	T 3384334
EXISTING	2	LONG	EASEMENT(S)	M		DISTRIBUTION LESSOR CORPORATION (SUBJECT TO LEASE 8890000)	T 2124029
EXISTING	2	LONG	EASEMENT(S)	N		THE MINISTER FOR INFRASTRUCTURE	T 6734222
EXISTING	2	LONG	EASEMENT(S)	P		THE MINISTER FOR INFRASTRUCTURE	T 101214
EXISTING	2	LONG	EASEMENT(S)	Q		THE MINISTER FOR INFRASTRUCTURE	T 2959825
EXISTING	2	LONG	EASEMENT(S)	R		THE MINISTER FOR INFRASTRUCTURE	T 6734222

ANNOTATIONS: ALL DATA IS APPROXIMATE AND SUBJECT TO SURVEY.

ROADS TO BE OPENED AND CLOSED UNDER THE ROADS (OPENING & CLOSING) ACT 1991 VIDE PP...

SECTION 90C OF THE REAL PROPERTY ACT 1886 APPLIES TO THIS PLAN (EXTINGUISHING RIGHTS OVER A IN CT5865/6 APPURTENANT TO CT5874/309 AND OVER D IN CT5797/721 APPURTENANT TO CT5865/6)

VIDE CERTIFICATES OF TITLE FOR MISSING BOUNDARY DATA

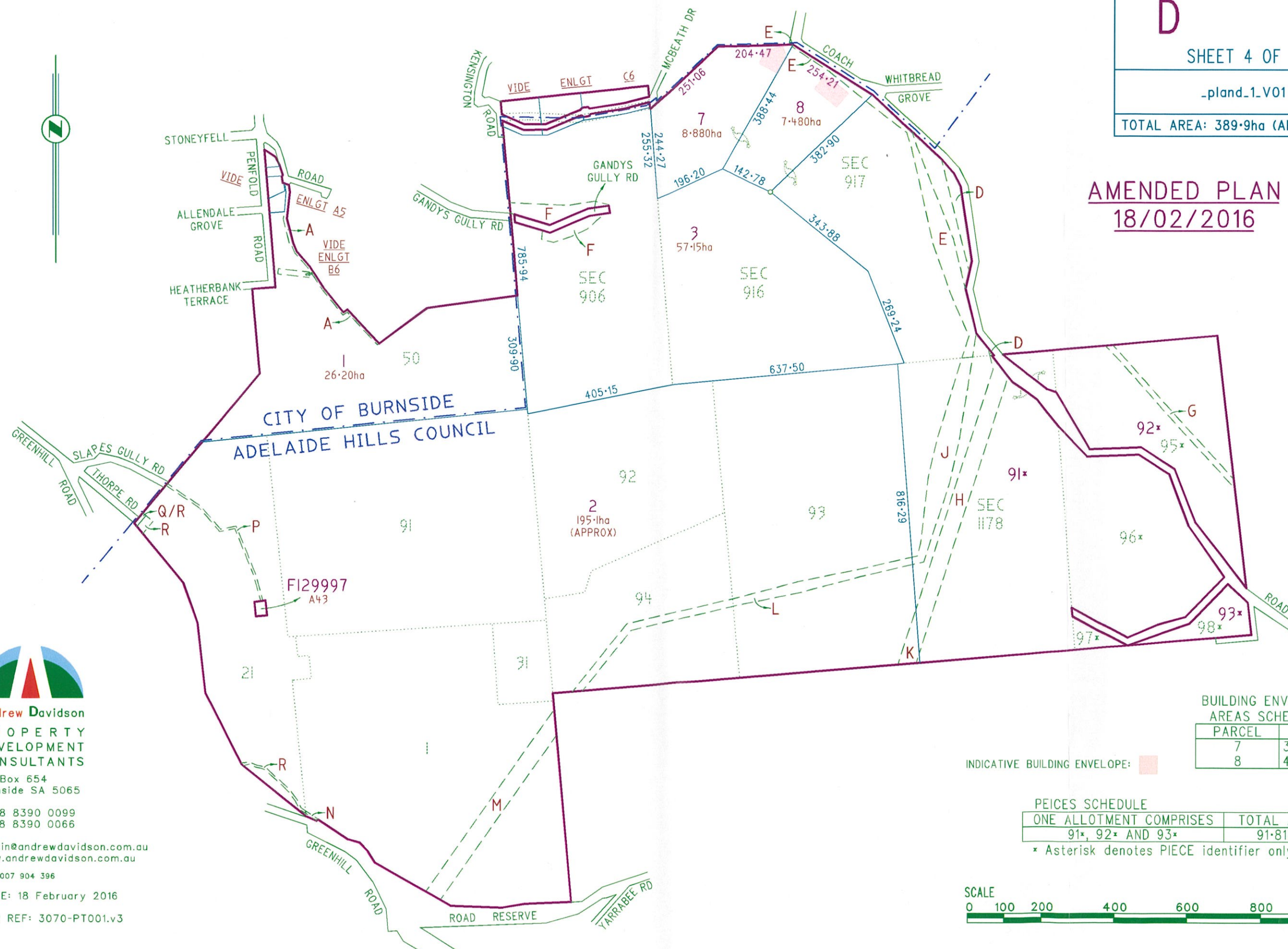
D

SHEET 4 OF 7

_pland_1_V01

TOTAL AREA: 389.9ha (APPROX)

AMENDED PLAN
18/02/2016



BUILDING ENVELOPE AREAS SCHEDULE	
PARCEL	AREA
7	3329m ²
8	4000m ²

INDICATIVE BUILDING ENVELOPE: 

PEICES SCHEDULE	
ONE ALLOTMENT COMPRISES	TOTAL AREA
91*, 92* AND 93*	91.81ha
* Asterisk denotes PIECE identifier only	



Andrew Davidson
PROPERTY
DEVELOPMENT
CONSULTANTS

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ACN 007 904 396

DATE: 18 February 2016

OUR REF: 3070-PT001.v3

-pland_2_v01

SHEET 5 AMENDED
26/05/2016



SCALE

0 7.5 15 30 45 60 75 METRES



AMENDED PLAN 18/02/2016

BUILDING ENVELOPE AREAS SCHEDULE

PIECE	AREA
41*	3325m ²
51*	3546m ²
61*	3059m ²

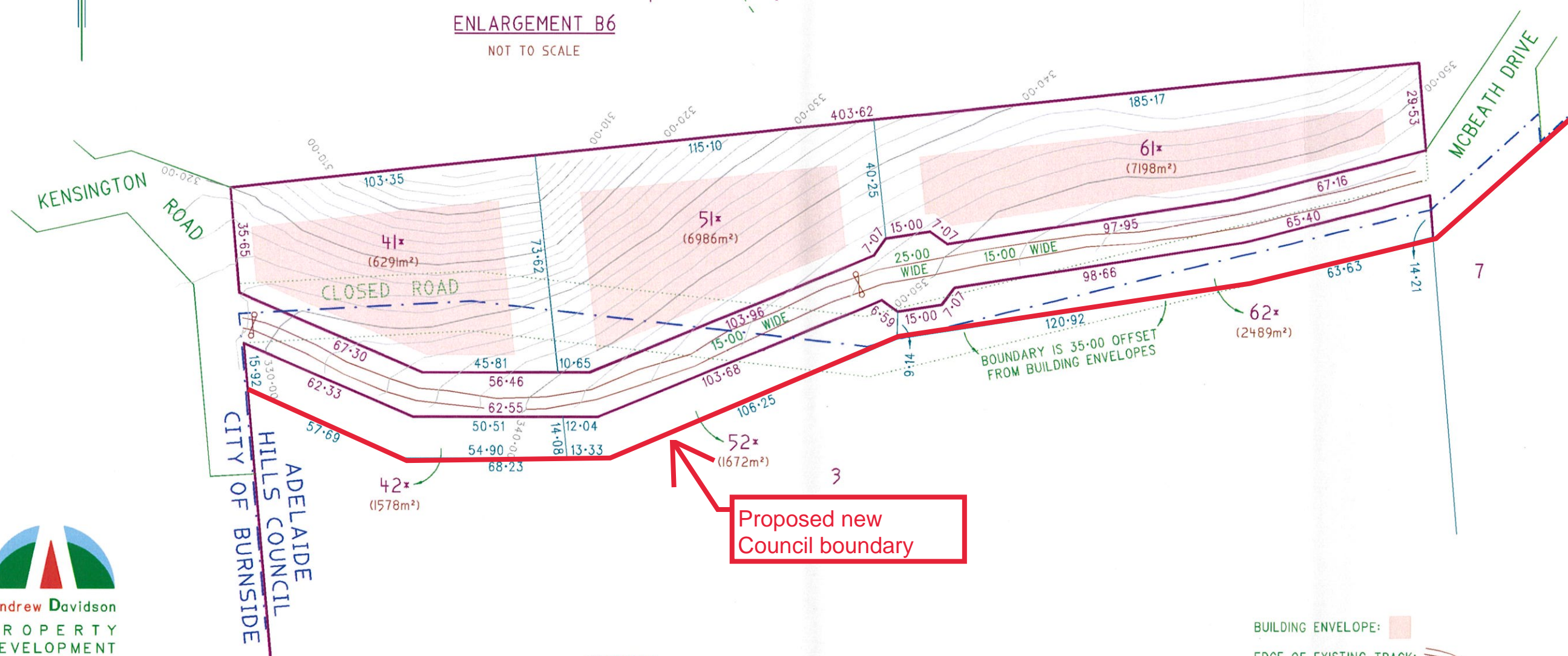
D

SHEET 6 OF 7

_pland_3_V01

ENLARGEMENT B6

NOT TO SCALE



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ACN 007 904 396

DATE: 18 February 2016

OUR REF: 3070-PT001.v3

NOTATIONS:

BUILDING ENVELOPES ARE OFFSET: 6m FROM ROAD AND 14m FROM
SIDE AND REAR BOUNDARIES.

CONTOUR DATUM: AHD, INTERVAL: 2m.

ENLARGEMENT C6



BUILDING ENVELOPE:

EDGE OF EXISTING TRACK:

PROPOSED BARRIER TO ALLOW ACCESS TO EMERGENCY
VEHICLES ONLY:

PIECES SCHEDULE

ONE ALLOTMENT COMPRISES	TOTAL AREA
41* AND 42*	7869m ²
51* AND 52*	8658m ²
61* AND 62*	9687m ²

* Asterisk denotes PIECE identifier only



AMENDED PLAN
18/02/2016

BUILDING ENVELOPE AREAS SCHEDULE	
PIECE	AREA
41*	3325m ²
51*	3546m ²
61*	3059m ²

D

SHEET 7 OF 7

_pland_4_V01



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ACN 007 904 396

DATE: 18 February 2016

OUR REF: 3070-PT001.v3

NOTATIONS:

BUILDING ENVELOPES ARE OFFSET: 6m FROM ROAD AND 14m FROM
SIDE AND REAR BOUNDARIES.

ENLARGEMENT D7



15m OFFSET FROM BUILDING ENVELOPE:
(MINIMUM REQUIRED TO SCRUBLAND)

21m OFFSET FROM BUILDING ENVELOPE:
(MINIMUM REQUIRED TO SCRUB)

35m OFFSET FROM BUILDING ENVELOPE:
(MINIMUM REQUIRED TO WOODLAND)

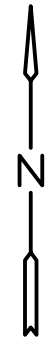
BUILDING ENVELOPE:

EDGE OF EXISTING TRACK:

PROPOSED BARRIER TO ALLOW ACCESS TO EMERGENCY
VEHICLES ONLY:

Appendix 4

New Road Location



LOCALITY PLAN - PROPOSED ROAD - KENSINGTON RIDGE
SCALE: N.T.S.

GENERAL NOTES:

1. THE CONTRACTOR SHALL ACCURATELY VERIFY THE LOCATION AND LEVEL OF ALL EXISTING SERVICES PRIOR TO THE COMMENCEMENT OF WORKS, AND TAKE CARE TO PROTECT EXISTING SERVICES & STRUCTURES DURING WORKS.
2. THE CONTRACTOR SHALL NOTIFY THE SUPERINTENDENT OF ANY DISCREPANCIES ENCOUNTERED WITHIN THESE DRAWINGS PRIOR TO CONSTRUCTION.
3. THE CONTRACTOR SHALL COMPLETE ALL SURVEYS AND TESTING AS REQUIRED IN THE SPECIFICATION. REFER TO SPECIFICATION FOR COORDINATION OF GEO-TECHNICAL TESTING AUTHORITY AND LICENSED SURVEYOR PRIOR TO, DURING AND AT COMPLETION OF EARTHWORKS AND AS-CONSTRUCTED SURVEYS.
4. THE CONTRACTOR SHALL PROVIDE AND MAINTAIN TRAFFIC MANAGEMENT AS REQUIRED TO COMPLETE THE WORKS.
5. THE CONTRACTOR SHALL NOTIFY RELEVANT AUTHORITIES PRIOR TO COMMENCING WORKS.
6. THESE DRAWINGS SHALL BE READ IN CONJUNCTION WITH THE SPECIFICATION.
7. ALL WORK SHALL BE CARRIED OUT AND COMPLETED TO THE SATISFACTION OF THE SUPERINTENDENT.
8. THESE DRAWINGS SHALL BE READ IN CONJUNCTION WITH THE ARCHITECTURAL, MECHANICAL AND STRUCTURAL DRAWINGS AND SPECIFICATIONS. ANY DISCREPANCIES SHALL BE REFERRED TO THE ARCHITECT FOR DECISION BEFORE PROCEEDING WITH ANY WORKS.
9. NO STREET LIGHTING REQUIRED.
10. STORMWATER RUNOFF ON ALL SITES TO BE MANAGED BY PROPERTY OWNER AS REQUIRED TO LOCAL COUNCIL STANDARDS.

EARTHWORKS NOTES:

1. STRIP TOPSOIL PRIOR TO CONSTRUCTION & RE-SPREAD OVER VERGE PRIOR TO COMPLETION.
2. GRADE ALLOTMENTS TO UNIFORM SURFACE, WITH MINIMUM DISTURBANCE OF EXISTING GRASS VEGETATION.
3. PRECONDITION FILL TO O.M.C. & COMPACT IN 200mm LAYERS TO 95% MDD STANDARD.
4. SURPLUS MATERIAL SUITABLE FOR USE AS FILL SHALL BE USED ON SITE AS SHOWN, AS SPECIFIED IN THE SPECIFICATION, OR AS DIRECTED BY THE SUPERINTENDENT. IMPORTED FILL SHALL BE INSPECTED AND APPROVED BY THE SUPERINTENDENT PRIOR TO DELIVERY TO SITE.

SETOUT NOTES:

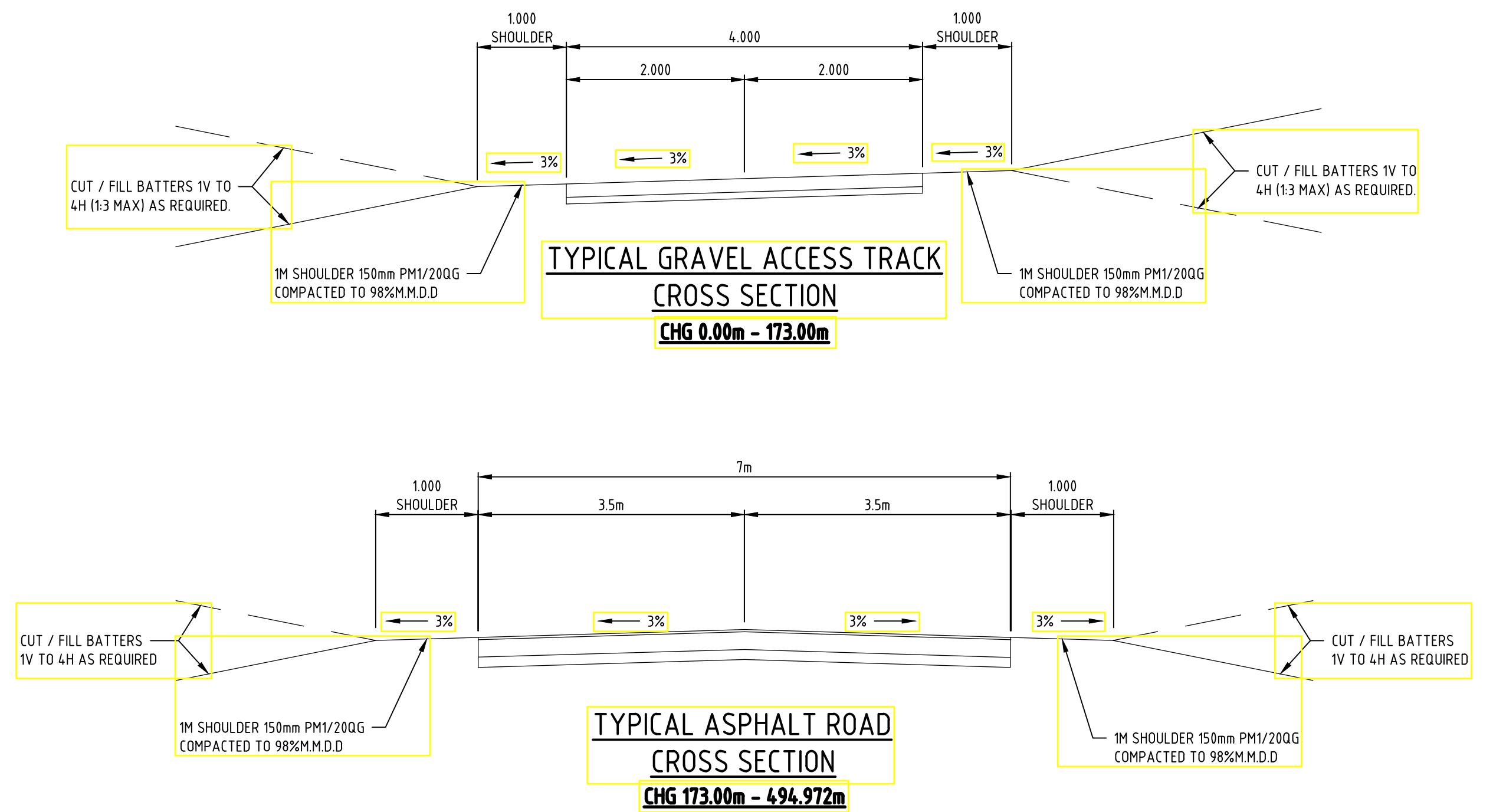
1. SETOUT COORDINATES ARE BASED ON MGA94. LEVELS ARE TO AUSTRALIAN HEIGHT DATUM (AHD).
2. THE CONTRACTOR SHALL VERIFY THE TBM (DATUM) PRIOR TO COMMENCEMENT OF CONSTRUCTION.
3. CONTOUR INTERVALS @ 200mm.
4. ALL DIMENSIONS ARE IN METRES UNLESS NOTED OTHERWISE.
5. FEATURE SURVEY HAS BEEN PROVIDED BY OTHER PARTIES. REFER TO THE SURVEYORS DRAWINGS FOR DETAILED FEATURE SURVEY INFORMATION AND BOUNDARY POSITIONS. THIS INFORMATION SHALL NOT BE OBTAINED FROM THIS DRAWING SET.
6. THESE DRAWINGS SHALL NOT BE SCALED.

TREE NOTES:

1. CONTRACTOR TO GAIN APPROVAL FOR TREE REMOVAL FROM RESPECTIVE AUTHORITIES.
2. EXTENT OF CUT/FILL BATTERS SOUTH OF THE PROPOSED ROAD01 ARE TO BE DETERMINED ON SITE (MAX 14 SIDE SLOPE). CONTRACTOR TO NOTIFY SUPERINTENDENT PRIOR TO REMOVAL OF ANY TREES IDENTIFIED WITHIN REQUIRED BATTER.
3. WHERE WORK IS IN CLOSE PROXIMITY TO EXISTING TREES THAT SHALL REMAIN, THE CONTRACTOR SHALL EXERCISE DUE CARE TO ENSURE NO DAMAGE IS DONE TO THE TREES ROOT SYSTEMS, BRANCHES OR TRUNKS. HAND DIGGING MAY BE NECESSARY CLOSE TO TREES. CONTRACTOR TO NOTIFY THE SUPERINTENDENT IF LOCAL PRUNING OF BRANCHES IS REQUIRED.

DRAWING INDEX

S31649 - 251144 - C001	COVER SHEET LOCALITY PLAN
S31649 - 251144 - C002	CIVIL LAYOUT SHEET 1 OF 3
S31649 - 251144 - C003	CIVIL LAYOUT SHEET 2 OF 3
S31649 - 251144 - C004	CIVIL LAYOUT SHEET 3 OF 3
S31649 - 251144 - C005	ROAD01 LONG SECTION
S31649 - 251144 - C006	ROAD01 CROSS SECTIONS SHEET 1 OF 2
S31649 - 251144 - C007	ROAD01 CROSS SECTIONS SHEET 1 OF 2



PRELIMINARY ISSUE
NOT FOR CONSTRUCTION

REV	DESCRIPTION	DATE	INT	APP
C	REVISED ROAD ALIGNMENT	09/01/2017	JC	HYN
B	REVISED FOR COMMENT	24/11/2016	JC	HYN
A	PRELIMINARY ISSUE	11/11/2016	JC	HYN

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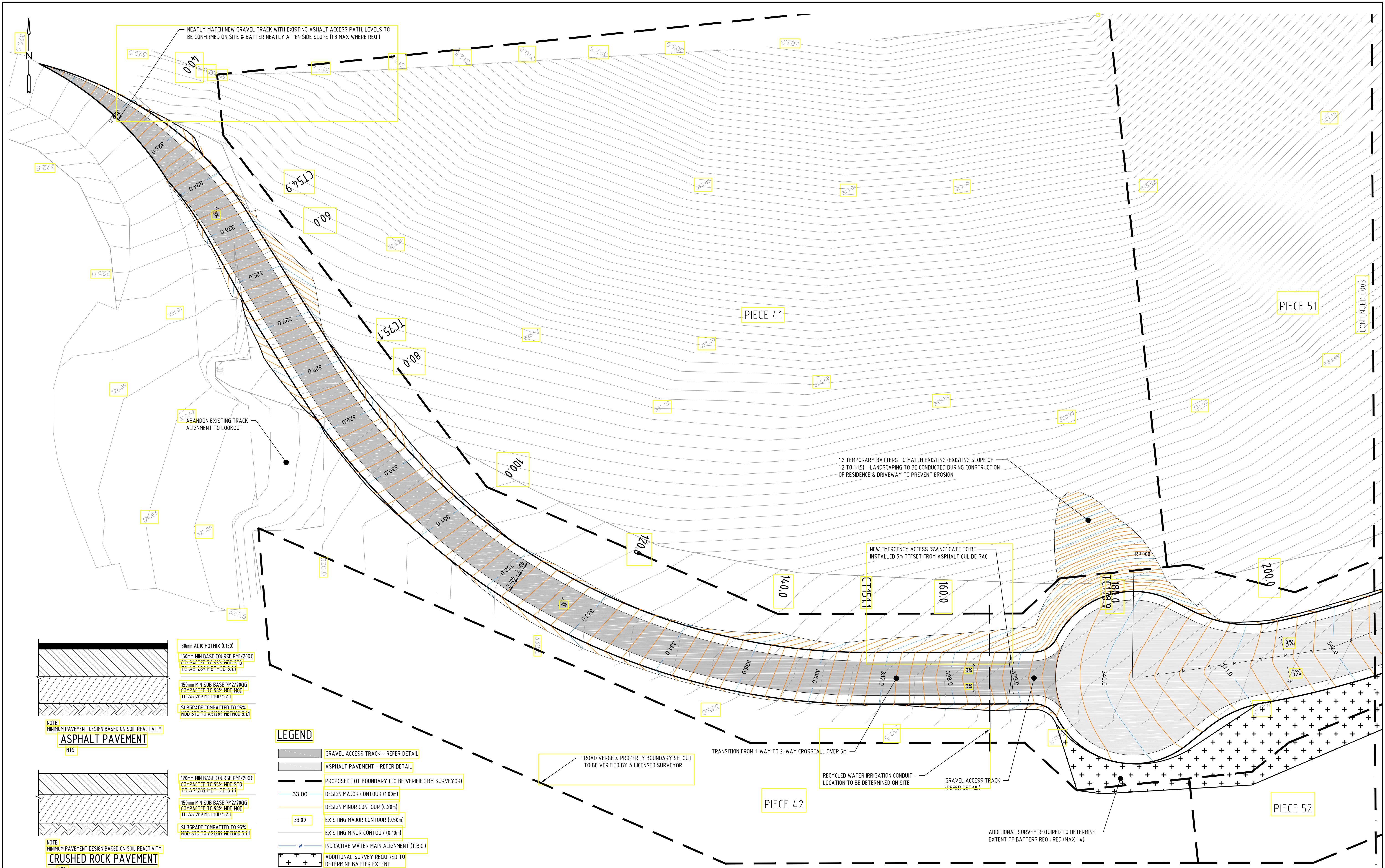


CLIENT: BORAL SKYE
PROJECT TITLE: PROPOSED NEW ROAD KENSINGTON RIDGE
SITE ADDRESS: Stoneyfell Quarry, STONEYFELL, SA 5066

DRAWING TITLE: COVER SHEET LOCALITY PLAN



DESIGNED	JC	DRAWN	JC
CHECKED	HYN	NO. OF SHEETS	7
SCALE	1:750 @ A1	DATE STARTED	08.02.2016
SITE/DRAWING No.	S31649 - 251144	REV.	
DRAWING No.	C001		



NOTE:
MINIMUM PAVEMENT DESIGN BASED ON SOIL REACTIVITY.

ASPHALT PAVEMENT

NTS

30mm AC10 HOTMIX (C130)
150mm MIN BASE COURSE PM1/200G
COMPACTED TO 95% MDD STD
TO AS1289 METHOD 5.1.1

150mm MIN SUB BASE PM2/200G
COMPACTED TO 90% MDD MOD
TO AS1289 METHOD 5.2.1

SURGRADE COMPACTED TO 95%
MDD STD TO AS1289 METHOD 5.1.1

NOTE:
MINIMUM PAVEMENT DESIGN BASED ON SOIL REACTIVITY.

CRUSHED ROCK PAVEMENT

NTS

120mm MIN BASE COURSE PM1/200G
COMPACTED TO 95% MDD STD
TO AS1289 METHOD 5.1.1

150mm MIN SUB BASE PM2/200G
COMPACTED TO 90% MDD MOD
TO AS1289 METHOD 5.2.1

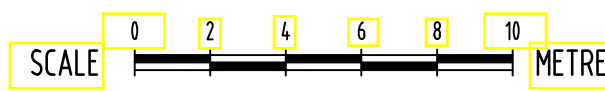
SURGRADE COMPACTED TO 95%
MDD STD TO AS1289 METHOD 5.1.1

LEGEND

- GRAVEL ACCESS TRACK - REFER DETAIL
- ASPHALT PAVEMENT - REFER DETAIL
- PROPOSED LOT BOUNDARY (TO BE VERIFIED BY SURVEYOR)
- DESIGN MAJOR CONTOUR (1.00m)
- DESIGN MINOR CONTOUR (0.20m)
- EXISTING MAJOR CONTOUR (0.50m)
- EXISTING MINOR CONTOUR (0.10m)
- INDICATIVE WATER MAIN ALIGNMENT (T.B.C.)
- ADDITIONAL SURVEY REQUIRED TO DETERMINE BATTER EXTENT

REV	DESCRIPTION	DATE	INT	APP
C	REVISED ROAD ALIGNMENT	09/01/2017	JC	HYN
B	REVISED FOR COMMENT	24/11/2016	JC	HYN
A	PRELIMINARY ISSUE	1/11/2016	JC	HYN

PRELIMINARY ISSUE
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SOIL & MATERIAL TESTING | HOUSING | COMMERCIAL | PROJECT MANAGEMENT | SURVEY

CLIENT
Boral Recycling Pty Ltd

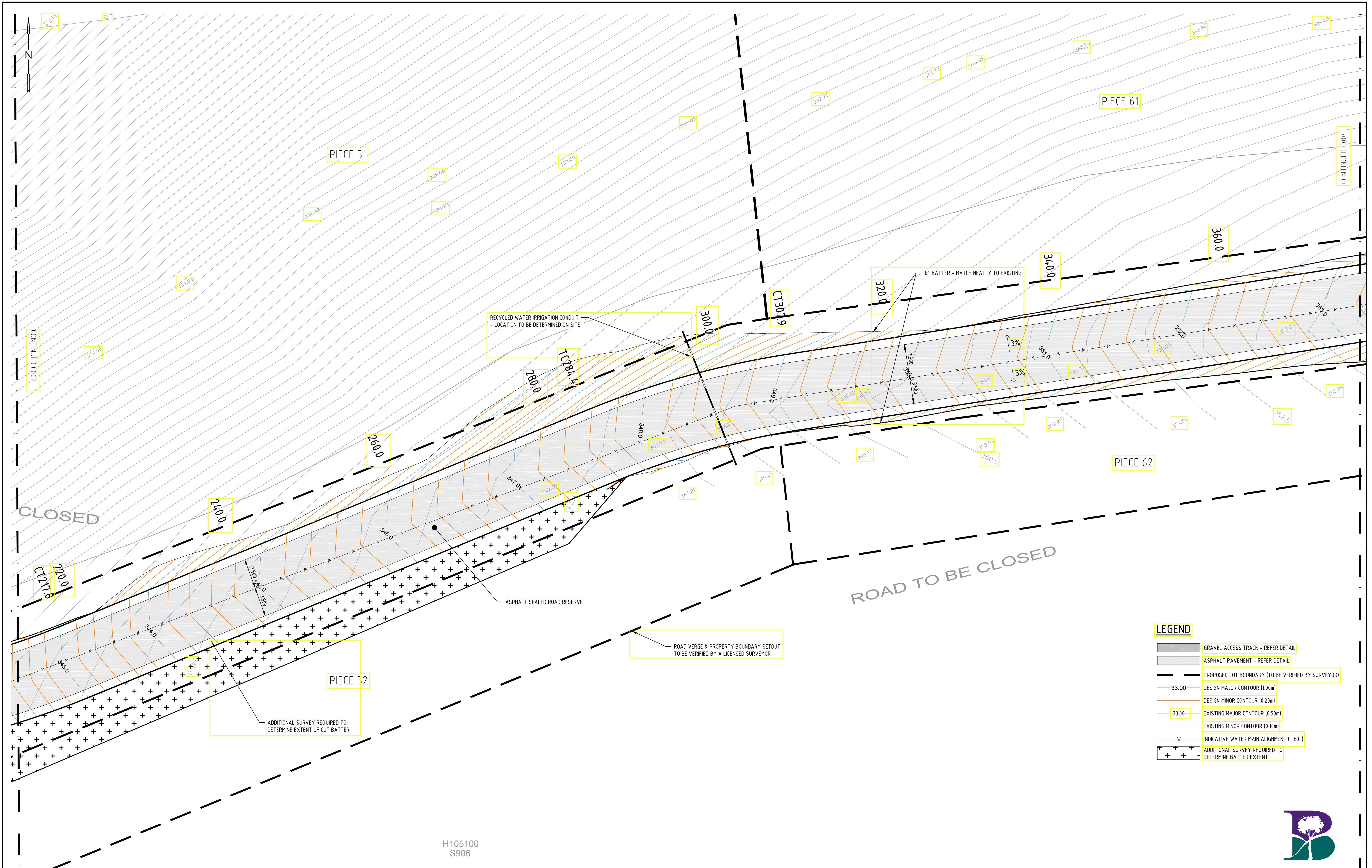
PROJECT TITLE
PROPOSED NEW ROAD - KENSINGTON RIDGE

SITE ADDRESS
Stoneyfell Quarry, STONEYFELL, SA 5066

DRAWING TITLE
CIVIL LAYOUT SHEET 1 OF 3

DESIGNED	JC	DRAWN	JC
CHECKED	HYN	NO. OF SHEETS	7
SCALE	1:200 @ A1	DATE STARTED	08/02/2016
SITE NO. & JOB NO.	S31649	REV.	
DRAWING NO.	251144		
C002			

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LEGEND

- Gravel Access Track - Refer Detail
- Asphalt Pavement - Refer Detail
- Proposed Lot Boundary (To be Verified by Surveyor)
- 33.00 Design Major Contour (1.00m)
- Design Minor Contour (0.20m)
- 33.00 Existing Major Contour (0.50m)
- Existing Minor Contour (0.10m)
- Indicative Water Main Alignment (T.B.C.)
- Additional Survey Required to Determine Batter Extent

REV	DESCRIPTION	DATE	INT	APP
C	REVISED ROAD ALIGNMENT	09/01/2017	JC	HYN
B	REVISED FOR COMMENT	24/11/2016	JC	HYN
A	PRELIMINARY ISSUE	11/1/2016	JC	HYN

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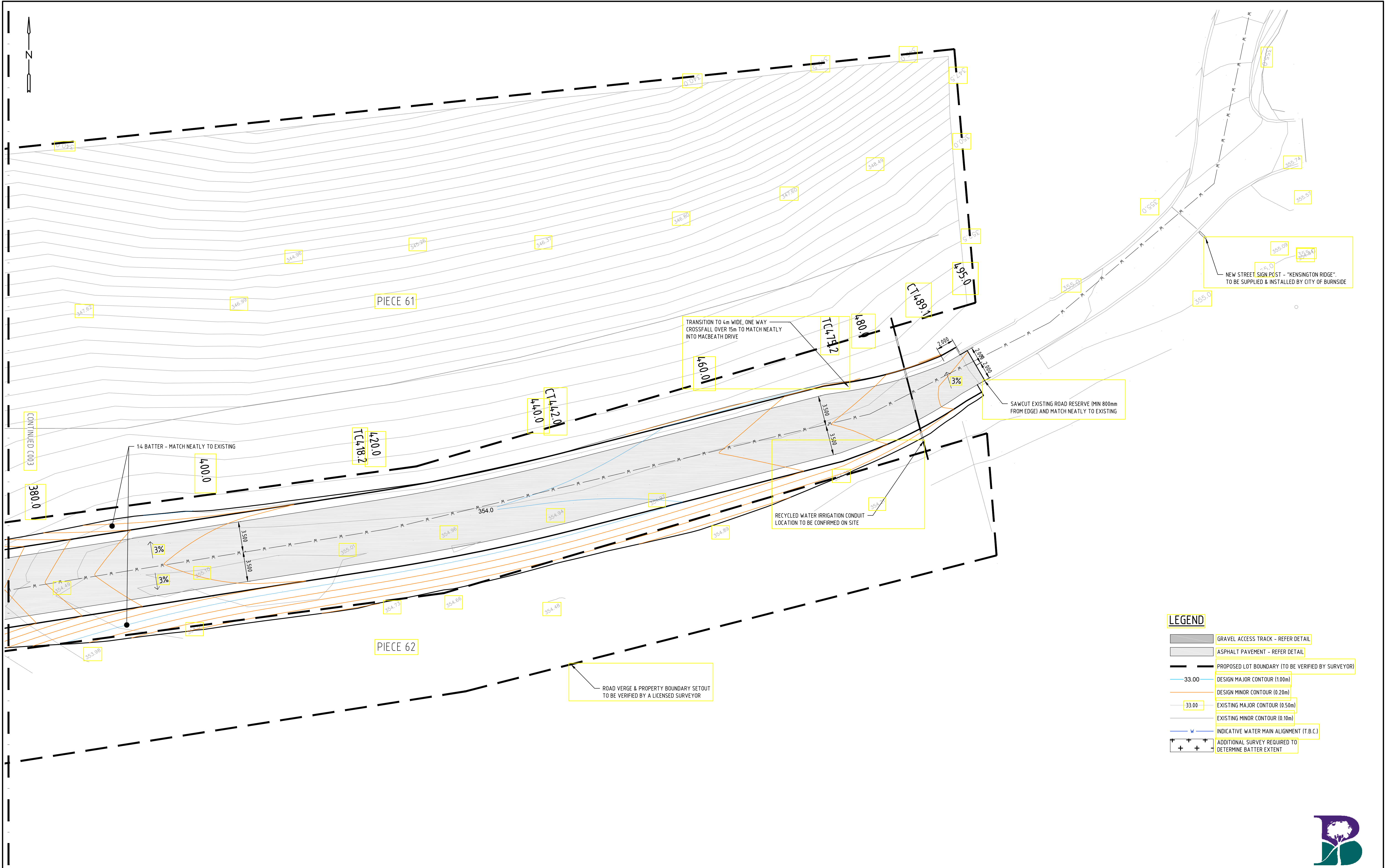
CIVIL | STRUCTURAL | ENVIRONMENTAL | GEOTECHNICAL | BUILDING ASSESSMENT & FORENSIC
SOIL & MATERIAL TESTING | HOUSING | COMMERCIAL | PROJECT MANAGEMENT | SURVEY

CLIENT: Boral Recycling Pty Ltd
PROJECT TITLE: **PROPOSED NEW ROAD - KENSINGTON RIDGE**
SITE ADDRESS: Stonefell Quarry, STONEYFELL, SA 5066
DRAWING TITLE: **CIVIL LAYOUT SHEET 2 OF 3**



DESIGNED	JC	DRAWN	JC
CHECKED	HYN	NO. OF SHEETS	7
SCALE	1:200 @ A1	DATE STARTED	08/02/2016
SITE NO. & JOB No.	S31649 - 251144	REV.	
DRAWING No.	C003		C

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LEGEND

- Gravel Access Track - Refer Detail
- Asphalt Pavement - Refer Detail
- Proposed Lot Boundary (to be verified by surveyor)
- 33.00 Design Major Contour (1.00m)
- Design Minor Contour (0.20m)
- 33.00 Existing Major Contour (0.50m)
- Existing Minor Contour (0.10m)
- w Indicative Water Main Alignment (T.B.C.)
- Additional Survey Required to Determine Batter Extent

REV	DESCRIPTION	DATE	INT	APP
C	REVISED ROAD ALIGNMENT	09/01/2017	JC	HYN
B	REVISED FOR COMMENT	24/11/2016	JC	HYN
A	PRELIMINARY ISSUE	11/11/2016	JC	HYN

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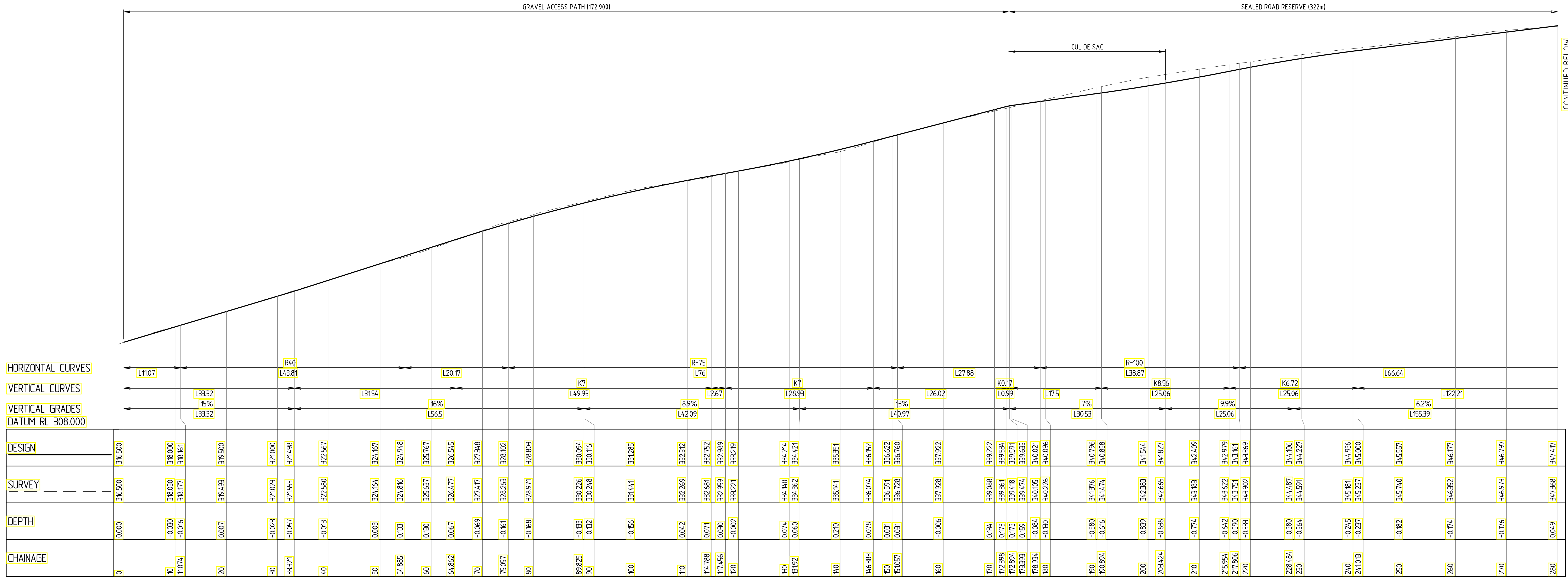
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SOIL & MATERIAL TESTING | HOUSING | COMMERCIAL | PROJECT MANAGEMENT | SURVEY

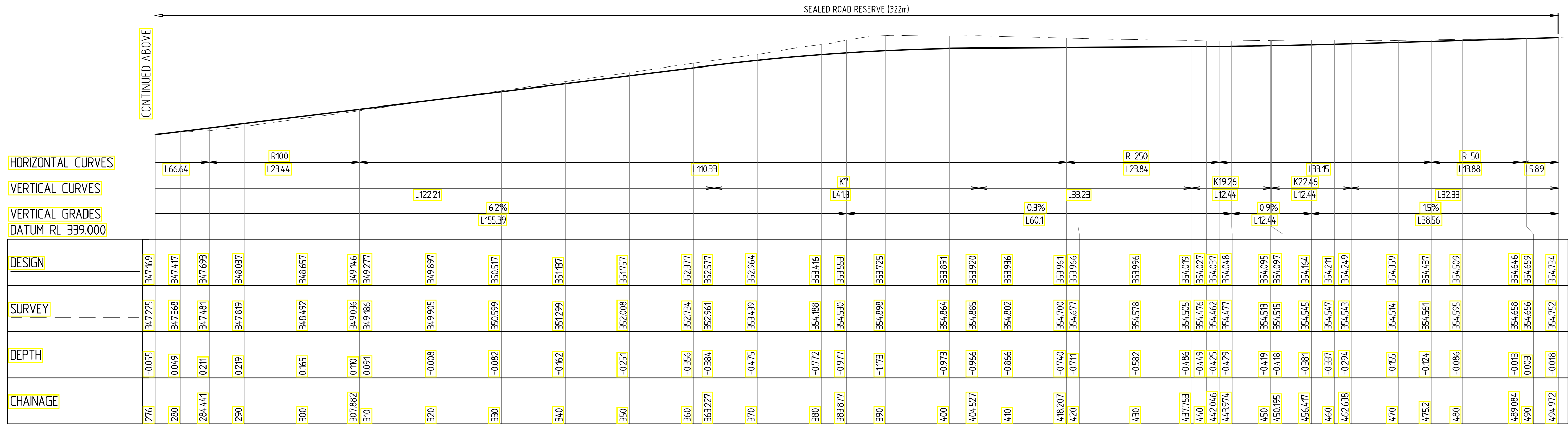
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PROJECT TITLE: **PROPOSED NEW ROAD - KENSINGTON RIDGE**
SITE ADDRESS: Stonefell Quarry, STONEYFELL, SA 5066
DRAWING TITLE: **CIVIL LAYOUT SHEET 3 OF 3**

DESIGNED: JC
CHECKED: HYN
SCALE: 1:200 @ A1
SITE NO. & JOB NO.: S31649 - 251144
DRAWING NO.: C004
NO. OF SHEETS: 7
DATE STARTED: 08.02.2016
REV: C

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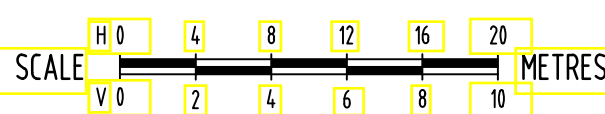
ROAD01 - LONGITUDINAL SECTION
A1 HORZ SCALE 1:400
A1 VERT SCALE 1:200



ROAD01 - LONGITUDINAL SECTION
A1 HORZ SCALE 1:400
A1 VERT SCALE 1:200

REV	DESCRIPTION	DATE	INT	APP
C	REVISED ROAD ALIGNMENT	09/01/2017	JC	HYN
B	REVISED FOR COMMENT	24/11/2016	JC	HYN
A	PRELIMINARY ISSUE	11/11/2016	JC	HYN

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SOIL & MATERIAL TESTING | HOUSING | COMMERCIAL | PROJECT MANAGEMENT | SURVEY

CLIENT
Boral Recycling Pty Ltd

PROJECT TITLE
PROPOSED NEW ROAD - KENSINGTON RIDGE

SITE ADDRESS
Stoneyfell Quarry, STONEYFELL, SA 5066

DRAWING TITLE
ROAD01 LONG SECTION

DESIGNED
JC

DRAWN
JC

CHECKED
HYN

NO OF SHEETS
7

SCALE
VARIES @ A1

DATE STARTED
08.02.2016

SITE ADDRESS
S31649 - 251144

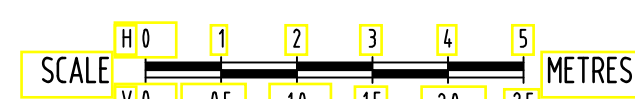
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CHAINAGE 120CHAINAGE 100CHAINAGE 80CHAINAGE 60CHAINAGE 40CHAINAGE 160CHAINAGE 140CHAINAGE 240CHAINAGE 220CHAINAGE 200

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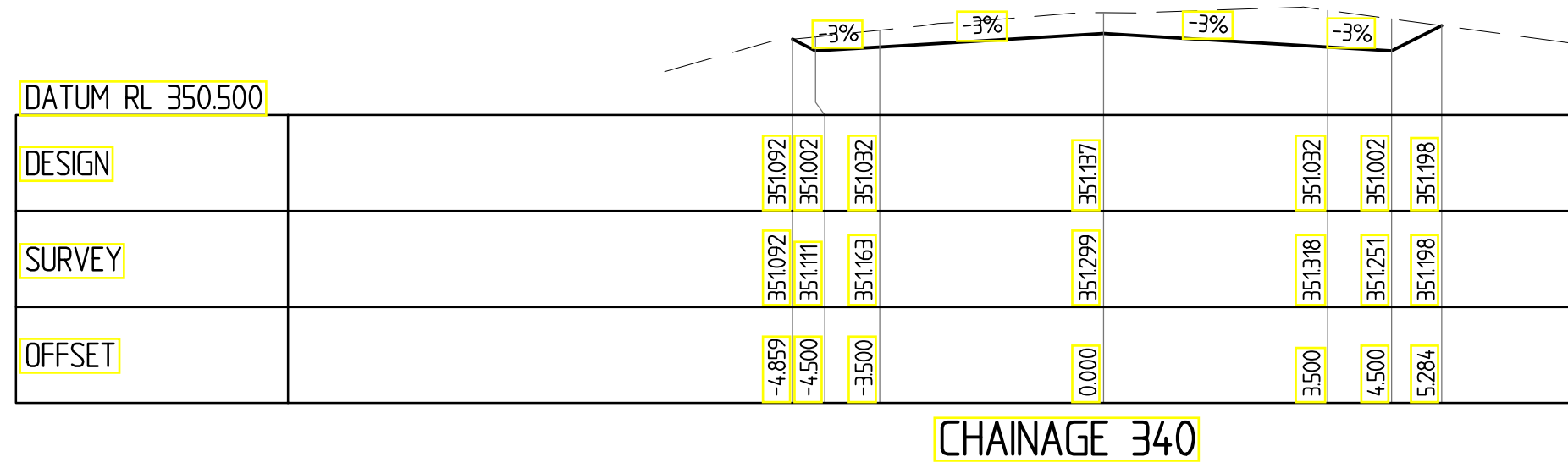
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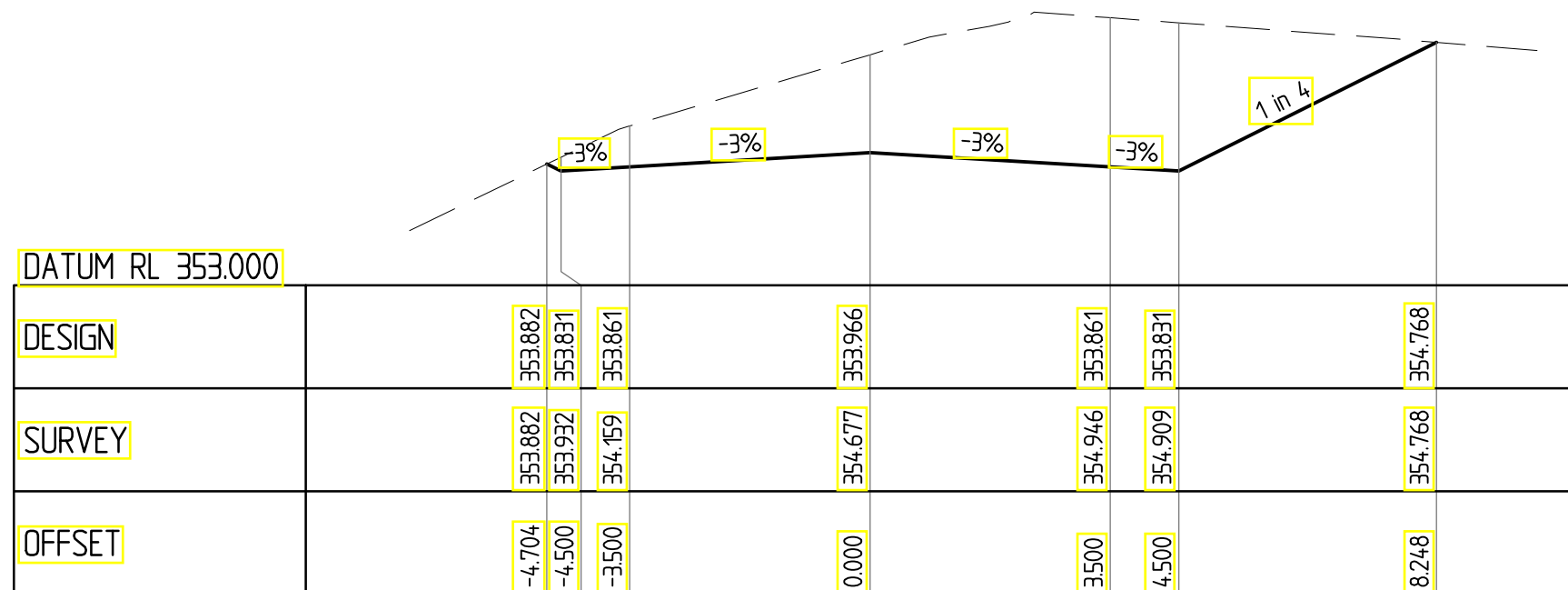


CLIENT: Boral Recycling Pty Ltd
PROJECT TITLE: PROPOSED NEW ROAD - KENSINGTON RIDGE
SITE ADDRESS: Stoneyfell Quarry, STONEYFELL, SA 5066
DRAWING TITLE: ROAD01 CROSS SECTIONS SHEET 1 OF 2

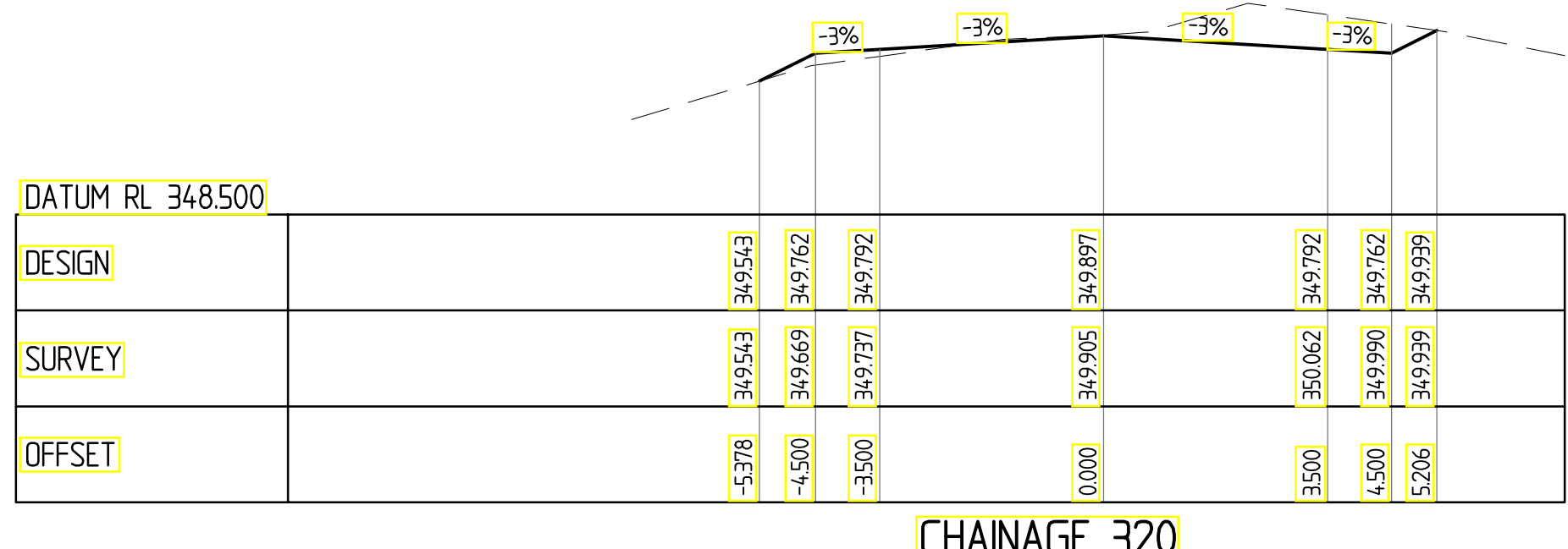
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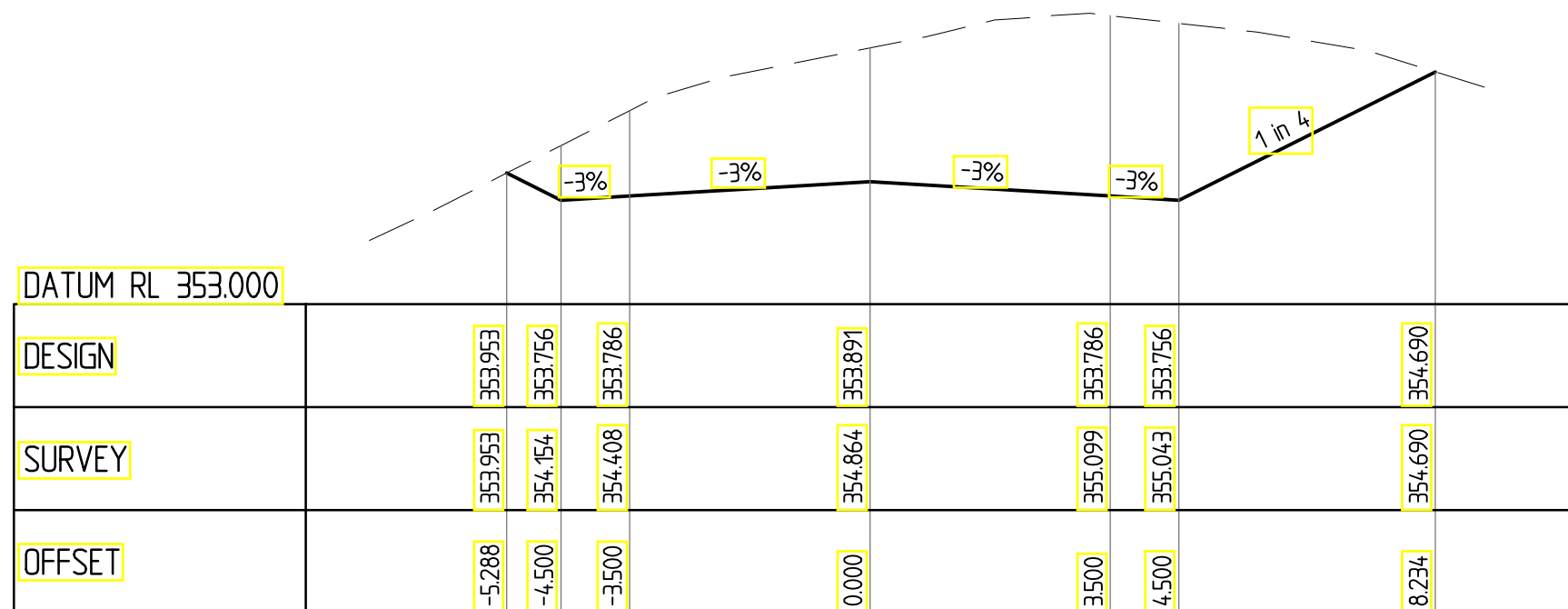
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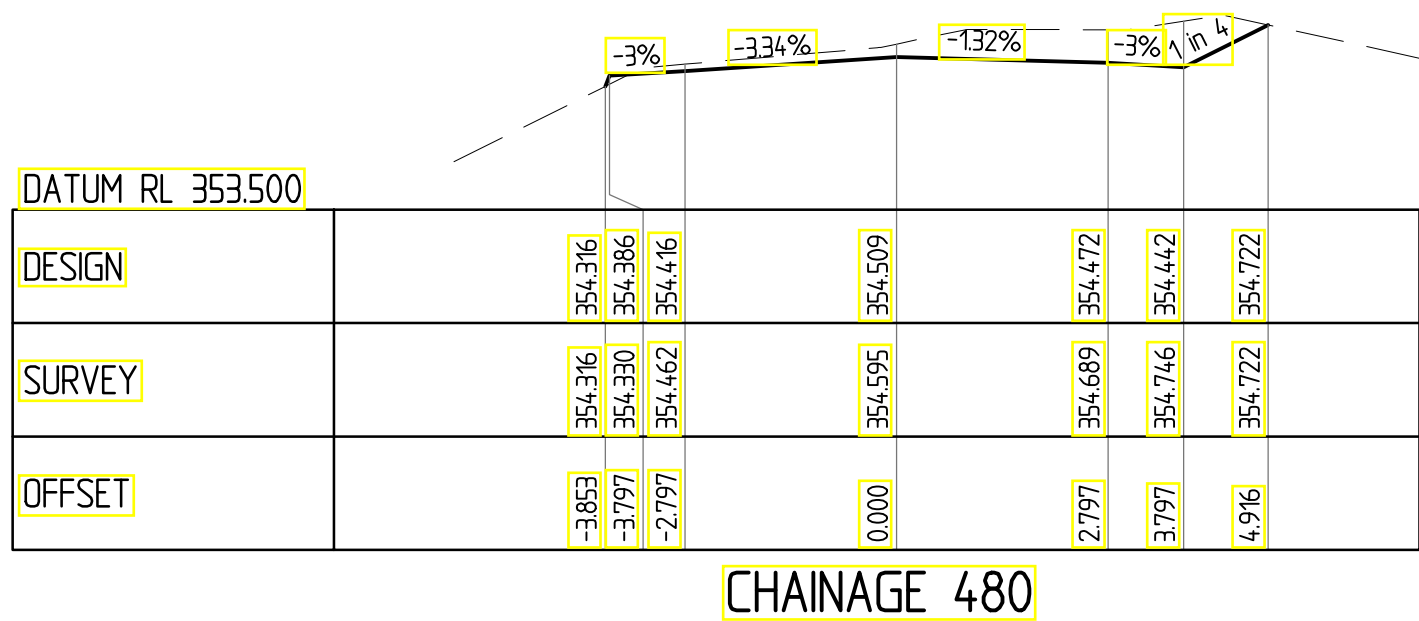
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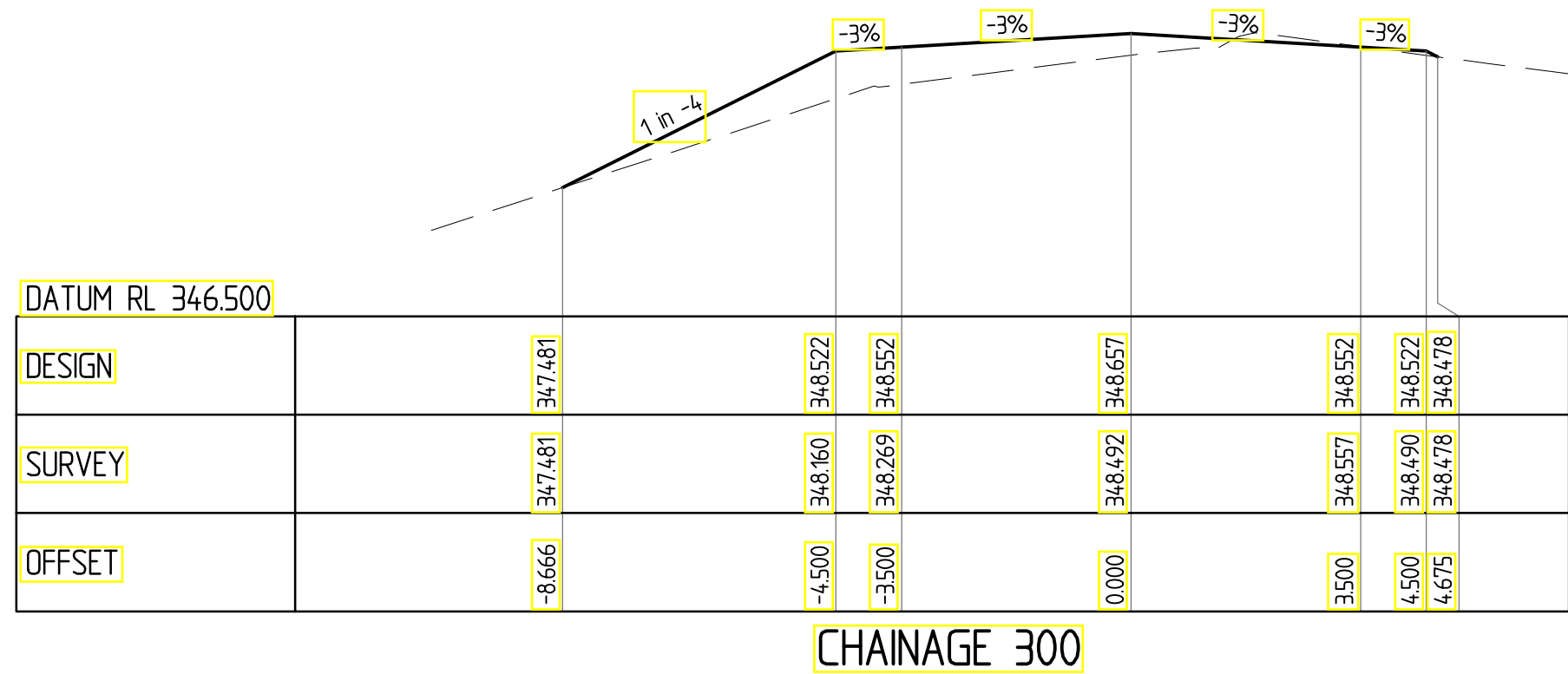
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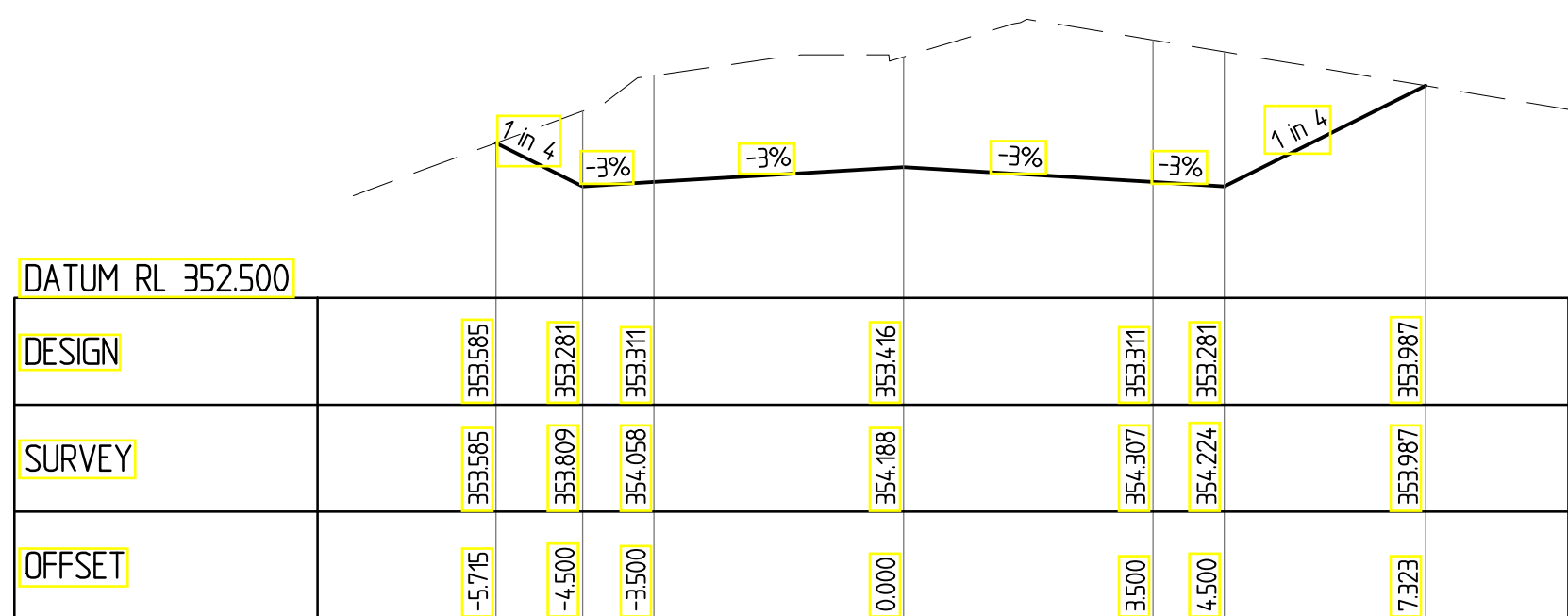
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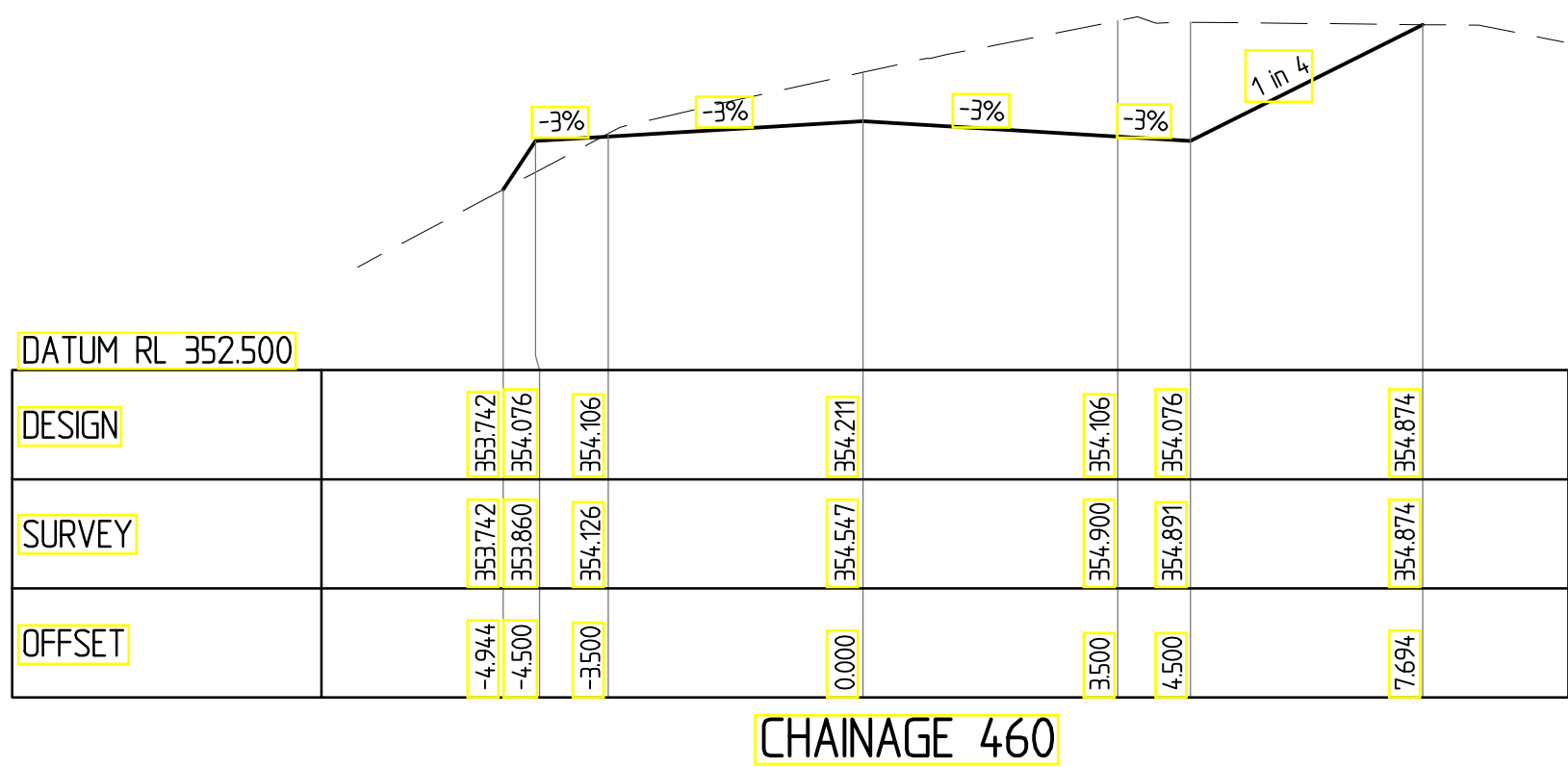
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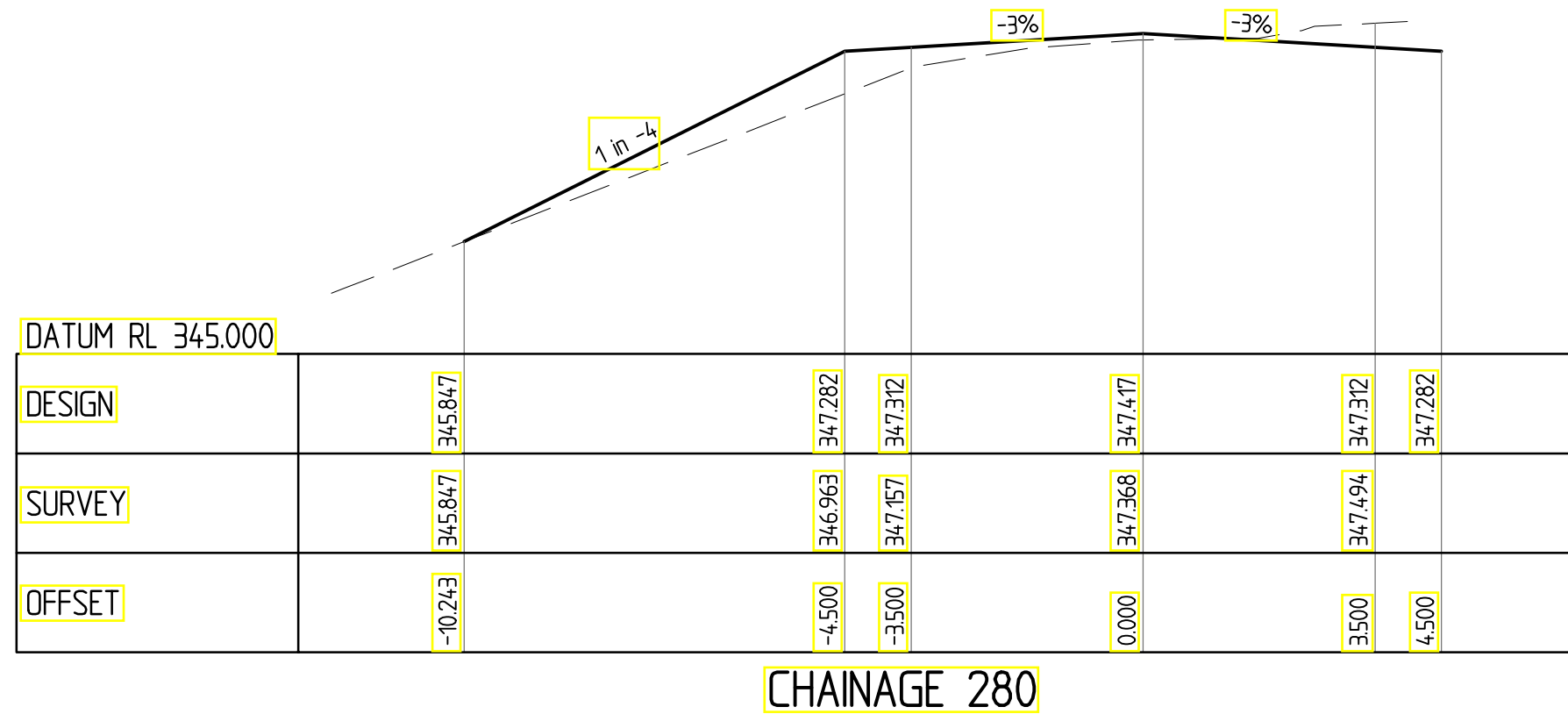
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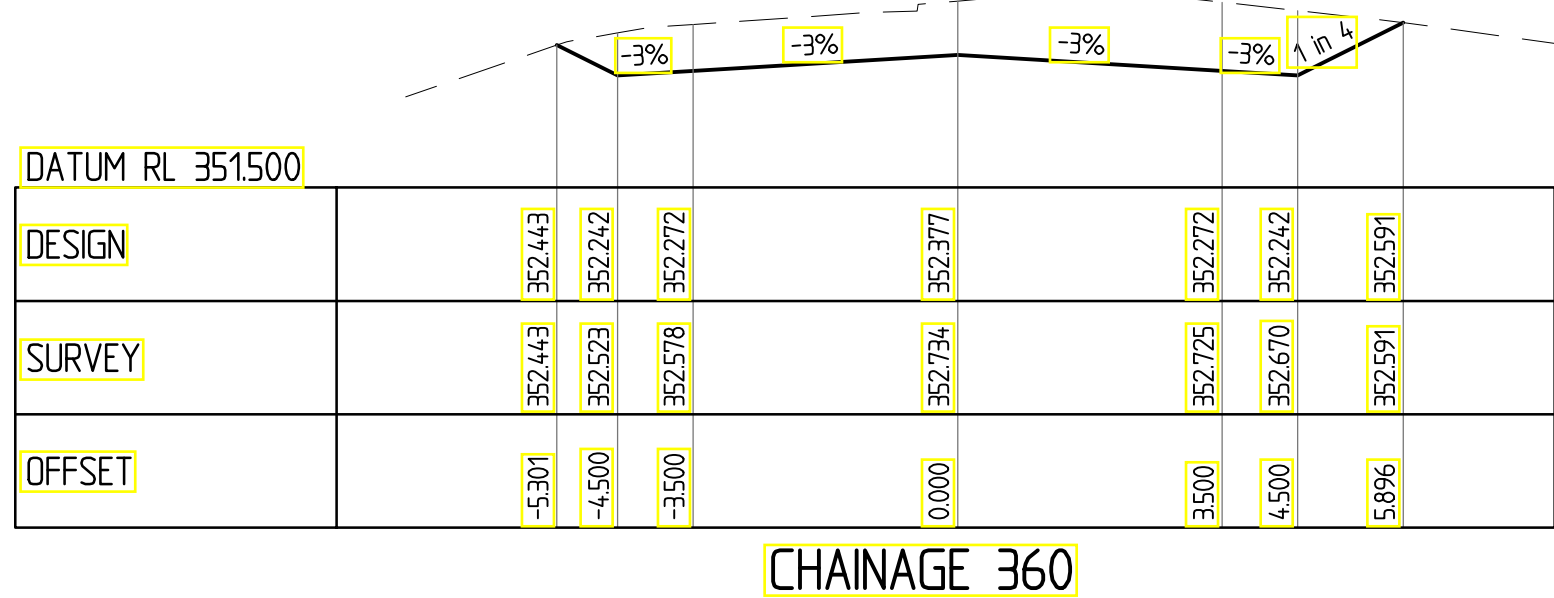
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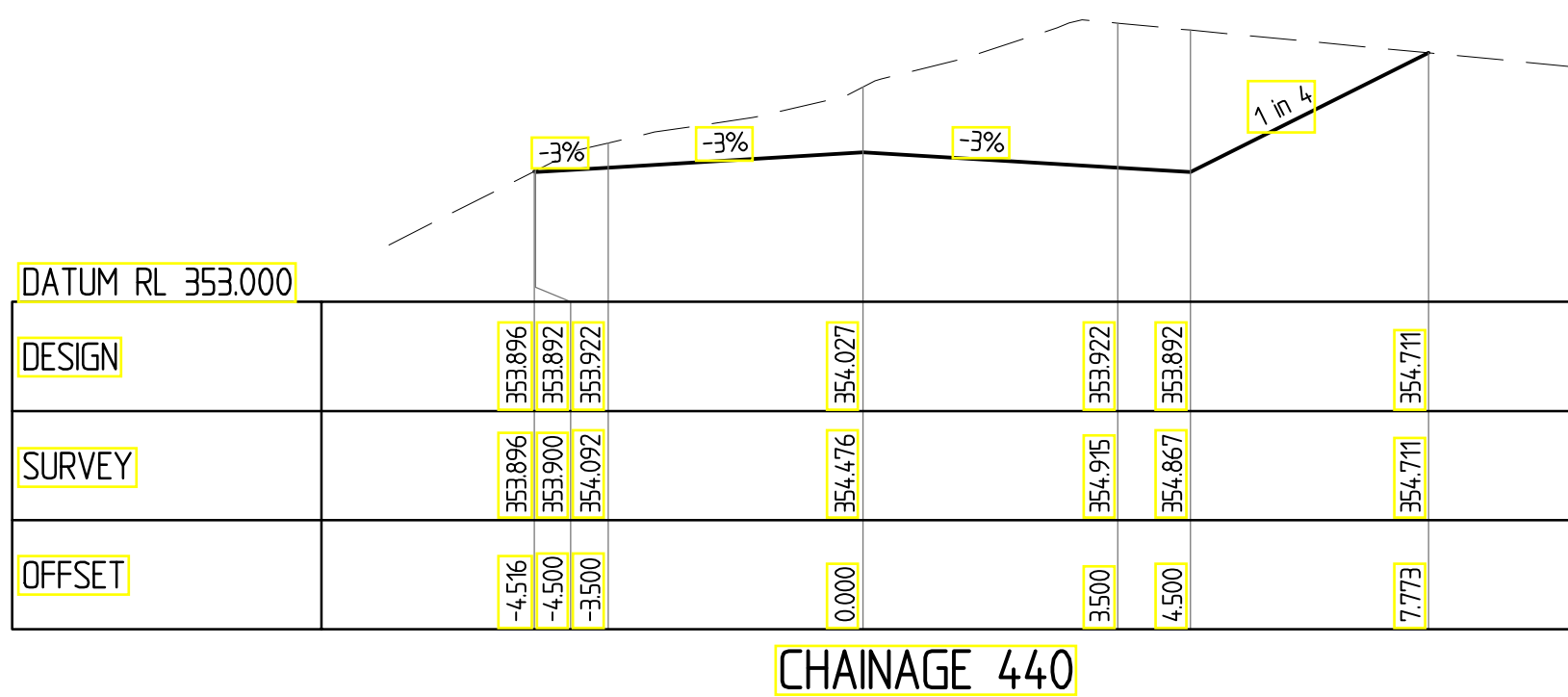
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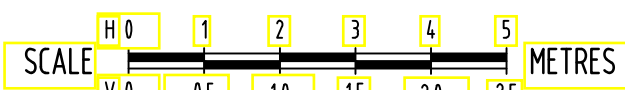
CHAINAGE 360



CHAINAGE 440

REV	DESCRIPTION	DATE	INT	APP
C	REVISED ROAD ALIGNMENT	09/01/2017	JC	HYN
B	REVISED FOR COMMENT	24/11/2016	JC	HYN
A	PRELIMINARY ISSUE	1.11.2016	JC	HYN

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CLIENT
Boral Recycling Pty Ltd
PROJECT TITLE
PROPOSED NEW ROAD - KENSINGTON RIDGE
SITE ADDRESS
Stoneyfell Quarry, STONEYFELL, SA 5066

DRAWING TITLE
ROAD01 CROSS SECTIONS SHEET 2 OF 2

DESIGNED	JC	DRAWN	JC
CHECKED	HYN	NO. OF SHEETS	7
SCALE	VARIABLES @ A1	DATE STARTED	08.02.2016
SITE ADDRESS	531649 - 251144	REV	
DRAWING NO.	C007		C

**ADELAIDE HILLS COUNCIL
SPECIAL COUNCIL MEETING
Tuesday 11 September 2018
AGENDA BUSINESS ITEM**

Item: 6.7

Originating Officer: Sharon Leith Sustainability Officer

Responsible Director: Peter Bice Director Infrastructure and Operations

Subject: Draft Gumeracha Precinct – Federation Park and Oval Masterplan

For: Decision

SUMMARY

The purpose of this report is to present the draft Gumeracha Precinct (Federation Park and Oval) Masterplan (the draft Masterplan) for endorsement for broader community engagement and feedback. The draft Masterplan has been developed through two community workshops with representatives from the key stakeholder groups. This draft Masterplan updates and builds on the works from the previous 2006 Masterplan along with input from the numerous community groups. The intention is that the draft Masterplan is a spatial masterplan with a priority action list and costing for use in ongoing council funding, grant applications along with involvement of community.

Actions identified within the draft Masterplan will go through a staged budget process commencing in 2019/2020. The intention is to gradually implement the works in partnership with the local community, Natural Resources Adelaide and Mt Lofty Ranges Board, local conservation groups, Peramangk community and key stakeholders. The outcomes from this draft Masterplan span from small projects through to larger aspirational projects. It is anticipated that the actions that require a larger capital investment will need to be staged over many years to align with availability of Council funding and potential funding partners as identified.

The upgrade and/or possible relocation of the Gumeracha tennis and netball courts has been identified as a priority and is within this financial year's budget to contribute to court resurfacing with 20% of the total cost. This budget will be used to match funding and obtain leverage for an Office of Recreation and Sport grant. This project is the priority action for 2018/2019 for the draft Masterplan. The upgrade and renewal of the playground is also within the Long Term Financial Plan and is planned for 2020/2021.

A broader engagement process is now planned to obtain further feedback on the draft Masterplan. This will involve:

- Listening Post's to be set up in the Main Street and in the Gumeracha Precinct area
- Attendance at the Nature Play day planned for 11 October 2018 in Federation Park
- Online engagement through My Say on the AHC website.

The broader engagement process will be undertaken concurrently with the Gumeracha Main Street Masterplan consultation to combine the two projects and limit consultation fatigue within the local community. The community can then if they wish provide feedback on both projects.

This broader engagement process will be undertaken in October 2018 for three weeks commencing on Thursday 11 October 2018 (Nature Play Day in the Park) and closing on Thursday 9 November 2018. The October dates ensure that the consultation process is outside of school holiday time.

RECOMMENDATION

Council resolves:

1. That the report be received and noted
 2. That Council endorse a broader community engagement process to enable the local community to provide feedback on the outcomes within the draft Masterplan.
 3. That the Chief Executive Officer be authorised to consider and respond to minor changes to the draft Masterplan and to the timing, advertisements and extent of the broader community engagement process.
 4. That a report be provided back to Council by January 2019.
-

1. GOVERNANCE

➤ Strategic Management Plan/Council Policy

Goal 3.9 Place
Strategy 3.9 We will encourage community – led placemaking approaches to enhance townships and public spaces
The community engagement process will be undertaken with regard to the Public Consultation Policy.

➤ Legal Implications

Not applicable

➤ Risk Management Implications

Endorsement of the draft Masterplan for broader community consultation will assist in mitigating the risk of:

Ad hoc requests, installations, requirements, expectations and development within the Gumeracha Precinct leading to further conflict between the numerous stakeholders and an uncoordinated layout of site facilities and service and completion for the available funding.

Inherent Risk	Residual Risk	Target Risk
Medium (3C)	Medium (2C)	Low (2D)

The draft Masterplan provides a guiding coordinated document that will enable implementation to be staged and funded.

➤ **Financial and Resource Implications**

The upgrade and/or relocation of the Gumeracha tennis and netball courts has been identified as a priority and is within this financial year's budget to contribute to court resurfacing with 20% of the total cost which will be used as matched funding and leverage for an Office of Recreation and Sport grant. This project is the priority for 2018/2019 for the Gumeracha Precinct masterplan. The upgrade and renewal of the playground is also within the Long Term Financial Plan and is planned for 2020/2021. In addition drainage works and an irrigation upgrade have been identified within the recent Oval Audit. All other actions identified within the draft Masterplan will go through a staged budget process commencing in 2019/2020. This will be supplemented with external grant funding if available. The intention is to gradually implement the works in partnership with the local community, Natural Resources Adelaide and Mt Lofty Ranges Board, local conservation groups, Peramangk and key stakeholders.

➤ **Customer Service and Community/Cultural Implications**

The Masterplan process and design has taken into consideration the location of the recent Coolaman sculpture and protection of culturally significant trees. The preparation of the draft Masterplan has involved an extensive community consultation approach that will ensure a coordinated staged and funded process to assist in the implementation of actions. This will result in an improved benefit to the Gumeracha and Adelaide Hills community.

➤ **Environmental Implications**

Not applicable

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

Council Committees: Not applicable

Council Workshops: Gumeracha Placemaking projects (including the Gumeracha Precinct-Federation Park and Oval) presented at a Council Workshop 13 March 2018. Masterplanning including reference to the Gumeracha Precinct-Federation Park and Oval was presented at a Council Professional Development session on 17 July 2018.

Advisory Groups: Not applicable

Administration: Chief Executive Officer
Director Infrastructure and Operations
Director Community Capacity
Director Development and Regulatory Services
Director Corporate Services
Executive Manager Governance and Performance
Executive Manager Organisational Development
Manager Sustainable Assets
Sustainability Officer
Horticultural Officer

Parks and Reserves Supervisor
Sport and Recreation Planner
Community Development Officer-Torrens Valley Community Centre
Community and Cultural Development Officer

Community:

An initial workshop was held on 12 April 2018 with representatives from key stakeholder groups who are involved with or use the Gumeracha Precinct. This workshop was to identify what is valued by the community, how the precinct is used and to identify future priorities for the precinct. Nineteen (19) members of the community attended this workshop. A follow up workshop was held on Wednesday 22 August 2018 to present the draft Masterplan. Seventeen (17) members of the community attended this workshop. This workshop was to gather feedback on the masterplan layout, identify opportunities and refinements to the proposed projects and to contribute to a priority list to guide future project planning and funding applications.

2. BACKGROUND

In 2006 a Masterplan and priority action list was prepared for Federation Park in Gumeracha. Since that time numerous actions have been completed and new ones added. This project is to review this Masterplan, prepare a new Masterplan and a further agreed priority action list to enable Council's budget to be allocated or grant funding applications to be undertaken.

The Gumeracha Precinct (Federation Park and Oval) is a large open space, recreation facility and civic centre located within the Gumeracha township. The site area is a total of 7.844 hectares of undulating landscape and parkland traversed by the Kenton Creek along with numerous buildings and recreation facilities. The oval and park have existed since the early 1900s and in the 1970s ownership passed from the Board of Trustees to the then Gumeracha District Council. Federation Park and the Oval are managed by AHC with numerous community and sporting groups operating management leases of their respective areas. Funding was provided in 2000/2001 and extensive works were carried out in Federation Park including the rehabilitation and creation of ponds within Kenton Creek. The Masterplan prepared in 2006 continued to implement some of these works.

The Medieval Fair is held annually in Federation Park and attracts over 10,000 people over a weekend in May. In addition other events are held within the park of a formal and informal nature and the park is a well-loved open space area for the local community.

Specifically the Gumeracha Precinct site includes:

Federation Park contains:

- Toilet Block
- BBQ shelter
- Picnic / Rest Area Shelters (one medieval style)
- Information display
- Skate park Shelters (& skate bowl approx. 34m Long x 15m wide)
- Tennis Court shelter with 4 x Tennis Courts (over lined with Netball Courts)
- Playground
- Large gravel parking area with the capacity for 40 cars

- Two memorials at the entrance to the park
- Kenton Creek with riparian vegetation and *Eucalyptus camaldulensis*
- Numerous significant *Eucalyptus camaldulensis* and a *Eucalyptus cladocalyx*

The Torrens Valley Community Centre has:

- The Town Hall
- Library
- CWA
- Opportunity Shop
- Community Shed
- Community Garden
- Community storage sheds including Lions
- RSL
- Community Centre
- In side Toilets
- Outside Toilets
- Men's Shed
- Lions Club
- Carpark with capacity for about 35 to 50 cars

The Oval Consists of:

- Clubrooms
- Change Room
- Ticket box booth (at the main Oval entrance)
- Oval Shelters
- A large well maintained Oval with a $\frac{3}{4}$ ring road
- Practise cricket nets
- Around the Oval there is enough space for 50 to 80 cars (utilised during football and cricket games).

Due to recent grant funding (Building Better Regions and Residents Win Program) there are also two Main Street projects being undertaken concurrently with this Gumeracha Precinct Masterplan. The new draft Masterplan has considered the approach and outcomes of these two projects.

Engagement is an important component of the Masterplan review and development of a new Masterplan. Tract –Landscape Architects have been engaged by Council to prepare the draft Masterplan and also partner with Council to manage the consultation process. This has included two workshops with representatives from the key stakeholder groups. This workshop was to identify what is valued by the community, how the precinct is used and to identify future priorities for the precinct. This workshop was attended by nineteen (19) community members. A follow up workshop was held on Wednesday 22 August to present the draft Masterplan. Seventeen (17) members of the community attend this workshop. This workshop was to gather feedback on the masterplan layout, identify opportunities and refinements to the proposed projects and to contribute to a priority list to guide future project planning and funding applications.

Key stakeholder groups that have been invited to or attended the workshops include:

- Gumeracha and District Town Hall committee Inc.
- Friends of the Gumeracha Library Inc.
- Returned and Services League Gumeracha sub Branch Inc

- Gumeracha Community Association Inc.
- Gumeracha Sports and Social club Inc.
- Gumeracha Medieval Fair Inc.
- Gumeracha Bowling Club Inc.
- Gumeracha Main Street Project Group
- Lions Club of Torrens Valley
- Gumeracha Primary School
- Gumeracha Hospital Womens Auxillary
- Gumeracha Main Street Project Group
- Gumeracha Neighbourhood Watch
- Torrens Valley Community Centre & AHC programs
- Gumeracha Historical Association
- Gumeracha Football Club
- Gumeracha Tennis Club
- Gumeracha Netball Club
- Gumeracha Cricket Club
- Torrens Valley Kindergym
- Gumeracha Gymnastics Club
- Community Shed
- Community Garden
- Opportunity Shop
- Green Shed
- Torrens Valley Childrens Centre
- Peramangk (Elder) Ivan Copley
- Recreational Vehicle information –Phil Wilkinson

A Council Project Team has also been formed with the Strategic and Sustainability Officer, Parks and Reserves Supervisor, Sport and Recreation Planner, Community Development Officer-Torrens Valley Community Centre and Community and Cultural Development Officer. This group has met two times to provide input after the first workshop and then to review the draft Masterplan. Members of the group have been invited and also attended the workshops.

3. ANALYSIS

This draft Masterplan updates and builds on the works from the previous 2006 masterplan along with input from the numerous community groups. The intention is that the draft Masterplan is a spatial masterplan that identifies key projects and costing for use in ongoing Council funding, grant applications and the involvement of community. The process has been a collaborative approach working with the community to understand the local issues and realistic future priorities. Representatives from key stakeholder groups have been involved in two workshops with the expectation that the draft Masterplan will now be endorsed for broader community engagement to identify further feedback.

Key outcomes from the initial workshop held on the 12 April 2018 include:
What does the community value about the Precinct?

- Integrated community facilities in the one location with the town hall, library and community centre being especially important
- Open space and flexibility of the space

- Federation Park

Current use included:

- Sport and recreation
- Various community and social events
- Gathering space

Future priorities included:

- A need for upgraded infrastructure and functional items eg toilets, creek clean up
- improved services and utilities management (electricity, water, stormwater, lighting)
- A need for improved recreation facilities – formal sporting facilities and informal eg walking, short term motor home stays, seating, and
- Improvements on how the reserve looks and feels, and better integrations of the existing facilities within the precinct.

Those key stakeholder groups engaged to date value the precinct area and feel very strongly about this unique open space. They would like to retain the natural feel of the site with an emphasis on key priorities to include more upgrades than anything new.

The draft Masterplan vision is to *‘Enhance and review Federation Park and Oval to be an active and vibrant community and tourist hub that complements the main street precinct and other attractions within Gumeracha’*.

Themes identified within the draft Masterplan include:

- Preserve, enhance and build upon the natural assets and environment of the reserve
- Link the reserve to the main street precinct and improve legibility and movement networks, and
- Enhance the reserve as a destination to attract increased use by tourists, locals and events.

Key priority actions identified at the workshop on 22 August 2018 included:

- Renew and enhance the creek corridor landscape
- Emphasise and celebrate entry points, and
- Renew and upgrade formal recreation facilities.

Additional actions that involve new elements include an investigation into short term motor home parking and a refuse dump point, the potential to design and implement a regional play space and investigation into the re-location of the netball and tennis courts closer to the oval and enable further opportunities to achieve efficiencies and multipurpose use of community facilities.

The upgrade of the Gumeracha tennis and netball courts has been identified as a priority and is within this financial year’s budget to contribute to court resurfacing with 20% of the total cost which will be used as matched funding and leverage for an Office of Recreation and Sport grant. This project is the priority for 2018/2019 for the draft Masterplan. The upgrade and renewal of the playground is also within the Long Term Financial Plan and is planned for 2020/2021. In addition drainage works and an irrigation upgrade have been identified from the recent Oval Audit.

All other actions identified within the draft Masterplan projects will go through a staged budget process commencing in 2019/2020. This will be supplemented with external grant

funding if available. The intention is to gradually implement the works in partnership with the local community, Natural Resources Adelaide and Mt Lofty Ranges Board, local conservation groups, Peramangk and key stakeholders.

A broader engagement process is now planned to obtain further feedback on the draft Masterplan. This will involve:

- Listening Post's to be set up in the Main Street and in the Gumeracha Precinct area
- Attendance at the Nature Play Day planned for 11 October 2018 in Federation Park
- Online engagement through My Say on the AHC website.

The broader engagement process will be undertaken concurrently with the draft Gumeracha Main Street Masterplan consultation to combine the two projects and limit consultation fatigue within the Gumeracha community. The community can then if they wish provide feedback on both projects.

This broader engagement process will be undertaken in October 2018 for three weeks commencing on Thursday 11 October 2018 (Nature Play Day in the Park) and closing on Thursday 1 November 2018. Listening Posts will be undertaken on either Saturday 20 or Saturday 27 October 2018. The October dates ensure that the consultation process is outside of school holiday time.

All attendees and those key stakeholder groups involved in the earlier workshops will be invited to attend the Listening Posts or contribute online. In addition a Public Notice will be placed in the Courier, posters located in the Torrens Valley Community Centre foyer, and information distributed via social media to inform the broader community of the engagement process. The broader community engagement process for the Gumeracha precinct will be undertaken by Council and the consultant.

4. OPTIONS

Council has the following options:

- I. Receive the draft Masterplan and resolve to undertake community engagement as identified in this report.(Recommended)
- II. Resolve not to undertake community consultation. Should the Council decide not to undertake broader community consultation the collaborative approach to engage with the community to develop the draft Masterplan may be perceived to be compromised. (Not Recommended)

5. APPENDICES

- (1) Draft Gumeracha Federation Park and Oval Masterplan Report

Appendix 1

Draft Gumeracha Federation Park and Oval Masterplan Report



Adelaide Hills
COUNCIL

Tract
Landscape Architects
Urban Designers
Town Planners

DRAFT

Tract

Gumeracha Federation Park and Oval

Masterplan Report

Albert Street, Gumeracha SA, 5233

Prepared by Tract Consultants
for Adelaide Hills Council

0318-0357-01R06

Wednesday 29 August 2018

7-11 Moger Lane, Adelaide, SA 5000
T (08) 8223 1324
www.tract.com.au

0318-0357-01R03 Federation Reserve Masterplan_R06

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01 INTRODUCTION

1.1 Project Background

Gumeracha is a small town that forms an important part of the overall Adelaide Hills experience. The town retains its original character and an authenticity and has a passionate and active local community. Home of 'the Big Rocking Horse' this small town has a large place in the collective memory of Adelaide's children, making Gumeracha an instantly recognisable name to most South Australians. Federation Park and Oval is also host to the Medieval Festival and other community events that make this local reserve a 'big hitter' in its regional context, it is an extremely important space for the local community and the region.

This masterplan project updates and builds upon the works of the previous 2006 masterplan. A large number of the proposals from the 2006 masterplan have been successfully implemented, making it timely to review the priorities and update the vision for the reserve and oval.

The project has come as a culmination of efforts by the community and Adelaide Hills Council. We would like to acknowledge the following community groups who have given us their time and ideas to collaborate on this master plan;

- Gumeracha Town Hall Committee Inc.
- RSL Gumeracha
- Gumeracha Community Association Inc.
- Medieval Fair Inc.
- Lions Club of Torrens Valley
- Gumeracha Main Street Project Group
- Gumeracha Neighbourhood Watch
- Gumeracha Community Shed
- Peramangk Elder
- Salem Baptist Church
- Gumeracha Football Club
- Gumeracha Netball club
- Gumeracha Cricket Club
- Gumeracha Gymnastics Club
- Torrens Valley Kinder Gym

1.2 Purpose of this project

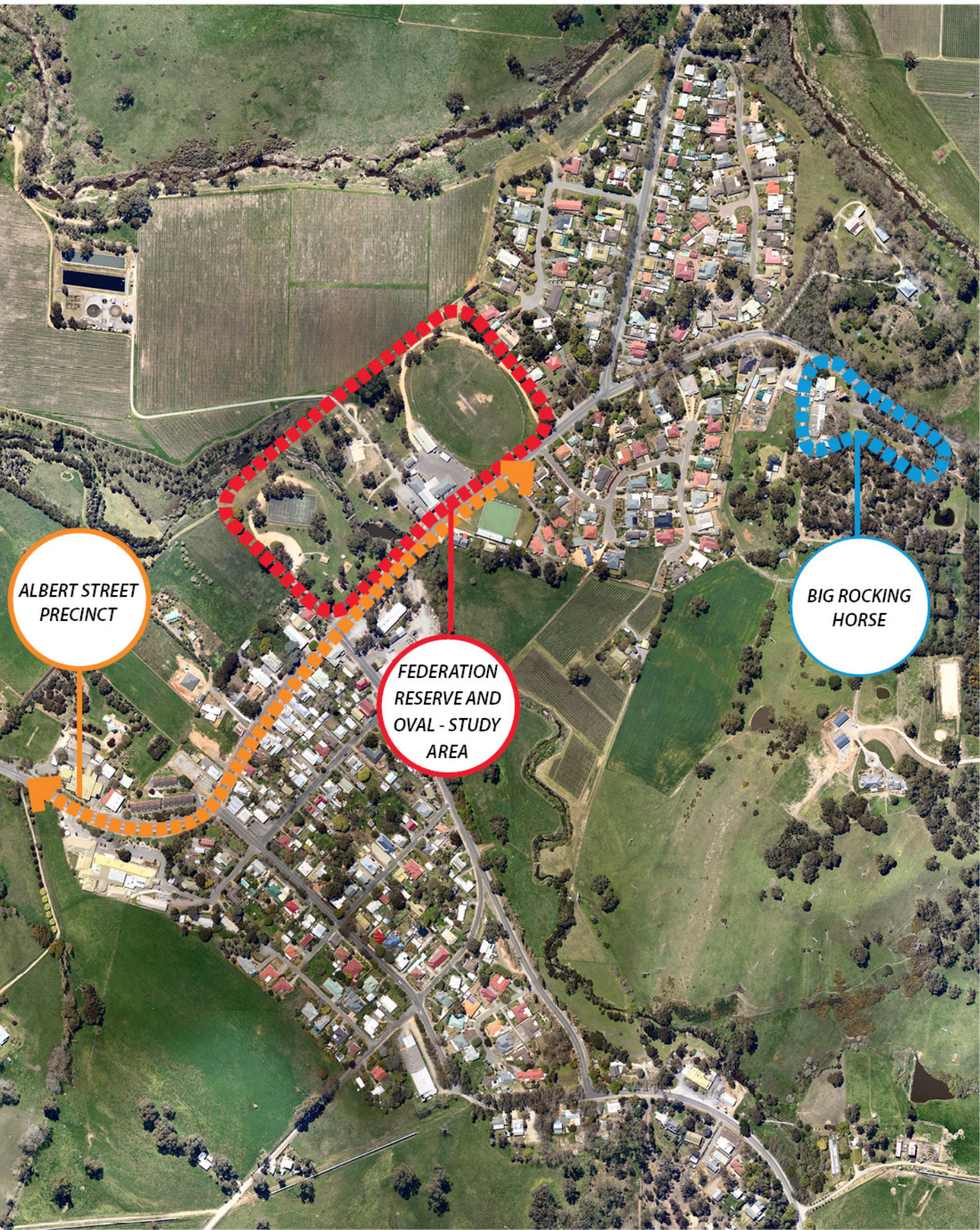
The Gumeracha Precinct Federation Park and Oval Masterplan document is a spatial masterplan, priority action list and costing for use in ongoing council funding and grant applications. It builds upon works completed from the 2006 masterplan and sets a future action list for the community to work upon. The outcomes from this masterplan are a mixture of pragmatic and aspirational improvements. It is anticipated that the items that require a larger capital investment will need to be staged over many years to align with availability of funding from the Adelaide Hills Council and potential funding partners as identified.

This masterplan document will form a part of an overall precinct master planning exercise including the master plan of Albert Street.

This project has been a collaborative effort between the Albert Street master plan project, the community and council to provide Gumeracha with a consolidated blueprint to guide the future development of the town. The Gumeracha Precinct Federation Park and Oval Masterplan forms a key part of this suite of documents.

1.3 Study Area

The study area of the project is defined by the boundaries of the reserve as shown in the figure to the right. The reserve is approximately 700 metres from the big rocking horse and adjacent the Albert Street precinct and forms a dominant element in the experience of the Gumeracha main street.



02 PROJECT CONTEXT AND BACKGROUND

2.1 Strategic Context

2.1.1 Development Plan

The site comes under the Adelaide Hills Council Development plan and is Zoned Public Purpose Zone and under the policy area Public Purpose Recreation and Sport.

Two zones abut the site, Township Zone and Local Centre Zone and subject to Policy Area Township (Gumeracha) and Local Centre (Gumeracha)

OBJECTIVES

1. The accommodation of a range of sporting, recreational, entertainment, cultural and exhibition events and associated spectator facilities and car parking facilities within a land-scaped setting.
2. Avoidance of impacts on nearby residents, or adverse effects on other development within the Policy Area or locality.
3. The development of facilities to incorporate multi use for compatible sports.

PRINCIPLES OF DEVELOPMENT CONTROL

Land Use

The following forms of development are envisaged in the policy area:

- Car parking
- Child care facility
- Club room associated with a sports facility
- Facilities for the use of tourists and visitors, excluding tourist accommodation
- Indoor and outdoor recreation facility
- Lighting for night use of facilities
- Minor public service depot
- Office associated with community or recreational facility
- Playground
- Shop associated with community club or service
- Spectator and administrative facilities ancillary to recreation development
- Sports ground and associated facility
- Swimming pool (including a paddling pool).

Caravan parks and tourist accommodation are considered non complying development in the Public Purpose policy area, with the exception of Recreation Policy Zone, which applies to this reserve.

2.2 Literature Review

Past studies and documents relating to the site and its history were provided for review as a part of this project. We have used the information in these documents to inform the masterplan initiatives proposed in this document.

Documents reviewed ;

- A10 801 Master plan Federation Park Gumeracha Fed Park priority list, Feb 2006
- Additional actions from 2006_federation Park Master plan
- Fed Park Riparian Zone Report 2001
- Next Generation of Great Gums 2001
- Survey plan Federation Park_2012
- Gumeracha Precinct notes and background
- Medieval Fair layout_Federation Park_2015/18
- Report - Gumeracha Main Street Project - Community Meeting (Sept 2016)
- Albert St Residents Win Stage 1 Consult Report (Nov 2017)
- P4617 Albert Street Gumeracha Residents Win Posters

Key Items from the document review;

- Court resurfacing due to root damage is a priority
- Services, underground and above ground needs to be reviewed and updated as a part of any upgrade
- Significant and remnant tree data is outdated
- Some explicit suggestions for the reserve are;
 - Cubbies, Hammocks, Flying fox over the creek, slides – Rock Climbing wall at the skate park
 - Creating a unique identity and character is strongly desirable
 - The community strongly values the openness, greenery and rural outlook of federation reserve
 - Signage to entry of the Federation Reserve should be an integrated approach with the Albert Street masterplan,
 - This project should look to continue the new tree planting and other themes proposed under the Albert Street Masterplan to ensure integration of the reserve.

2.3 Community Engagement

Adelaide Hills Council Planning Session - April 2018

Attended by representatives from key groups who use the Gumeracha precinct; the focus of the session was to understand the current uses of the Federation Park and Oval, what is valued by the community in the reserve and to investigate future priorities and aspirations for the reserve.

Some key things of value to the community about the study area are;

- Integrated community facilities in the one location, with the town hall, the library and community centre all being of noted value to the community.
- Open space/ flexibility of the space
- Federation Park

Current precinct use was investigated;

- Strong focus on various community and social events was noted. The study area acts as a gathering space for the community and a hub for milestone celebrations.
- Sport and recreation uses are dominant
- Events of varying scales are held throughout the year, utilising both the open space and the town hall and community centre.

The community were asked to identify future priorities for the reserve;

They can be broadly clustered into three themes

- A need for upgraded infrastructure and functional items, upgraded toilets, waterway clean up, improved services and utilities management are mentioned, with several items approaching the end of their useful life and needing upgrades.
- A need for improved recreation facilities, both in the formal sporting facilities offered, and informal facilities relating to opportunities for play and walking/ cycling within the reserve was identified. Improvements in passive recreation opportunities are also sought, with better seating and amenity. Providing additional tourist facilities for short term motor home stays is also a priority.
- A need for aesthetic improvements to improve how the reserve looks and feels, its interface with Albert Street and a better integration of existing facilities within the site.

03 SITE ANALYSIS



Federation Park Memorial Arch and Trooper Moore Memorial

3.1 Built Form

Built form to the precinct is mixed in quality and presentation, All of the buildings are well maintained and in sound condition, with the exception of the public toilet block to the rear of the civic centre, which is at the end of its useful life and in poor condition.

The Town Hall building is the largest building to the site and presents an impressive 2 story heritage facade to the main street, adjacent the heritage town hall is the civic centre and library. The civic centre and library is a series of buildings that wrap around the town hall that have been extended over a long period of time. The buildings are well used and functional.

Built form to the rear of the civic centre is of mixed character, scale and style. This area contains the sporting clubhouse, which has a licenced bar, and the two community sheds used as a workshop and also houses the community bus. All are well maintained and of mixed styles.

Federation park contains two notable picnic shelters, these been constructed using traditional medieval construction techniques and materials. The park has a substantial toilet facility in good condition and a smaller services hut/ information board adjacent the carpark. There is a small club room facility associated with the courts that is used by the tennis and cricket clubs.

Overall the study area presents well and is well maintained. Improvements to connections between buildings will help to achieve a visually cohesive precinct of the diverse building stock and improve functionality of the existing layout.

- Town Hall, Council Library, History Centre, RSL Room, Torrens Valley Community Centre
- Viewing platform/shelter structure for sporting and recreational activities - Tennis, skate and AFL
- Public convenience building - location 1: main park (recently constructed) location 2 rear of council offices (outdated)
- Shelter structure - traditional onstruction by local(?) craftsman
- Community Shed - 3x iron sheds (recently constructed)
- Picnic shelter - proprietary product
- Op-shop and secondhand store - secondary building
- Playground - 2x softfall areas contained within treated pine rounds edge restraints -
- Courts - 2x courts with chainlink fence. Surface cracking due to tree roots
- Skate park - concrete construction. Recently constructed
- Cricket nets
- Footbridge - timber truss <2m wide
- Bollards - hardwood
- Picnic table - proprietary product on concrete slab (x 2)



- Creek line - Kanton Creek
- Waterbody
- Weir structure - mortared stone
- Ephemeral - some ponding, dominant areas of Typha sp
- Gully
- High point - views into the reserve or surrounding landscape
- Large Eucalypt sp - prominent location/dominant feature within the reserve (electrical connection with uplighting - condition unknown)
- Ridgeline
- Garden beds - predominantly formal, maintained
- Riparian zone - approximate
- Tree canopies - informal placement
- Existing tree
- Copse of trees - (mostly exotic species)
- Avenue trees

3.2 Topography and Natural Systems,

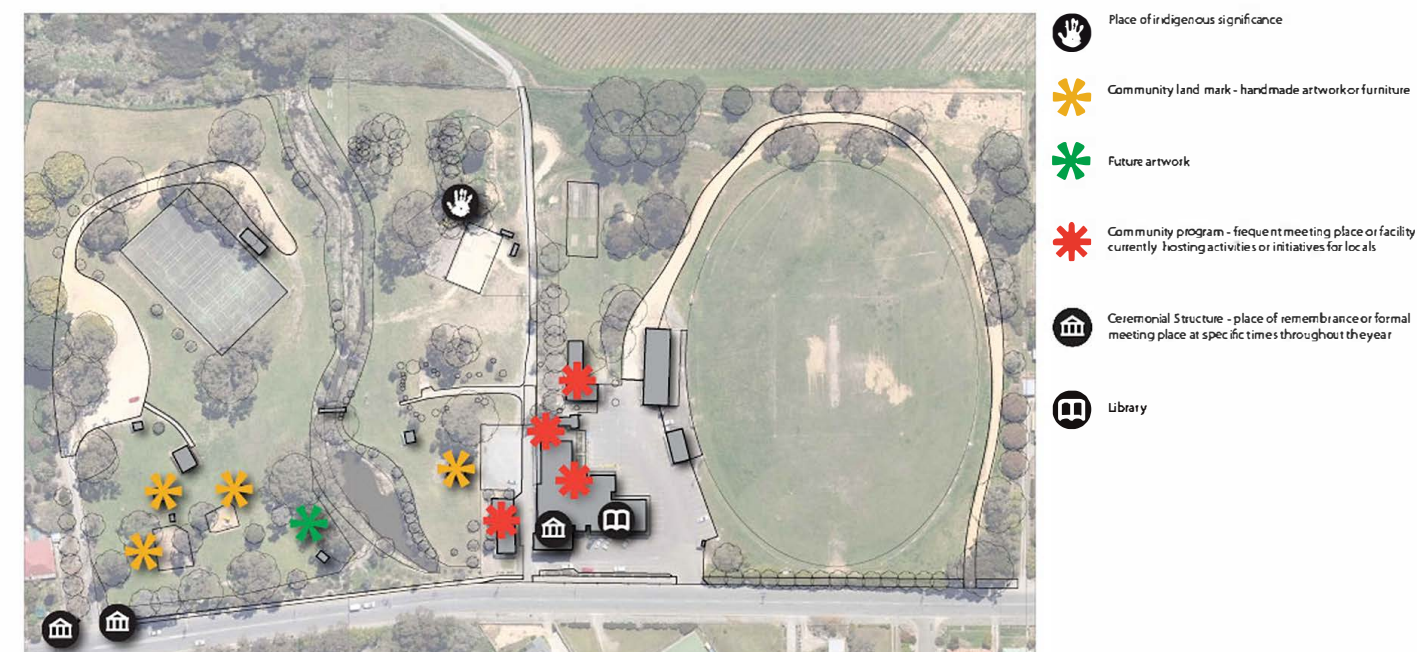
The site has an undulating topography and an open landscape character that frames rural views of the hills. It has been identified that this open and informal landscape character is highly valued by the community.

A creek line divides the site, and is a visually dominant element creating a picturesque divide between the civic and sporting precinct, and Federation Park. The creek has a permanent body of water and a series of rock weirs that serve as pedestrian crossing points, there is some typha infestation to the creek line making it inaccessible and obscuring views of the banks.

The study area is home to an impressive array of trees. Notable are pre European River Red Gum trees that are dotted around the study area, these large eucalypts are typical of the Adelaide Hills character and are visually and culturally important trees.

Several stands of exotic trees are also within the study area, with a large stand of trees to Albert Street acting as a windbreak to the oval, with less formal windbreak planting to the eastern boundary.

Overall the diversity of trees and the open character combine to create a very picturesque environment, with the large amount of species present adding charm and interest to the reserve.



3.3 Movement

Vehicle movement throughout the site is well structured and logical. Paths are a mixture of rubble base roads with bitumen around the civic centre precinct.

Car parking is informal around Federation Park, with generous provisions across two carparks.

Anecdotal information suggests that current parking provisions are adequate.

Formalised car parking exists around the civic centre carpark with a sealed surface and line marking to the front and rear of the civic centre that is used by people visiting the Council. There is an electric car charging station here used by the council. An informal gravel car park is at the rear of the op shop.

The oval has informal parking around the perimeter of the oval and could potentially take 2 rows of car parking on high use days, with a lane way in the centre.

During the medieval fair the oval is utilised for car parking with attendants guiding car movements and parking.

Overall the site is generously catered for in terms of parking, with many options for both informal and formal use car parking.

Any master plan strategy that resulted in high use or peak flows would need to consider overflow parking or a strategy guiding traffic through to vacant parking.

The formal pedestrian path network is limited with the majority of pedestrian movements occurring in the vehicle access routes. Informal pedestrian movement is evident along desire lines between attractions.

Pedestrian connection between the civic and oval precinct are poorly catered for and current movements East South between precincts could be challenging for elderly or disabled users.

Pedestrian links to Albert Street from Federation Park are limited by the topography and dense vegetation. A footpath runs the entire length of Federation Park and the Oval along Albert Street.

Several desire lines can be seen in tracks through grass and there is scope to formalise some of these movements and improve the accessibility of the reserve to a broader range of users.

3.4 Cultural and Heritage

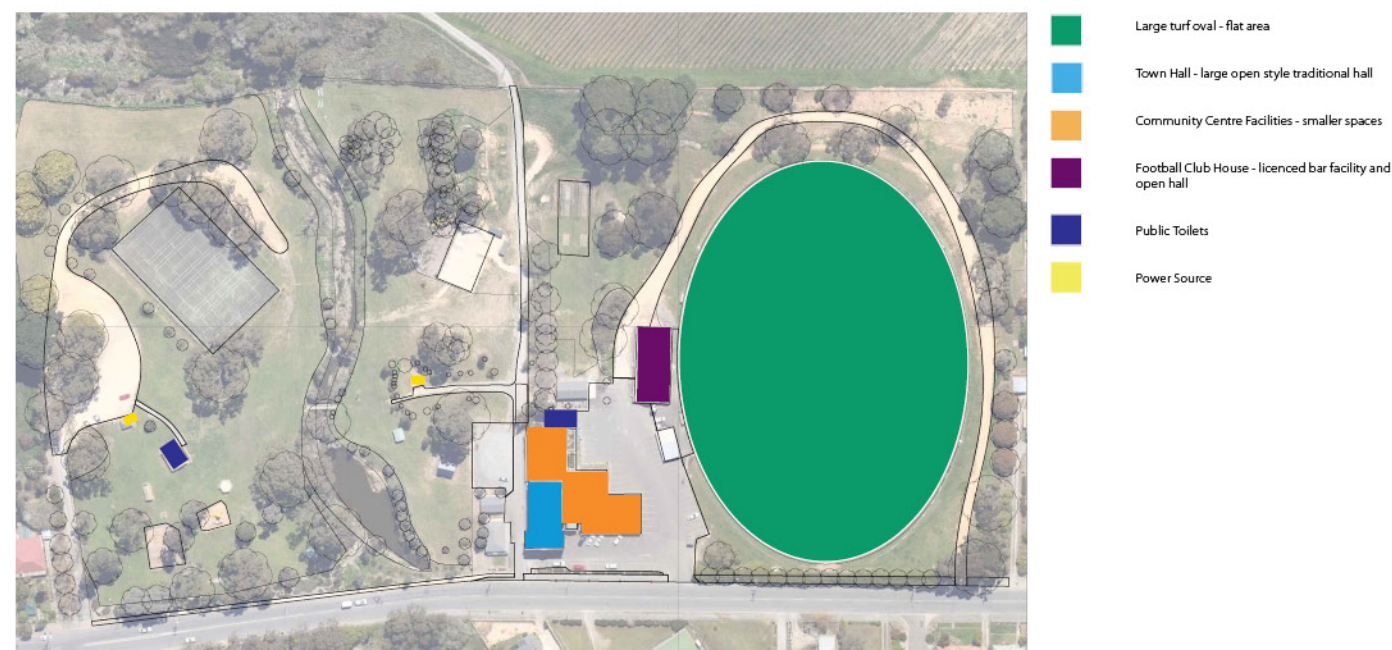
Federation Park and Oval precinct is home to several cultural and heritage items that are of significant value to the local community.

The site has several Pre European Eucalypt trees that are of significance. Initial on site discussions and reporting by specialists indicate that the trees will need to be considered as a part of a future design strategy to manage the health and longevity of the trees and to minimise risk.

One of the trees adjacent the skate park is a scar tree of significance to the Peramangk Aboriginal People and there is a gathering place adjacent the tree consisting of log seating and a fire pit. There is a need to provide a design response that assists in the preservation of this important place from adjacent recreational uses.

The dominant built form heritage to the site is the Town Hall building, which has a local heritage listing, there are other unlisted memorials in the form of the entry arch to Albert Street and several smaller community memorials within the reserve. A sculptural timber memorial seat is under construction and will need to be considered in future detailed designs.

The site is a major gathering point for the town, hosting most of the larger events and several smaller community events throughout the area, it is also acts as daily meeting place in the community centre and its associated clubs.



3.5 Events and Activation

Federation Park and Oval is home to several events. The reserves built form and natural assets as well as generous spaces make it an ideal staging ground.

Some of the larger events that are held at the site are;

- Beer and Bite festival - February
- Cherry Fest - Under planning, most likely during harvest season November
- Medieval Fair - May
- Lions Show and Shine - November

In addition there are smaller, community scale events held through out the year that range from the social, such as weddings and milestone celebrations, to community events held in the civic centre such as group meetings, active living and exercise and special interest groups.

The study area is also home to several active sporting clubs, which play home games at the oval and courts, as well as use the club rooms for social gatherings. Current sporting associations using the Federation Park and Oval are;

- Gumeracha Football Club
- Gumeracha Netball Club
- Gumeracha Cricket Club
- Gumeracha Tennis Club

There is significant diversity in the scale and variety of the facilities within the project study area.

- The oval offers significant area of flat open space
- Federation Reserve and Oval offers a variety of external spaces, grassed, gravel and courts surfaces.
- The community centre offers a varying scale internal spaces and is fully serviced.
- The sport club rooms offer a large space that has a licensed bar and is serviced.
- There is a public address system and some power available in the reserve, larger events rely on generators for power.

The variety of events, and activation within the site is significant, exposing a large number of both locals and tourists/ visitors use the site.

All design responses need to continue to support the continuation of the current site activities and events, and where possible add value , safety and functionality that supports existing programs and encourage the use of the site for new events.



04 MASTERPLAN

4.1 Masterplan Vision and Objectives

Enhance and renew Federation Park and Oval to be an active and vibrant community and tourist hub that complements the main street precinct and other attractions within Gumeracha.



1..

Preserve, enhance and build upon the natural assets and environment of the reserve



2..

Link the reserve to the main street precinct and improve legibility and movement networks



3..

Enhance the reserve as a destination to attract increased use by tourists, locals and events

4.2 Masterplan Objectives and Projects



1..

Preserve, enhance and build upon the natural assets and environment of the reserve



- Continue to implement a tree succession and protection strategy
- Renew and enhance creek corridor landscape
- Continue to renew under storey planting with a consistent planting theme
- Introduce an interpretive signage strategy with natural and cultural themes



2..

Link the reserve to the main street precinct and improve legibility and movement networks



- Emphasise and celebrate entry points
- Improve pedestrian connectivity within the reserve
- Improve vehicle connectivity within the reserve
- Create a style guide for new elements
- Create a plaza space/ pedestrian node to the rear of the civic centre to interface with the reserve
- Open sight lines into the reserve from Albert Street



3..

Enhance the reserve as a destination to attract increased use by tourists, locals and events



- Connect Federation Park to the civic precinct and the Oval to Albert Street
- Design and implement a regional Play Space and Kick about area
- Expand the Skate Park zone with a pump track
- Incorporate new public art opportunities integrated into the upgrade
- Integrated services review and staged upgrade
- Investigate Short Term Motor home Parking/ waste dump point
- Renew and upgrade formal recreation facilities
- Review layout and usage of current community facilities to achieve efficiencies and support multipurpose usage

4.3 Masterplan Layout

Enhance and renew Federation Park and Oval to be an active and vibrant community and tourist hub that complements the main street precinct and other attractions within Gumeracha.

Preserve, enhance and build upon the natural assets and environment of the reserve

- 1 Continue to implement a tree succession and protection strategy
- 2 Renew and enhance creek corridor landscape
- 3 Continue to renew under storey planting with a consistent planting theme
- 4 Introduce an interpretive signage strategy with natural and cultural themes

Link the reserve to the main street precinct and improve legibility and movement networks

- 5 Emphasise and celebrate entry points
- 6 Improve pedestrian connectivity within the reserve
- 7 Improve vehicle connectivity within the reserve
- 8 Create a style guide for new elements
- 9 Create a plaza space/ pedestrian node to the rear of the civic centre to interface with the reserve
- ↔ Open sight lines into the reserve from Albert Street

Enhance the reserve as a destination to attract increased use by tourists, locals and events

- 10 Connect Federation Park to the civic precinct and the Oval to Albert Street
- 11 Design and implement a regional Play Space and Kick about area
- 12 Expand the Skate Park zone with a pump track
- 13 Incorporate new public art opportunities integrated into the upgrade
- 14 Integrated services review and staged upgrade
- 15 Investigate Short Term Motor home Parking/ waste dump point
- 16 Renew and upgrade formal recreation facilities. Investigate relocation of facilities.
- 17 Review layout and usage of current community facilities to achieve efficiencies and support multipurpose usage



4.4 Masterplan Visualisation - Civic Plaza

Create a plaza space/ pedestrian node to the rear of the civic centre to interface with the reserve



4.5 Masterplan Visualisation - Regional Play Space and Linkage to Albert Street

Connect Federation Park to the civic precinct and the Oval to Albert Street
Design and implement a regional Play Space and Kick about area



4.6 Masterplan Visualisation - Creekline Restoration

Renew and enhance creek corridor landscape



05 MASTERPLAN PROJECTS

5.1 Masterplan Projects Layout A

Preserve, enhance and build upon the natural assets and environment of the reserve

1 Continue to implement a tree succession and protection strategy

Preserve Pre European eucalypt trees and introduce new planting to ensure the important character of these trees is maintained and enhanced for future generations

Assess European and introduced tree copses that function as wind breaks or have scenic value to ensure that they are maintained and successively replanted.'

Investigate the cultural significance of trees within the reserve and celebrate these associations throughout interpretive signage or artworks.

2 Renew and enhance creek corridor landscape

Increase the biodiversity value and visual amenity of the creek line. Work with the regulatory authorities such as the NRM to remove invasive weed species from the creek line and introduce indigenous and native riparian planting to the creek beds and banks.

3 Continue to renew under storey planting with a consistent planting theme

Prepare a master list of understory species that support the functional, aesthetic and biodiversity requirements of the reserve. Include Peramangk indigenous planting knowledge within the planting list.

Selectively remove poorly performing or positioned understory planting and replace from the master plant list.

4 Introduce an interpretive signage strategy with the following natural themes;

Cultural significance of important trees and likely ages.

Riparian landscapes, the watershed and the fauna

Peramangk cultural planting, medicinal and bush tucker uses.

Consider developing an app or online interpretive trail as a part of a Gumeracha wide tourist strategy.



5.2 Masterplan Projects Layout B

Link the reserve to the main street precinct and improve legibility and movement networks

5 Emphasise and celebrate entry points

Create two plaza/ entry node experience to the civic centre and the south west corner to link the reserve and civic centre to Albert Street.

Incorporate the proposed Op Shop ramp and entry into the Town Hall plaza to create an integrated arrival point to the civic centre precinct.

6 Improve pedestrian connectivity within the reserve

Develop the linkage between the Albert Street entry reserve and rear of civic and oval facilities with a network of both sealed and informal adventure trails that encourage use and cater to differing abilities and fitness levels.

New way finding signage with distance markers are proposed to create structured running and fitness loops, as well as recreational walkers. Outdoor fitness stations could be positioned along the trail to encourage active use and a healthy community.

Investigate widening of existing bridge or new bridge location - options A shown, as a part of the introduction of a new path network.

7 Improve vehicle connectivity within the reserve

Improve the legibility and rationalise vehicle movements through the reserve with subtle planted edge treatments that give the perception of narrower roadways and encourage slow vehicle movement.

8 Create a style guide for new elements

To allow for staged upgrades and regular maintenance to be rolled out with a consistent outcome. This style guide needs to tie in civic themes from the main street, including furniture, materials and lighting selections.

9 Create a plaza space/ pedestrian node to the rear of the civic centre at the interface with the reserve

Incorporate the community garden, community shed and rear of community centre into a green plaza space that links to a new pedestrian path through to Federation Park. Demolish existing toilet block and incorporate a new toilet facility into the plaza space.



5.3 Masterplan Projects Layout C

Enhance the reserve as a destination to attract increased use by tourists, locals and events

10 Connect Federation Park, the civic precinct and the oval to Albert Street

Open up sight lines from Albert Street with crown lifting of the mature trees to the west of the creek line and selective removal of under storey vegetation, selectively replant from the proposed understory plant master list

Replace fencing to Albert Street, investigate integrated artworks into fence

Create additional access by re grading the batters and/ or stairs/ amphitheatre down into the reserve, incorporate existing and proposed memorials into the new design.

11 Build a Regional Play Space and Kick about area

Create a themed regional play space integrated with refreshed kick about zones, picnic facilities, amphitheatre and path network. Look at European history, medieval themes and Peramangk stories for inspiration.

12 Create an expanded Skate park zone with a pump track

Provide extra hardstand and amenity to the eastern interface of the skate park that weights the usage away from the hollow tree and meeting place to the west and get the local skate community to design a pump track through the small pine copse to the North of the skate park, using the natural grade and existing obstacles to create the track. Location options A & B

13 Incorporate new public art opportunities integrated into the upgrade

Create design briefs for integrated art opportunities that explore the stories of Gumeracha.

14 Integrated services upgrade

Review and upgrade services to the reserve to better cater for large and small events, and improve overall functionality and ease of use by the community. Investigate charging and wifi hubs linked to a digital strategy for the town

15 Investigate Short Term Motor home Parking

Provide a flat space for short term RV/ motor home parking to attract the 'grey nomad' tourism market. Location options A, B & C investigate the addition of a waste dump point utilising existing sewer services around the rear of the civic centre



16 Renew and upgrade formal recreation facilities. Investigate relocation of facilities.

Investigate possible relocation nearer the oval and other recreation facilities. Investigate possible relocation nearer the oval and other recreation facilities.

Investigate the opportunity to renew the cricket nets and surface

Upgrade the irrigation of the oval and turf renewal and management that allows for its continued use as an event space and sporting oval.

17 Review layout and usage of current community facilities to achieve efficiencies and support multipurpose usage

Review current storage and usage across community facilities to achieve efficiencies in the existing facilities and identify any additional needs or the opportunity to consolidate and have multipurpose facilities.

5.4 Masterplan Projects - Detailed Descriptions

Preserve, enhance and build upon the natural assets and environment of the reserve

1 Continue to implement a tree succession and protection strategy

Preserve Pre European eucalypt trees and introduce new planting to ensure the important character of these trees is maintained and enhanced for future generations

Assess European and introduced tree copes that function as wind breaks or have scenic value to ensure that they are maintained and successively replanted.

Investigate the cultural significance of trees within the reserve and celebrate these associations throughout interpretive signage or artworks.

Project Description

Prepare an assessment on the significant trees within the site to assess health, life span , identify any risks and delineate tree protection zones to inform detailed design of the reserve upgrades.

Prepare a tree planting master plan including;

- Succession planting of the Eucalypt species
- Spatial master plan and time line for replacements
- Design of tree protection zones of significant trees, demarcate root zones from pedestrian and vehicle travel during events through methods such as mulched, gardens beds, timber edging and other landscape elements.
- Reinforce existing landscape character through additional tree planting including
 - Avenues to roadways and key movement route

- Shelter belts to provide wind protection
- Clusters and copes to reinforce the dominant open woodland character of the reserve.
- Formal planting – gateways and entry points and interface with the more formalised nature of Albert Street and the civic centre precinct

Budget Range \$23,000.00

Arborist assessment report = \$6000

Tree pruning per tree;

Significant trees \$1500 x 8 trees = \$12,000.00

Smaller trees \$250 x 20 = \$5000.00

2 Renew and enhance creek corridor landscape

Increase the biodiversity value and visual amenity of the creek line. Work with the regulatory authorities such as the NRM to remove invasive weed species from the creek line and introduce indigenous and native riparian planting to the creek beds and banks.

Project Description

- Remove sections of Typha to reduce competition, promote diversity of other riparian species indigenous to the area.
- Improve access to creek edge through rock work/paths and new pedestrian bridge - refer to movement strategy.
- Integrate existing ponds and/or streams within the playground precinct
- Improve appearance of existing swale and provide filtration of storm water through WSUD (for discussion)
- Remove woody weeds and reintroduce endemic species to batter planting

Budget Range - \$58,850.00

Installation of planting per m2 would be around \$15 m2, including soil preparation and mulch We would recommend the creek works be completed in a single stage to reduce re infestation of weeds. Approximate capital cost of works;

Planting-

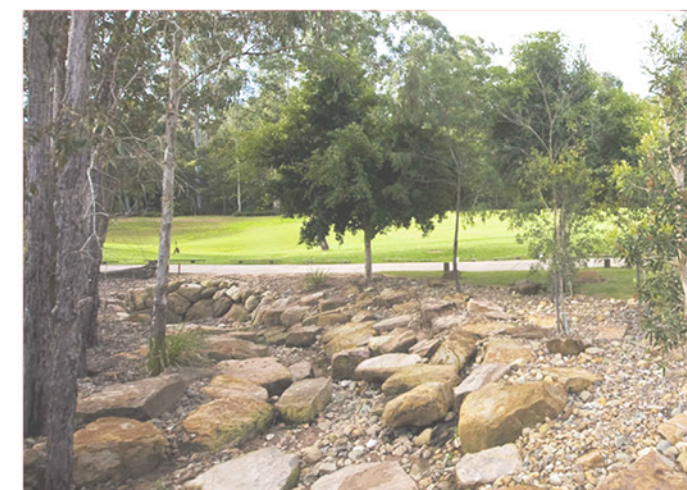
3000m2 x \$15m2 = \$45,000.00

Weed eradication \$10,000.00

TOTAL CAPITAL COST = \$55,000.00

Consultancy/ design = 7% x \$55,000.00

TOTAL DESIGN COST = \$3850.00



Preserve, enhance and build upon the natural assets and environment of the reserve

3 Continue to renew under storey planting with a consistent planting theme

Prepare a master list of understory species that support the functional, aesthetic and biodiversity requirements of the reserve. Include Peramangk indigenous planting knowledge within the planting list.

Selectively remove poorly performing or positioned understory planting and replace from the master plant list.

Project Description

- Create a gateway landscape typology that is complementary to the existing architecture and prevailing landscape character
- Adopt consistent plant palette(s) of native and exotic species
- Improve the landscape interface with Albert Street to enhance the reserve's overall visual appeal
- Remove weeds and reintroduce endemic species to appropriate locations
- Improve or reinstate irrigation to garden beds where required
- Identify priority areas and a staged approach

Budget Range - \$53,500.00

Preparation of masterplan species list and planting layout \$3500

Installation of planting per m2 would be around \$35 m2 for mature planting, and \$15 for juvenile planting.

A reasonable target of planting for the reserve would be to plant

2000m2 of existing and new garden beds. The areas for renewal can be prioritised and a mix of mature and juvenile planting used depending on the area and risks of failure. This would have an approximate capital cost of;

Planting-

1000m2 x \$15m2 = \$15,000.00

1000m2 x \$35m2 = \$35,000.00

TOTAL CAPITAL COST = \$50,000.00

Consultancy/ design = 7% x \$50,000.00

TOTAL DESIGN COST = \$3500.00

4 Introduce an interpretive signage strategy with to emphasise the natural themes;

Devise a signage strategy for the reserve that explains the cultural significance of important trees and the natural assets within the reserve. Consider linking this to a digital strategy for the town or further app based/ web based information, or social media interaction with fauna and plant spotting within the reserve.

Project Description

Design a signage strategy that is linked with an overall reserve strategy exploring the following themes.

- Culturally significance of important trees and likely ages.
- Riparian landscapes, the watershed and the fauna
- Peramangk cultural planting, medicinal and bush tucker uses.
- Consider developing an app or online interpretive trail as a part of a Gumeracha wide tourist strategy.

This project could potentially be prepared by local knowledge and school participation in developing the signage content.

There is the potential to integrate with a main street digital strategy.

Budget Range \$51,627.50

Capital cost of signage;

Major panel \$6000 x 4 panels = \$24,000.00

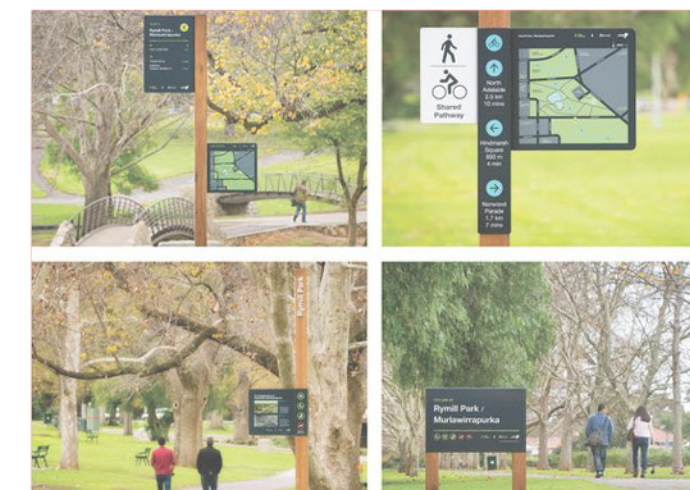
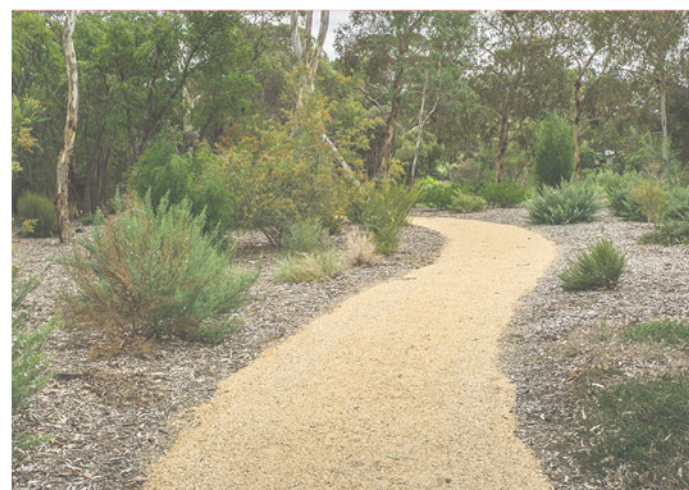
Signage panel \$2500 x 7 = \$17500.00

Distance Markers \$450 x 15 = \$6750.00

TOTAL CAPITAL COST = \$48,250.00

Consultancy/ design = 7% x \$48,250.00

TOTAL DESIGN COST = \$3377.50



Link the reserve to the main street precinct and improve legibility and movement networks

5 Emphasise and celebrate entry points

Create two major plaza/ entry node experience to the civic centre and the South west corner to link the reserve and civic centre to Albert Street.

Project Description

Create a plaza/ entry node experience to the civic centre and the South west corner

- Civic Centre - Create a forecourt plaza to the Albert Street frontage of the town hall building, civic center and Op Shop Incorporate the proposed Op Shop ramp and entry into the Town Hall plaza to create an integrated arrival point to the civic centre precinct . This could include paving, new planting, signage and flags to emphasise the heritage building and visually connect the built form to Albert Street.
- South West Entrance - Create a plaza node that provides a physical and visual link to the main street precinct and provides a threshold experience to the carpark and pedestrians and emphasises the memorial arch

Budget Range \$160,500.00

Capital cost of works;

Civic Entry Plaza 400m² x \$250.00 = \$100,000.00

South West Entry Plaza 200m² x \$250.00 = \$50,000.00

TOTAL CAPITAL COST = \$150,000.00

Consultancy/ design = 7% x \$150,000.00

TOTAL DESIGN COST = \$10,500.00



6 Improve pedestrian connectivity within the reserve

Develop the linkage between the Albert Street entry reserve and rear of civic and oval facilities with a network of both sealed and informal adventure trails that encourage use and cater to differing abilities and fitness levels.

New way finding signage with distance markers are proposed to create structured running and fitness loops, as well as recreational walkers. Outdoor fitness stations could be positioned along the trail to encourage active use and a healthy community.

Investigate new bridge locations - options A, B & C as a part of the introduction of a new path network.

Description

Develop the linkage between the Albert street entry reserve and rear of civic and oval facilities

- Provide a network of sealed paths to connect key spaces, improve access to existing facilities and alleviate lawn wear and tear through addressing desire lines.
- Introduce a secondary path network or 'explorers trail' that links the more off the beaten track parts of the reserve.
- Introduce a wayfinding strategy to encourage exploration and legibility for users
- Create a 'loop' path network for fitness walkers and joggers, a shorter loop trail that uses universal design principles and a secondary extended loop trail for longer and steeper terrain walks. It is intended these loop trails will utilise the



primary and 'explorer' trail and have distance markers to allow for more structured training.

Budget Range

Paths \$98,440.00

Bridge A \$125,000.00

Replace / widen existing bridge \$185,000.00

Capital cost of works;

2.0 m wide paved path 250m² x \$120.00m² = \$30,000.00

1.2 m wide walking loop 775m² x \$80.00 = \$62,000.00

New Pedestrian Bridge Land mark propriety product 20 linear metres, \$125,000.00

Replace / widen existing bridge \$185,000.00

TOTAL CAPITAL COST = \$92,000.00

Consultancy/ design = 7% x \$92,000.00

TOTAL DESIGN COST = \$6,440.00



Link the reserve to the main street precinct and improve legibility and movement networks

7 Improve vehicle connectivity within the reserve

Improve the legibility and rationalise vehicle movements through the reserve with subtle planted edge treatments that give the perception of narrower roadways and encourage slow vehicle movement.

Project Description

Rationalise and formalise vehicle movements and parking through the reserve to improve legibility and safety.

- Formalise the edge of car parks
- Narrow the vehicle paths and delineate the edges with planting and or bollards

Budget Range \$42,530.00

Planting-

450m² x \$35m² = \$15,750.00

Bollards 300 x \$80m² = \$24,000.00

TOTAL CAPITAL COST = \$39,750.00

Consultancy/ design = 7% x \$39,750.00

TOTAL DESIGN COST = \$2780.00

8 Create a style guide for new elements

To allow for staged upgrades and regular maintenance to be rolled out with a consistent outcome. The style guide will reference civic themes from the main street masterplan project to ensure a precinct consistency, including furniture, materials and lighting selections.

Project Description

Create a style guide for the reserve to allow for staged upgrades and regular maintenance to be rolled out with a consistent outcome.

Furniture and infrastructure;

- Paving types / path types, bollards, seating, lighting, shelters and buildings, signage, bridge and creek infrastructure, fencing

Planting;

- Reserve trees and trees for tomorrow
- Avenue and accent trees
- Feature planting
- General planting selections

Please note this project needs to be informed in collaboration with the main street project

Budget Range \$3500.00

Consultancy/ design = \$3500.00

TOTAL DESIGN COST = \$3500.00

9 Create a plaza space/ pedestrian node to the rear of the civic centre at the interface with the reserve

Incorporate the community garden, community shed and rear of community centre into a green plaza space that links to a new pedestrian path through to federation reserve. Demolish existing toilet block and incorporate a new toilet facility into the plaza space.

Project Description

Create a plaza node to the rear of the civic centre and incorporate the community garden, community shed and community centre, this plaza will link to the new pedestrian path through to federation reserve.

Provide screening and a consolidated location to the 22 wheelie bins around this area

Consolidate the colour scheme of the built form surrounding the civic centre carpark. Football club building, men's shed, interchange shed, and other building to be a consistent colour scheme

Paint murals on selected surfaces to tie in with the community garden

Replace toilet facility

Budget Range \$267,500.00 (including new toilet)

Capital cost of works;

Civic Entry Plaza 400m² x \$250.00 = \$100,000.00

New Toilet Block = \$150,000

TOTAL CAPITAL COST = \$250,000.00

Consultancy/ design = 7% x \$250,000.00

TOTAL DESIGN COST = \$17,500.00



Enhance the reserve as a destination to attract increased use by tourists, locals and events

10 Connect Federation Park, the Civic Precinct and the Oval to Albert Street

Open up sight lines from Albert street with crown lifting of the mature trees to the West of the Creek line and selective removal of under storey vegetation

Replace fencing to Albert Street

Create additional access by re grading the batters and/ or stairs/ amphitheatre down into the reserve

Project Description

- Selective removal/ replacement of under storey planting
- Open up sight lines from Albert street with crown lifting of the mature trees to the West of the Creek line
- Replace fence posts to Albert Street from Federation reserve through to the oval to match the timber bollards within the reserve (or alternative selection determined as a part of the main street outcomes)
- Enhance main street connection at South West entry through integration with proposed protuberance and street crossing to Albert Street
- Renew existing concrete footpath adjacent Albert Street (in collaboration with the main street project) and provide informal access to the reserve West of the Creek line by re grading the batters and/ or stairs/ amphitheatre down into the reserve

- Integrate an amphitheatre in between the play space and Albert Street using the natural grade. Scale the amphitheatre to suit smaller events, markets and as a place to sit and take in the view over the park to the rural vista beyond.

- Formalise and mark entry points to the oval

Budget Range \$136,746.00

800m2 x \$150m2 = \$120,000.00

Timber post and wire fence 260 lm x \$30m2 = \$7,800.00

TOTAL CAPITAL COST = \$127,800.00

Consultancy/ design = 7% x \$127,800.00

TOTAL DESIGN COST = \$8946.00

11 Build a Regional Play Space

Create a themed regional play space integrated with refreshed kick about zones, picnic facilities, amphitheatre and path network

Project Description

Create a themed regional play space

Zoned from 0-15, phased upwards in age from the existing location at the SW corner down to the creek line

Safe zone for 0-5, with less formal boundaries as the space increases in risk and complexity as it approaches the creek line

Integrated with refreshed kick about zones, picnic facilities, amphitheatre and path network.

Budget Range \$695,550.00

800m2 x \$150m2 = \$650,000.00

TOTAL CAPITAL COST = \$650,000.00

Consultancy/ design = 7% x \$695,550.00

TOTAL DESIGN COST = \$45,550.00

Possible Grants:

Community Recreation and Sports Facilities Program
(ors.sa.gov.au)



Enhance the reserve as a destination to attract increased use by tourists, locals and events

12 Create an expanded Skate park zone with a pump track

Provide extra hardstand and amenity to the eastern interface of the skate park that weights the usage away from the hollow tree and meeting place to the West and get the local skate community to design a pump track through the small pine copse to the North of the skate park, using the natural grade and existing obstacles to create the track.

Project Description

Provide extra hardstand and amenity to the eastern interface of the skate park that weights the usage away from the hollow tree and meeting place to the West

- Extends the skate able area to allow for flat area for tricks and novices (also extends event space)
- Design skate able furniture to the perimeter of the hardstand, Concrete walling and steel furniture could be used as a multi- functional outcome
- Incorporate new hard wearing landscaping to batters to address desire lines to reduce scouring and erosion around the park
- Look at surfaces and treatments that discourage permeability between the skate park and the Peramangk fire pit and significant hollowed out tree, and planting solutions that allow for both spaces to be used harmoniously.
- Investigate a pump track through the small pine copse to the North of the skate park, using the natural grade and existing obstacles to create the track

Budget Range \$64,200.00

300m2 x \$200m2 = \$60,000.00

TOTAL CAPITAL COST = \$60,000.00

Consultancy/ design = 7% x \$60,000.00

TOTAL DESIGN COST = \$4200.00

Possible Grants

Community Recreation and Sport Facilities Program (ors.sa.gov.au)

13 Incorporate new public art opportunities integrated into the upgrade

Create design briefs for integrated art opportunities that explore the stories of Gumeracha.

Project Description

Commission artworks at locations shown that identify the stories and culture of Gumeracha.

Integrate art briefs with main street commissions to ensure a holistic strategy across the precinct.

Look at a consistent way to honour citizens through plaques

Budget Range \$150,000.00

We would recommend creating 3 significant pieces at \$50,00.00 each integrated into the overall upgrade and other projects.

Possible Grants

Arts SA Project Grants (arts.sa.gov.au)

Arts SA Project Assistance: Aboriginal and Torres Strait Islander Arts Development (arts.sa.gov.au)

Arts SA Public art and design (arts.sa.gov.au)

14 Integrated services upgrade

Review and upgrade services to the reserve to better cater for large and small events, and improve overall functionality and ease of use by the community. Investigate charging and wifi hubs linked to a digital strategy for the town

Description

Review underground services and survey locations and capacity

Investigate the requirements of events and improve capacity

Review smaller events that may take place in the future such as seasonal markets, carols by candlelight, community concerts and fairs and see how to better service these events

WIFI hotspot to the reserve and main street

Feature lighting and pathway lighting

Court and oval lighting

Review club room requirements and any upgrades required to service future requirements.

Services master plan to allow for systematic and staged upgrades on a priority basis

Budget Range \$15,000.00

Consultation and survey budget \$15000.00 to inform works budget



Enhance the reserve as a destination to attract increased use by tourists, locals and events

15 Investigate Short Term Motorhome Parking

Investigate options to accommodate short term RV/ motor home parking to attract the 'grey nomad' tourism market and provide a waste dump point to existing sewer services around the rear of the civic centre. Potential locations include the Federation Park carpark and parking space around the oval around the oval. Consideration would have to be given to managing the interface of this activity with on home games for the local sporting clubs and event days.

Project Description

Utilise an existing flat space for short term RV/ Motorhome parking to attract the 'grey nomad' tourism market.

- This would require a flat parking space
- Appropriate turning circles and pathways for larger vehicles
- Access to toilet facilities and water
- Can be operated via a ticket machine or from a local business
- Signage
- Waste bins and potentially a dump point for on board septic.

Budget Range \$3000.00

The project could be largely catered for with existing facilities and new signage. Minor upgrades and bollards may be required to facilitate orderly usage.

16 Renew and upgrade formal recreation facilities. Investigate relocation of facilities.

Project Description

Resurface tennis courts and manage invasive tree roots and run off erosion to the batters. Investigate possible relocation nearer the oval and other recreation facilities.

Investigate the opportunity to renew the cricket nets and surface, relocation will be considered should the tennis courts be relocated to the oval precinct.

Upgrade the irrigation of the oval and turf renewal and management that allows for its continued use as an event space and sporting oval.

Upgrade the drainage, irrigation of the oval and turf renewal and management that allows for its continued use as an event space and sporting oval.

Budget Range \$284,000.00

Oval surface - \$64,000.00 - for subsurface drainage and renovations

Oval Irrigation - \$150,000.00 for new system

Cricket nets and new surface - \$20,000.00

Court Renewal - \$50,000.00 Resurface in acrylic.

17 Review layout and usage of current community facilities to achieve efficiencies and support multipurpose usage

Review current storage and usage across community facilities to achieve efficiencies and identify any additional needs or the opportunity to consolidate and have multipurpose facilities.

Project Description

Look at alternative locations for the Community Bus to free up space in the Community Shed and allow for a break out space / tea room to be accommodated within existing facility.

Review current community and business usage across all the facilities within Federation Park and Oval and requirements to allow for maximised usage of existing spaces.

- Times of usage and reducing pack down and set up requirements through schedule management or relocation to multi purpose facilities within the site.
- Storage requirements and current locations, identify under utilised spaces and possible relocation of stored items to other council facilities.

Budget Range \$2000.00

Review and reorganisation - \$2000.00
















5.5 Masterplan Projects - Table Summary

This table is an overview of the project list and costing to assist in the strategic planning for council funding and grant applications.

These projects are a mixture of pragmatic and aspirational improvements. It is anticipated that the items that require a larger capital investment will need to be staged over many

years to align with availability of funding from the Adelaide Hills Council and potential funding partners as identified.

Community engagement has identified several projects that are of priority to the stakeholders and these have been identified below, the more dots the higher the value to the community.

<i>Preserve, enhance and build upon the natural assets and environment of the reserve</i>				
		Indicative Budget	Adelaide Hills Council Long Term Financial Plan inclusions	Stakeholder priority
1	Continue to implement a tree succession and protection strategy	\$23,000.00	\$6000 for arborist report in 2018/2019 (complete)	
2	Renew and enhance creek corridor landscape	\$58,850.00		
3	Continue to renew under storey planting with a consistent planting theme	\$53,500.00		
4	Introduce an interpretive signage strategy with natural and cultural themes	\$51,627.50		
<i>Link the reserve to the main street precinct and improve legibility and movement networks</i>				
5	Emphasise and celebrate entry points	\$160,500.00		
6	Improve pedestrian connectivity within the reserve	Paths \$98,440.00		
		Bridge A \$125,000.00 Bridge Replacement \$185,000.00		
7	Improve vehicle connectivity within the reserve	\$42,530.00		
8	Create a style guide for new elements	\$3500.00		
9	Create a plaza space/ pedestrian node to the rear of the civic centre to interface with the reserve	\$267,500.00 breakdown below		
		\$117,500.00 Civic Entry Plaza \$150,000.00 New Toilet Block		
<i>Enhance the reserve as a destination to attract increased use by tourists, locals and events</i>				
10	Connect Federation Park to the civic precinct and the Oval to Albert Street	\$136,746.00		
11	Design and implement a regional Play Space and Kick about area	\$695,550.00	\$500,000 committed in 2020/2021	
12	Expand the Skate Park zone with a pump track	\$64,200.00		
13	Incorporate new public art opportunities integrated into the upgrade	\$150,000.00		
14	Integrated services review and staged upgrade	\$15,000.00		
15	Short Term Motor home Parking/ waste dump point	\$5000.00		
16	Renew and upgrade formal recreation facilities	\$284,000.00 breakdown below		
		\$64,000.00 Oval surface	Identified within oval facilities audit	
		\$150,000.00 Oval Irrigation	Identified within oval facilities audit	
		\$20,000.00 Cricket nets/surface		
		\$50,000.00 Court Renewal	Identified as a priority, 20% of total cost allocated within 2018/19 budget. Additional funding to match contribution to be sought through Office Of Recreation and Sport grants.	
17	Review layout and usage of current community facilities to achieve efficiencies and support multipurpose usage	\$2000.00		

06 NEXT STEPS

All other actions identified within the Masterplan Projects-Table Summary will go through a staged budget process commencing in 2019/2020. This will be supplemented with external grant funding if available. The intention is to gradually implement the works in partnership with the local community, Natural Resources Adelaide and Mt Lofty Ranges Board, local conservation groups, Peramangk, key stakeholders and user groups.

A broader engagement process is now planned to obtain further feedback on the Draft Masterplan and associated projects. This will involve:

- Listening Post's to be set up in the Main Street and in the Gumeracha Precinct area
- Attendance at the Nature Play Day planned for 11 October 2018 in Federation Park
- Online engagement through My Say on the AHC website

This broader engagement process will be undertaken in October 2018 for three weeks commencing on Thursday 11 October 2018 (Nature Play Day in the Park) and closing on Thursday 1 November 2018. Listening Posts will be undertaken on either Saturday 20 or Saturday 27 October 2018. The October dates ensure that the consultation process is outside of school holiday time.

All attendees and those key stakeholder groups involved in the earlier workshops will be invited to attend the Listening Posts or contribute online. In addition a Public Notice will be placed in the Courier, posters located in the Torrens Valley Community Centre foyer, and information distributed via social media to inform the broader community of the engagement process. The broader community engagement process for the Gumeracha precinct will be undertaken by Council and the consultant.

**ADELAIDE HILLS COUNCIL
SPECIAL COUNCIL MEETING
Tuesday 11 September 2018
AGENDA BUSINESS ITEM**

Item: 6.8

Originating Officer: Natalie Westover, Manager Property Services

Responsible Director: Terry Crackett, Director Corporate Services

Subject: Draft Burials Outside Cemeteries Policy

For: Decision

SUMMARY

The purpose of this report is to seek a resolution to go to community consultation on a draft policy relating to burials of human remains on private land and outside of designated cemeteries.

The *Burial and Cremation Act 2013* (Act) permits the burial of human remains outside of designated cemeteries on certain conditions which includes the approval of the Council for the area.

A draft Burials Outside Cemeteries Policy (the Policy) has been prepared (**Appendix 1**) for the purposes of establishing a position of the Council and the criteria against which Council will consider approving the burying of human remains outside of a designated cemetery or natural burial ground.

RECOMMENDATION

Council resolves:

1. That the report be received and noted
 2. That the Burials Outside Cemeteries Policy as provided as **Appendix 1** be endorsed for community consultation.
 3. That the Chief Executive Officer be authorised to consider and respond to minor changes to the draft policy and to the timing, advertisements and extent of the broader community engagement process
-

1. GOVERNANCE

➤ **Strategic Management Plan/Council Policy**

Goal	Organisational Sustainability
Strategy	Policy and Strategy

The Policy provides clear guidance to community members and staff as to the criteria against which Council will consider and assess applications for the burial of human remains outside of a cemetery and natural burial ground.

➤ **Legal Implications**

Section 8 of the Act provides for bodily remains to be interred in a prescribed area outside of a cemetery or natural burial ground but only with the permission of the owner of the land and the council for the area.

The *Burial and Cremation Regulations 2014* requires interment of bodily remains in a prescribed area outside a cemetery or natural burial ground to be at a depth of at least one metre from the surface of the ground and at a distance of at least 20 metres from any building, structure or water well on the land.

The Act defines a prescribed area as being outside a township or Metropolitan Adelaide, or an area defined by the regulations.

Under the Act, a site which consists of a single interment site where only the remains of 1 deceased person or the remains of two or more members of the same family are interred, is not defined as a cemetery.

➤ **Risk Management Implications**

The drafting and adoption of the Policy will assist in mitigating the risk of:

No policy position leading to lack of guidance to the community and staff on the assessment of queries about whether burials of human remains outside of cemeteries is permitted and why.

Inherent Risk	Residual Risk	Target Risk
Medium (2C)	Low (1C)	Low (1C)

This is a new control.

➤ **Financial and Resource Implications**

Costs associated with the consultation and subsequent implementing of the Policy (if approved) will be managed within existing resources.

➤ **Customer Service and Community/Cultural Implications**

The development of a policy position with regards to the burying of human remains on private land outside of a cemetery will provide clarity and certainty to the community as to the Council's position and assessment of applications.

➤ **Environmental Implications**

The environmental implication of a proposed burial site is one of the criteria to be assessed when an application is received to ensure that the proposed location will not have a detrimental environmental impact.

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Cemetery Advisory Group
One response has been received from members of the Cemetery Advisory Group, which is not in support of permitting burials outside of cemeteries due to the following concerns:

- access to the burial site once the land has been sold
- suitability of the site for a burial
- if the burial will result in the land being designated as a cemetery

Administration: Environmental Health Officer

Community: Not Applicable

2. BACKGROUND

The *Burial and Cremation Act 2013* (Act) permits the burial of human remains outside of designated cemeteries on certain conditions which includes the approval of the Council for the area.

The Council does not have any guidelines or policy position to assist the community and staff in determining if a burial outside of a cemetery or natural burial ground is appropriate or permitted.

Whilst requests to bury human remains outside of a cemetery or natural burial ground are not common, it is important to have a policy position against which applications can be assessed.

Investigations with other local government authorities in South Australia show varying positions in relation to this issue including complete prohibition of burials outside of cemeteries and natural burial ground, policies similar to what is proposed and no policy position.

3. ANALYSIS

The Policy (**Appendix 1**) has been developed to provide the community and staff with the necessary criteria with which to determine if a location on private land is suitable for the burial of human remains and the requirements of Council if an application is to be approved.

4. OPTIONS

Council has the following options:

- I. Approve the Policy, with any proposed amendments, for community consultation (Recommended)
- II. Not approve the Policy (Not Recommended)


5. APPENDIX

- (1) Draft Burials Outside Cemeteries Policy

Appendix 1

Draft Burials Outside Cemeteries Policy

COUNCIL POLICY

	<h2>Burials Outside Cemeteries</h2>
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Policy Number:	The Governance team will allocate the policy number.
Responsible Department(s):	Property Services
Other Relevant Policies:	Nil
Relevant Procedure(s):	Nil
Relevant Legislation:	<i>Burial & Cremation Act 2013</i> <i>Burial & Cremation Regulations 2014</i>
Policies and Procedures Superseded by this policy on its Adoption:	Nil
Adoption Authority:	Council
Date of Adoption:	<i>To be entered administratively</i>
Effective From:	<i>To be entered administratively</i>
Minute Reference for Adoption:	<i>To be entered administratively</i>
Next Review:	No later than (5 years from the date of adoption) or as required by legislation or changed circumstances

BURIALS OUTSIDE CEMETERIES POLICY

1. INTRODUCTION

Adelaide Hills Council recognises that some families have a desire to bury a deceased relative on a privately owned property that has significance to the deceased person or their family.

The Council acknowledges the need for requirements to ensure that a burial on privately owned land is undertaken in an appropriate location and ensures the long term identification of the burial site to limit the likelihood of those buried remains being disturbed in the future.

This policy establishes how applications for burials outside of cemeteries are to be assessed and authorisation granted by the Council. The approval process is intended to guide how the interests of the deceased person, relatives and friends, landowners and Council are to be considered and protected.

The development of this policy has taken into account the requirements of the *Burial and Cremation Act 2013* and the *Burial and Cremation Regulations 2014*.

2. OBJECTIVES

This policy provides a framework for Council to consider those applications to ensure that burials undertaken on private land are:

- undertaken in accordance with the requirements of the relevant legislation
- in locations that limit the likelihood of disturbance of the remains in the future
- in locations that do not pose a threat to the pollution of waterways
- publicly recorded on the Certificate of Title on the land on which the burial is undertaken

3. DEFINITIONS

The words and phrases used in this policy have the same meaning as they do in the *Burial and Cremation Act 2013* and *Burial and Cremation Regulations 2014*.

bodily remains means the whole or any part of a human body (whatever its physical state may be) but does not include the whole or any part of a human body that has been cremated;

cemetery means a place set apart for the disposal and memorialisation of human remains, but does not include—

- (a) a place at which cremated remains are scattered but is not otherwise used for the disposal of human remains; or
- (b) an Aboriginal site as defined in the *Aboriginal Heritage Act 1988*; or
- (c) a natural burial ground; or
- (d) a place which consists of a single interment site where only—
 - (i) the remains of 1 deceased person; or

- (ii) the remains of 2 or more members of the same family,
are, or are intended to be, interred;

council means Adelaide Hills Council;

cremated remains means bodily remains that have been reduced by cremation;

cremation means a process for the reduction of bodily remains involving the use of fire or heat;

death includes still-birth;

disposal of human remains means—

- (a) cremation of bodily remains; or
- (b) burial of bodily remains (including burial at sea); or
- (c) placement of bodily or cremated remains in a mausoleum, vault, columbarium or other structure;

disposal authorisation means an authorisation to dispose of human remains granted under the *Coroners Act 2003* or a corresponding authorisation as defined in that Act;

funeral director means a person who carries on the business of arranging for the disposal of human remains;

human remains means bodily remains and includes—

- (a) the remains of a still-born child; and
- (b) bodily remains after they have been cremated;

interment of human remains means—

- (a) the placement of human remains in a mausoleum, vault, columbarium or other structure designed for the placement of such remains; or
- (b) the burial in the earth of human remains (directly in the earth or in a container);

interment site means—

- (a) a mausoleum, vault, columbarium or other structure in which human remains are interred; or
- (b) a site in which human remains are buried;

natural burial of human remains means burial in the ground—

- (a) without preparation of the remains using chemical preservatives; and
- (b) by containment of the remains only in a shroud or biodegradable coffin;

personal representative of a deceased person means a person aged 18 years or more who is—

- (a) the executor of the estate of the deceased person or, if there is more than 1 executor, 1 of the executors acting with the permission of all the other executors; or
- (b) the administrator of the estate of the deceased person;

Registrar means—

- (a) the Registrar of Births, Deaths and Marriages; or
- (b) a Deputy Registrar of Births, Deaths and Marriages,

under the *Births, Deaths and Marriages Registration Act 1996*;

relative of a deceased person means a person aged 18 years or more who is—

- (a) a parent or grandparent of the deceased person; or
- (b) a brother or sister of the deceased person; or
- (c) a spouse or domestic partner of the deceased person; or
- (d) a child, grandchild or great grandchild of the deceased person; or
- (e) a child, grandchild or great grandchild of a brother or sister of the deceased person;

spouse—a person is the spouse of another if they are legally married;

township has the same meaning as in the *Local Government Act 1999*;

4. LEGISLATIVE CONTEXT

Burial and Cremation Act 2013

Part 2—Disposal of human remains

Division 1—Disposal by burial or cremation

7—Offence to dispose of bodily remains except by burial or cremation

- (1) Subject to this Act, a person must not dispose of bodily remains, or cause, suffer or permit bodily remains to be disposed of, except by burial or cremation.

Maximum penalty: \$10 000 or imprisonment for 2 years.

- (2) In this section—

burial includes the placement of bodily remains in a mausoleum, vault or other structure.

8—Offence to dispose of bodily remains except in cemetery or natural burial ground

- (1) Subject to subsection (2), a person must not, without the approval of the Attorney-General, inter bodily remains, or cause, suffer or permit bodily remains to be interred, except in a lawfully established cemetery or natural burial ground.

Maximum penalty: \$10 000 or imprisonment for 2 years.

- (2) A person may inter bodily remains in a prescribed area on land outside a cemetery or natural burial ground with the permission of the owner of the land and—

- (a) in the case of land within a council area—

- (i) with the approval of the council for the area in which the land is situated; and

- (ii) in accordance with the regulations; or

- (b) in any other case—in accordance with the regulations.

- (3) A person must not, without the approval of the Attorney-General, dispose of bodily remains by burial at sea, or cause, suffer or permit bodily remains to be disposed of by burial at sea.

Maximum penalty: \$10 000 or imprisonment for 2 years.

- (4) In this section—

prescribed area means—

- (a) an area outside a township or Metropolitan Adelaide; or
(b) an area defined by the regulations.

Burial and Cremation Regulations 2014**Part 2—Disposal of human remains****4—Interment of bodily remains in prescribed area outside cemetery or natural burial ground (section 8(2)(a)(ii) and (b) of Act)**

- (1) A person who interments bodily remains in a prescribed area on land outside a cemetery or natural burial ground must ensure that the remains are interred—
 - (a) at a depth of at least 1 metre from the surface of the ground; and
 - (b) at a distance of at least 20 metres from any building, structure or water well on the land.
- (2) Subregulation (1) does not apply to the interment of bodily remains in a mausoleum or vault in accordance with regulation 18.

5. POLICY STATEMENT**5.1 Principles**

In accordance with subsection 8(2) of the *Burial and Cremation Act 2013*, the Council will receive applications and may grant permission for a burial of bodily remains on private land outside “metropolitan Adelaide” and outside the boundary of a township.

5.2 Application and Criteria for Assessment

Applicants must complete the Application for Approval for Burial on Private Land available on the Council’s website and submit the Application with the application fee as published annually in the Council’s fees and charges schedule.

The Application must be accompanied by the following:

- Evidence that the Applicant is the personal representative or relative of the deceased
- Written approval of the owner of the land on which the burial is to occur
- Plan of the property detailing the exact location of the burial
- A copy of the Certificate of Title for the land on which the burial is to occur
- Written consent of anyone with an interest in the land on which the burial is to occur (i.e. mortgagee or easement holder)

Approval will not be granted to Applications where the burial is to occur:

- Within townships
- In areas where there is a likelihood of contamination of water supplies
- On land where the land owner or persons with interests in the land have not provided their written consent
- On land or in a location that the Council deems, in its absolute discretion, unsuitable for the burial of bodily remains
- Where there the burial would result in more than one burial site or grave on the land

5.3 Conditions of Approval

If the Council approves the burial of bodily remains on private land, the Council may impose conditions of the approval including, but not limited to, the following:

- the burial must be undertaken by a funeral director
- written confirmation from the Applicant and the funeral director that they understand and will comply with the requirements of the *Burial and Cremation Act 2013* and the *Burial and Cremation Regulations 2014*
- the address of the property, the certificate of title reference of the property and the GPS coordinates of the burial site (exact location of the grave) must be submitted to the Registrar of Births Deaths & Marriages and Council
- a Land Management Agreement, pursuant to section 57 of the *Development Act 1993*, be entered into between Council and the owner of the land and noted on the certificate of title of the property detailing the exact location of the burial as evidenced by map and GPS coordinates

5.4 Register

The Council will, in addition to the register it maintains of Land Management Agreements, maintain a register of approvals issued by it for the burial of bodily remains outside of a cemetery

6 DELEGATION

The Chief Executive Officer has the delegation to:

- Approve, amend and review any procedures that shall be consistent with this Policy; and
- Make any formatting, nomenclature or other minor changes to the Policy during the period of its currency.

7 AVAILABILITY OF THE POLICY

This Policy will be available for inspection at the Council's Offices during ordinary business hours and via the Council's website www.ahc.sa.gov.au. Copies will also be provided to the public upon request, and upon payment of a fee in accordance with the Council's Schedule of Fees and Charges.

**ADELAIDE HILLS COUNCIL
SPECIAL COUNCIL MEETING
Tuesday 11 September 2018
AGENDA BUSINESS ITEM**

Item: 6.9

Originating Officer: Natalie Westover, Manager Property Services

Responsible Director: Terry Crackett, Director Corporate Services

Subject: Exclusion of Community Land – Crafers Retirement Village

For: Decision

SUMMARY

The purpose of this report is to seek a resolution of Council to exclude the land on which the Crafers Retirement Village is located at 2 Station Place Crafers as Community Land.

The Crafers Retirement Village is located on Allotment 21 in DP 48768 contained in Crown Record Volume 5563 Volume 828 which is Crown Land dedicated to the Adelaide Hills Council for Aged Persons Accommodation (Land).

Whilst the Land was excluded as Community Land in 2001, there is some uncertainty if the change of tenure of the land from custodian to freehold owner will result in the land being deemed Community Land again. For the avoidance of doubt it is recommended to exclude the Land as Community Land prior to it being vested in Council as a land grant from the Crown.

RECOMMENDATION

Council resolves:

1. That the report be received and noted
 2. To exclude the land identified as Allotment 121 on the plan attached as *Appendix 1* as Community Land pursuant to *the Local Government Act 1999* when the land is vested in the Adelaide Hills Council as a land grant from the Crown
-

1. GOVERNANCE

➤ **Strategic Management Plan/Council Policy**

Goal	Organisational Sustainability
Strategy	Legal Compliance

The incompatibility of the provisions of the *Local Government Act 1999* and the *Retirement Villages Act 2016* result in a need to ensure that retirement villages are not on the Community Land Register.

➤ **Legal Implications**

The Land is, by resolution of Council, excluded as Community Land pursuant to Section 193 (4)(a) of the *Local Government Act 1999*.

➤ **Risk Management Implications**

The exclusion of the Land as community land will assist in mitigating the risk of:

Non-compliance with legislation leading to possible invalidity of occupation agreements.

Inherent Risk	Residual Risk	Target Risk
Extreme (3A)	Low (1E)	Low (1E)

The mitigation action is specific to this circumstance as the Land was excluded as community land in 2001 and the chance in tenure from Crown Land to freehold hold may result in the land being deemed as community land.

➤ **Financial and Resource Implications**

Not Applicable

➤ **Customer Service and Community/Cultural Implications**

Not Applicable

➤ **Environmental Implications**

Not Applicable

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Property Advisory Group

Administration: Not Applicable

Community: Not Applicable

2. BACKGROUND

The Crafers Retirement Village is located on Allotment 21 in DP 48768 contained in Crown Record Volume 5563 Volume 828 which is Crown Land dedicated to the Adelaide Hills Council for Aged Persons Accommodation.

Council excluded the Land as community land by resolution on 26 June 2001 and subsequent gazettal notice.

Whilst the Land was excluded as community land in 2001, there is some uncertainty if the change of tenure of the land from custodian to freehold owner will result in the land being deemed community land again.

3. ANALYSIS

For the avoidance of doubt it is recommended to exclude the Land as community land prior to it being vested in Council as a land grant from the Crown.

4. OPTIONS

Council has the following options:

- I. Resolve to exclude the Land as community land (Recommended)
- II. Not to resolve the Land as community land which may lead to the land being vested as community land resulting in possible invalidity to the residence agreements and an inability to sell the land (Not Recommended)

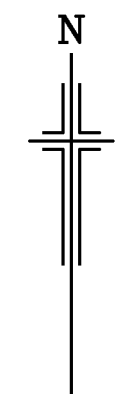
5. APPENDIX

- (1) Plan identifying the Land

Appendix 1

Plan identifying the Land

PURPOSE:		DIVISION		AREA NAME:				CRAFERS		APPROVED:		SHEET 1 OF 3 64064_text_01_v01	
MAP REF:		6628/48/R		COUNCIL:				ADELAIDE HILLS COUNCIL		DEPOSITED/FILED:			
LAST PLAN:				DEVELOPMENT NO:									
AGENT DETAILS:		ALEXANDER & SYMONDS PTY LTD 1ST FLOOR 11 KING WILLIAM ST KENT TOWN SA 5067 PH: 81301666 FAX: 83620099				SURVEYORS CERTIFICATION:							
AGENT CODE:		ALSY											
REFERENCE:		A051418LTO(B)											
SUBJECT TITLE DETAILS:													
PREFIX	VOLUME	FOLIO	OTHER	PARCEL	NUMBER	PLAN	NUMBER	HUNDRED / IA / DIVISION	TOWN	REFERENCE NUMBER			
CR	5563	827		ALLOTMENT(S)	20	D	48768	NOARLUNGA					
CR	5563	828		ALLOTMENT(S)	21	D	48768	NOARLUNGA					
OTHER TITLES AFFECTED:													
EASEMENT DETAILS:													
STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE	IN FAVOUR OF				CREATION			
EXISTING	120.121	LONG	EASEMENT(S)	A		THE MINISTER FOR INFRASTRUCTURE				GG 30.4.1998 PAGE 2024			
NEW	120	LONG	EASEMENT(S)	D	FOR SERVICING PURPOSES	121							
ANNOTATIONS: NO OCCUPATION ON THE SUBJECT LAND BOUNDARIES UNLESS SHOWN OTHERWISE													

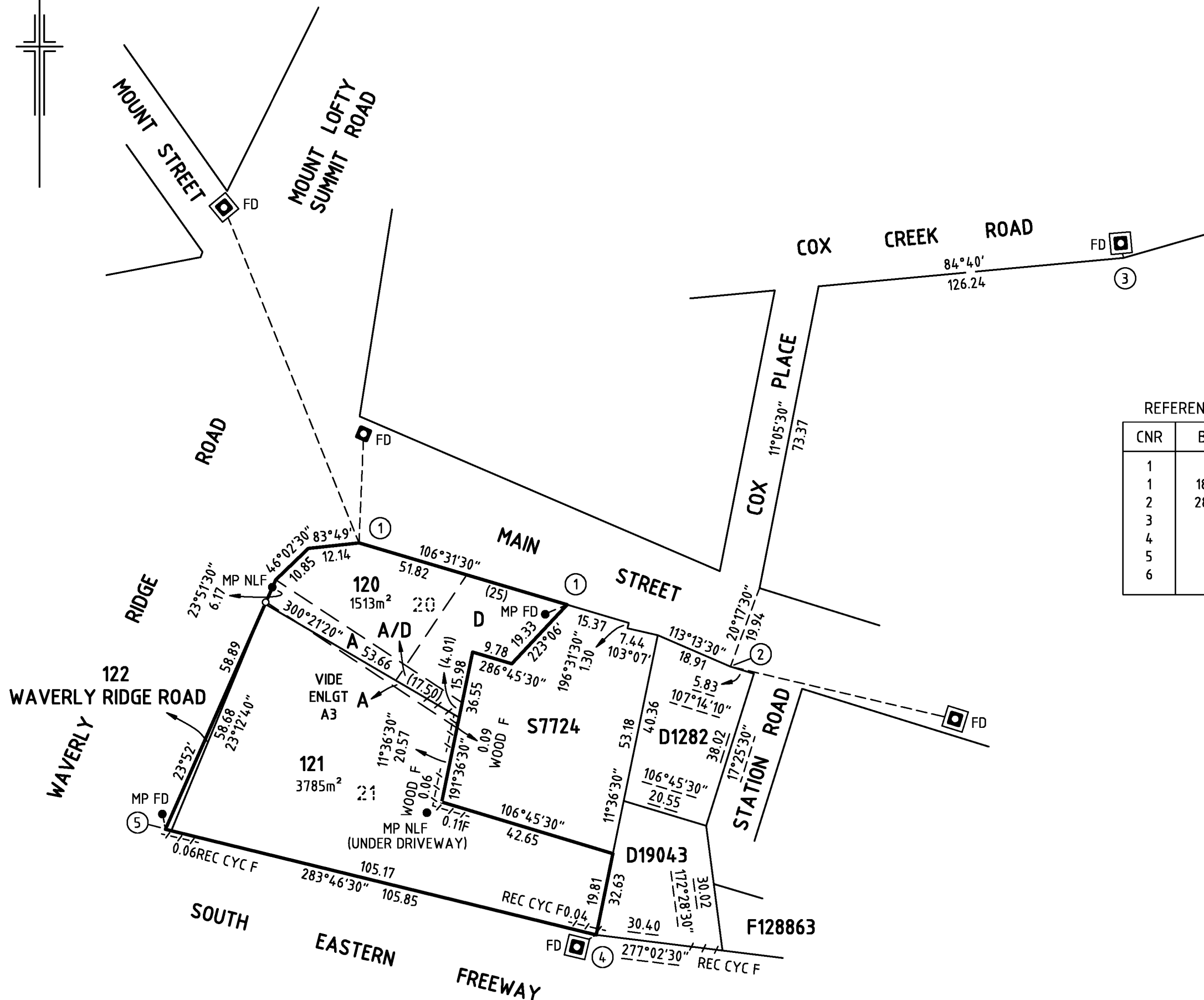
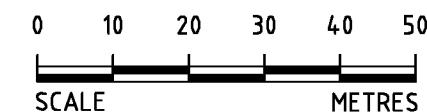


SHEET 2 OF 3

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BEARING DATUM: MGA 94 ZONE 54
DERIVATION: PSM 6628/2407 TO 6628/60091

TOTAL AREA:



REFERENCE MARKS

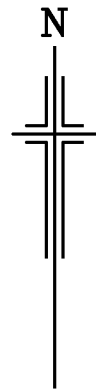
CNR	BEARING	FROM	DIST	PM NO
1	158°04'	PM FD	86.28	6628/2407
1	184°13'30"	PM FD	28.28	6628/20762
2	286°56'20"	PM FD	55.47	6628/20756
3	169°15'	PM FD	1.01	6628/20754
4	73°09'	PM FD	1.14	6628/60091
5	200°26'	MP FD	1.00	
6	43°50'	MP FD	2.02	

Alexander & Symonds Pty.Ltd.

11 KING WILLIAM STREET, KENT TOWN
P.O. BOX 1000 KENT TOWN 5071
Tel (08) 8130 1666 Fax (08) 8362 0099 A.B.N. 93 007 753 988

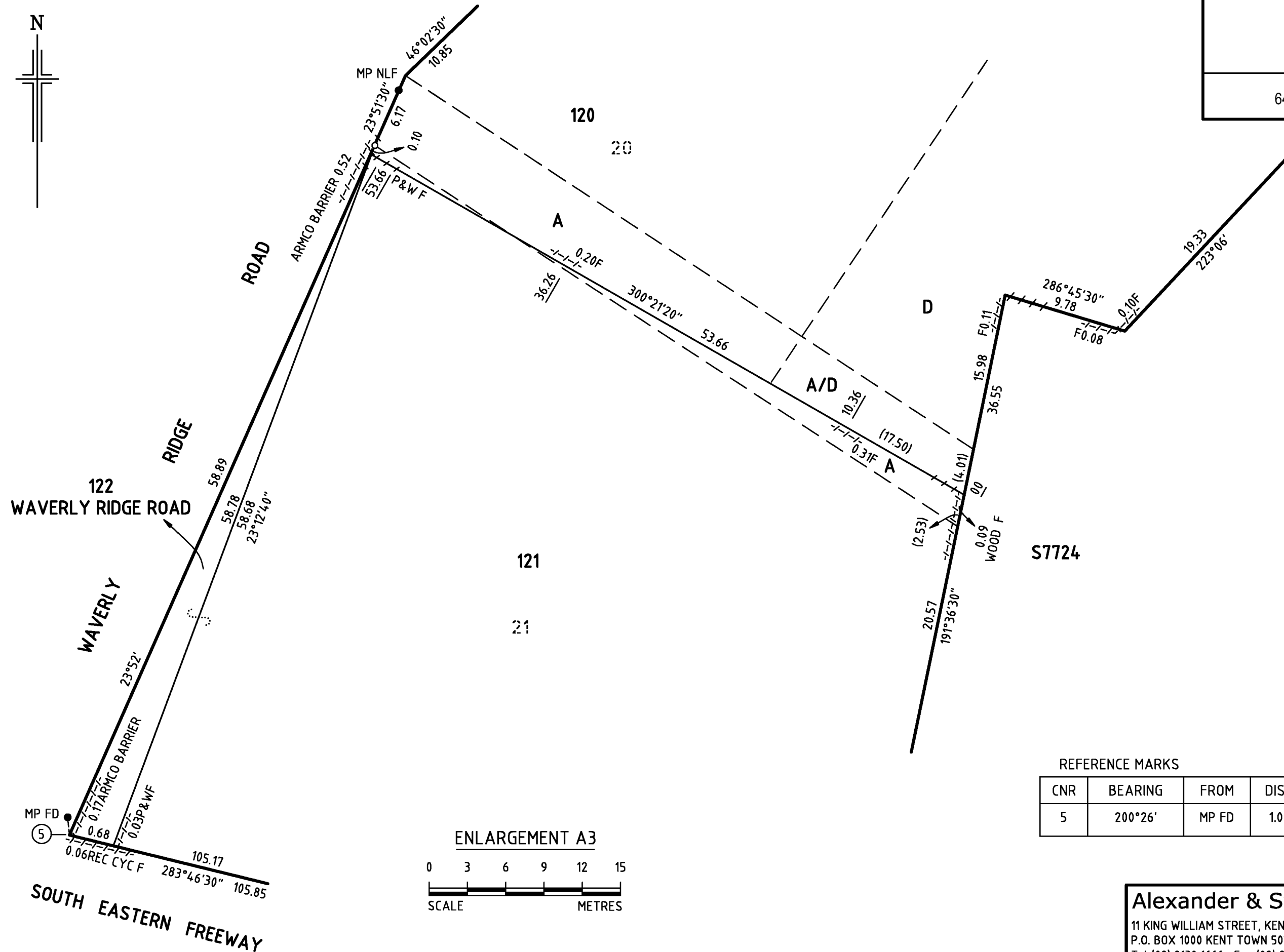
REFERENCE A0514-18LTO(B)

MW 17/08/2018



SHEET 3 OF 3

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ENLARGEMENT A3



REFERENCE MARKS

CNR	BEARING	FROM	DIST	PM NO
5	200°26'	MP FD	1.00	

Alexander & Symonds Pty.Ltd.

11 KING WILLIAM STREET, KENT TOWN

P.O. BOX 1000 KENT TOWN 5071

Tel (08) 8130 1666 Fax (08) 8362 0099 A.B.N. 93 007 753 988

REFERENCE A0514.18LT0(B)

MW 17/08/2018

**ADELAIDE HILLS COUNCIL
SPECIAL COUNCIL MEETING
Tuesday 11 September 2018
AGENDA BUSINESS ITEM**

Item: 6.10

Originating Officer: Natalie Westover, Manager Property Services

Responsible Director: Terry Crackett, Director Corporate Services

Subject: Revocation of Community Land – Bridgewater Retirement Village

For: Decision

SUMMARY

The purpose of this report is to seek a resolution of Council to commence a process to revoke the Community Land classification and to vary the charitable trust for the land located on the corner of Mt Barker Road and Second Avenue Bridgewater contained in Certificate of Title Register Book Volume 5488 Folio 788 known as 511 Mt Barker Road Bridgewater (Land).

The Land was gifted to the then District Council of Stirling by the late Mr Francis Todd in 1983 following the Ash Wednesday fire for the development of a landscaped garden and memorial to the Ash Wednesday fire for the benefit of the community under a charitable trust (Trust) By virtue of the Trust, the Land is also classified as Community Land pursuant to the *Local Government Act 1999*.

A portion of the Bridgewater Retirement Village is constructed on the Land. The retirement village is at variance with the terms of the Trust.

Due to the various provisions of the *Local Government Act 1999* and the *Retirement Villages Act 2016*, it is incompatible to have retirement villages classified as Community Land.

The Council has recently resolved to sell its retirement villages to Clayton Church Homes Inc. however the Land cannot be sold whilst the Trust is in existence over the Land.

RECOMMENDATION

Council resolves:

1. That the report be received and noted
2. To commence a process to revoke the Community Land classification of the land located on the corner of Mt Barker Road and Second Avenue Bridgewater known as 511 Mt Barker Road Bridgewater contained in Certificate of Title Volume 5488 Folio 788 (Land) on which a portion of the Bridgewater Retirement Village is located by:
 - a. preparing a report as required under section 194(2)(a) of the *Local Government Act 1999* and making it publicly available

- b. undertaking consultation in accordance with its Public Consultation Policy as required under section 194(2)(b) of the *Local Government Act 1999*
3. To commence a process to vary the charitable trust affecting the Land by investigating land parcels owned by the Adelaide Hills Council, including Carripook Park, Candlebark Reserve and Vincent Playground Reserve, that may be suitable for the development of a landscaped garden for the benefit of the community and for the construction of a memorial to the Ash Wednesday Bushfires of 1983 as contemplated by the charitable trust over the Land and invite community suggestions and feedback in relation to any appropriate land parcels
4. To approve a budget allocation in the amount of \$10,000 for legal expenses for the preparation of an Application to the Supreme Court to vary the charitable trust
5. That a further report be presented to Council for consideration after community consultation and further investigations have been completed

1. GOVERNANCE

➤ **Strategic Management Plan/Council Policy**

Goal	Organisational Sustainability
Strategy	Legal compliance

The incompatibility of the provisions of the *Local Government Act 1999* and the *Retirement Villages Act 2016* mean that Council currently breaches the requirements of section 202 of the *Local Government Act 1999* when granting an occupation agreement under the *Retirement Villages Act 1999*.

Consultation will be undertaken in accordance with the Council's *Public Consultation Policy*.

The Trust that exists over the Land directs:

1. that the Land be held by the Council as a reserve in perpetuity;
2. that the Council establish and maintain a landscaped garden for the use and enjoyment of the public;
3. that a memorial be erected on the Land to commemorate the 1983 Ash Wednesday Bushfire; and
4. that the garden be called and designated The Francis H Todd Garden.

The retirement village on the Land is at variance with the terms of the Trust.

➤ Legal Implications

Under Section 202 of the *Local Government Act 1999*, Council cannot lease Community Land for a term exceeding 42 years which is inconsistent with the *Retirement Villages Act 2016* which grants lifetime security of tenure to residents.

Also under Section 202 Council cannot lease Community Land for a term of greater than 5 years without first undertaking a public consultation process.

Occupation agreements issued pursuant to the *Retirement Villages Act 2016* are for a non-defined term which can be greater than 5 and 42 years at the option of the tenant.

The issuing of occupation agreements for a retirement village unit for a term greater than 42 years and without conducting public consultation for terms greater than 5 years may result in the occupation agreement being invalid. Whilst we do not expect that this presents any immediate concerns, it is a less than ideal position for both the Council and the residents.

Undertaking a public consultation process in relation to a retirement village unit requires the disclosure of information in relation to the proposed lease which creates difficulties in maintaining the privacy of the proposed tenant.

Revocation of Community Land is undertaken in accordance with section 194 of the *Local Government Act 1999* and the Council's Public Consultation Policy.

The Land is the subject of a charitable trust and the existence of the retirement village on the Land is at variance with the terms of the Trust. An application to vary the Trust needs to be made to the Supreme Court pursuant to section 69b of the *Trustee Act 1936*.

The Council has granted a first right of refusal to Clayton Church Homes Inc. to purchase the Bridgewater Retirement Village, including the Land, if the Trust is able to be varied and the Community Land classification is revoked. The Council cannot sell the Land whilst the Land is subject to the Trust and is Community Land.

➤ **Risk Management Implications**

The revocation of Community Land will assist in mitigating the risk of:

Non-compliance with legislation leading to possible invalidity of occupation agreements.

Inherent Risk	Residual Risk	Target Risk
Extreme (3A)	Low (1E)	Low (1E)

The mitigation action is specific to this circumstance.

The variation of Trust will assist in mitigating the risk of:

Non-compliance with trust deed leading to possible breach of trust actions and inability to sell the Land.

Inherent Risk	Residual Risk	Target Risk
Extreme (3A)	Low (1E)	Low (1E)

The mitigation action is specific to this circumstance.

➤ **Financial and Resource Implications**

Consultation and investigations will be undertaken within existing resource allocations and is likely to be in the vicinity of \$1,000.

Legal costs to apply to the Supreme Court to vary the Trust will be in the vicinity of \$10,000 and this is not a budgeted cost. Subject to the resolution of Council, this will be adjusted in the next budget review process.

➤ **Customer Service and Community/Cultural Implications**

The proposal to vary the trust has community implications in that it will be a requirement to develop a landscaped garden and memorial for the benefit of the community in an alternate location. Input from the community as to suitable locations for the development of this garden will be a critical component to the process and selection of a site as we want to achieve maximum benefit to the community.

➤ **Environmental Implications**

Not Applicable

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Property Advisory Group

Administration: Parks & Reserves Supervisor
Director Corporate Services
Manager Open Spaces

Community: Not Applicable

2. BACKGROUND

The Council owns the land located on the corner of Mt Barker Road and Second Avenue Bridgewater, contained in Certificate of Title Register Book Volume 5488 Folio 788 and known as 513 Mt Barker Road Bridgewater (Land).

The Land was previously owned by Mr Francis Henry Todd on which a residential dwelling was located. The dwelling was destroyed in the Ash Wednesday fire on 16 February 1983.

Following the Ash Wednesday fire, Mr Todd asked the then District Council of Stirling to accept the Land as a donation on the following conditions:

1. That Council agree to accept and dedicate the said land as reserve to be held in perpetuity.
2. That a suitable landscaped garden be established thereon for the use and enjoyment of the public.
3. That the garden contain a suitable memorial commemorating the 1983 Ash Wednesday Fire and that the garden be designated the Francis H Todd Garden.

The donation of the Land and the conditions agreed above create a charitable trust over the Land which was documented in a Declaration of Trust dated 31 August 1983 (Trust).

The value of the land at the time of transfer was determined to be \$15,000.

From historic records it appears that whilst a very preliminary draft plan of a garden was prepared, the landscaped garden contemplated by Mr Todd was not created on the Land. It has not been determined why this did not occur however it was most likely as a result of the financial implications of the Ash Wednesday fire on the District Council of Stirling.

The Land remained vacant through to the early 1990's. The Council received communication from residents in the early 1990's suggesting that the vacant land would be better used for some purpose other than vacant land and if a suitable purpose could not be found, that the Land be sold.

At that time, Council considered the option of putting aged accommodation on the Land in the form of a retirement village and undertook community consultation in relation to the proposal. That consultation included communication with the son of the late Mr Todd, Mr Frank Todd. Mr Frank Todd confirmed that he had no objections to the proposal and considered *"that it conforms with my late father's wishes that the land be used to best further the interest of the community, as determined by the Council from time to time"*.

Whilst Mr Frank Todd provided his consent to the development of the retirement village on the Land, that consent did not carry any legal weight in terms of varying the terms of the Trust. It is only the Attorney-General and the Supreme Court of South Australia that can issue an order to vary a charitable trust. The construction of a retirement village on the Land is a breach of the terms of the Trust.

When the *Local Government Act 1999* was commenced, Council was required to review its land holdings and determine what land was to be placed on its Community Land Register. Council, following consultation with the community, resolved to exclude the Bridgewater Retirement Village. Land that is subject to a charitable trust is not able to be excluded as community land so irrespective of the exclusion, the Land is still considered community land for the purposes of the *Local Government Act 1999*.

3. ANALYSIS

As the Land is community land, there is an incompatibility between the community land provisions of the *Local Government Act 1999* and the *Retirement Villages Act 2016* in that occupation agreements cannot be issued over community land for a period greater than 42 years whereas occupation agreements issued under the *Retirement Villages Act 2016* are lifetime agreements.

As such it is appropriate to commence a process to revoke the community land classification of the Land. However, as the Land is the subject of a charitable trust, it cannot be revoked as community land unless the Trust is varied or removed.

As the current use of the Land is at variance with the terms of the Trust it is appropriate to commence a process to vary the Trust to an alternate parcel of land where a landscaped garden can be developed and a memorial to the Ash Wednesday fire can be created. This will require consultation with the Attorney-General and an application to the Supreme Court.

An application to the Supreme Court to vary a charitable trust must include specific details as to how the trust will be implemented in an alternate location, or if the trust is to be removed for the purposes of sale, how the proceeds of sale will be applied in recognition of the Trust. If the Trust is to be varied to an alternate location then the application must also include the financial commitment to be made to implement the trust in that alternate location, otherwise the Supreme Court will make that direction. Generally, the financial commitment required will be equivalent to the site value of the land, which in the case of the Land, is \$290,000. The Supreme Court does however have the power to direct a portion, or all, of the capital value of the Land to be directed to that purpose.

If it is deemed preferable to vary the Trust to an alternate parcel of land then consideration will need to be given as to the most appropriate location for the Trust to be attached to. There are a number of parcels of land in the Bridgewater area that Council owns that may be suitable for this purpose including Carripook Park, Candlebark Reserve, Vincent Playground Reserve and the entranceway into the Bridgewater township along Carey Gully Road.

It is recommended that a process to revoke the community land classification of the Land be commenced with community consultation to be undertaken including seeking feedback on the suitability of the land owned by Council in the Bridgewater area for the development of a landscaped garden.

In the preliminary investigation it has been determined that Carripook Park is not a reserve but public road, and therefore does not sit on the Council's community land register. It is proposed to commence a road closure process to close this land as public road and retain it as a reserve allotment such that it is included on the community land register and has an appropriate management plan for the land.

4. OPTIONS

Council has the following options:

- I. Resolve to commence to commence the process to revoke the community land classification and variation of trust (Recommended)
- II. Resolve not to commence these processes which will result in the inability to sell the Bridgewater Retirement Village to Clayton Church Homes and the inability to meet legislative requirements (Not Recommended)

5. APPENDIX

- (1) Location of the Land

Appendix 1

Location of the Land



Government
of South Australia

Land Services Group

Disclaimer: The information provided above, is not represented to be accurate, current or complete at the time of printing this report. The Government of South Australia accepts no liability for the use of this data, or any reliance placed on it.

**ADELAIDE HILLS COUNCIL
SPECIAL COUNCIL MEETING
Tuesday 11 September 2018
AGENDA BUSINESS ITEM**

Item: 6.11

Originating Officer: Kylie Caruso, Roads Officer, Property Services

Responsible Director: Terry Crackett, Director Corporate Services

Subject: Road Closure – Portion of Road Reserve adjacent to 2 & 4
Glenside Lane, Crafers

For: Decision

SUMMARY

Glenside Lane is a made road in Crafers as identified by the area bordered in red on **Appendix 1** (Road Land).

The owners of number 4-6 Glenside Lane (Mr Mark Edward Penfold Jolly, Mr Christopher Rawson Penfold Jolly and Mrs Angela Evelyn Penfold Foley, as executors for the Estate of the late Marjorie Anne Patterson Jolly) together with the owners of 2 Glenside Lane (Mr Ken Lehmann and Mrs Nydia Lehmann) have applied to the Council to purchase a section of the public road that sits within the existing fence line of their properties.

This report recommends the Council resolving to issue a Road Process Order to close the Road Land identified as “A” in **Appendix 2** and sell to Mr and Mrs Lehmann for the amount of \$46,500 and close the Road Land identified as “B”, “C”, “D” and “E” in **Appendix 2** and sell to the Estate of the Late Marjorie Anne Patterson Jolly for the amount of \$45,500.

Whilst current delegations by Council provide authority for the Chief Executive Officer to deal with all matters associated with the making of a Road Process Order, current practice for these matters has been to bring them to Council for consideration.

RECOMMENDATION

Council resolves:

1. That the report be received and noted
2. Subject to there being no objections lodged during the public notification period, to make a Road Process Order pursuant to the *Roads (Opening & Closing) Act 1991* in accordance with the Preliminary Plan attached to this report as *Appendix 2* as follows:
 - a. to close and merge the piece of land identified as “A” in the Preliminary Plan with Allotment 105 in Deposited Plan No 42581 comprised in Certificate of Title Volume 5291 Folio 390;
 - b. to close and merge the pieces of land identified as “B” and “D” in the Preliminary Plan with Allotment 103 in Deposited Plan No 42581 comprised in Certificate of Title Volume 5291 Folio 388; and
 - c. to close and merge the pieces of land identified as “C” and “E” in the Preliminary Plan with Allotment comprising pieces 101 and 102 in Deposited Plan No 42581 comprised in Certificate of Title Volume 5281 Folio 387.
3. Subject to issue of a Road Process Order in accordance with the Preliminary Plan, that:
 - The closed road be excluded as Community Land pursuant to the *Local Government Act 1999*; and
 - The piece marked “A” be sold to Mr Ken Lehmann and Mrs Nydia Lehmann, the owners of Certificate of Title Volume 5291 Folio 390 for the amount of \$46,500 plus GST (if applicable) and all fees and charges associated with the road closure process.
 - The pieces marked “B”, “C”, “D” and “E” be sold to Mr Mark Edward Penfold Jolly, Mr Christopher Rawson Penfold Jolly and Mrs Angela Evelyn Penfold Foley, as Executors for the Estate of the Late Marjorie Anne Patterson Jolly, the owners of Certificates of Title Volume 5291 Folios 387 and 388 for the amount of \$45,500 plus GST (if applicable) and all fees and charges associated with the road closure process.
4. Authorise the Chief Executive Officer to finalise and sign all necessary documentation to give effect to this resolution.

1. GOVERNANCE

➤ Strategic Management Plan/Council Policy

Strategic Plan: Organisational Sustainability

Strategies: Financial Sustainability
Risk and Responsibility

➤ Legal Implications

The *Roads (Opening & Closing) Act 1991* sets out the process for a road closure and the issuance of a Road Process Order

➤ Risk Management Implications

The closure of a section of unmade road that is deemed to be surplus to Council’s current and future needs as a public road, reduces the risks to Council associated with safety and liability, vegetation control works and costs.

The closure and sale of the Road Land will assist in mitigating the risk of ‘Private infrastructure on public road reserve leading to increased risk and liability for Council’.

Inherent Risk	Residual Risk	Target Risk
Low (1C)	Low (1E)	Low (1E)

➤ **Financial and Resource Implications**

All external costs including the initial and subsequent survey, valuation, conveyancing, advertising and government charges have been paid by the prospective purchasers.

The Council’s administrative cost is covered by the application fee paid by the applicants of the proposed road closure including the initial investigation, liaison with proposed purchasers, liaison with surveyor and conveyancer and internal processes to undertake the road closure.

If the recommendation is endorsed, Mr and Mrs Lehmann will pay \$46,500.00 for the purchase of their portion of the Road Land, and Mr Jolly as executor for the Estate of the late Mrs M.A.P Jolly will pay \$45,500.00 for the purchase of their portion of the Road Land.

If the recommendation is not endorsed then the respective owners will need to be granted a road rent or encroachment permit for the Road Land or instructed to move the fence to the legal boundary and remove any vegetation on the Road Land.

➤ **Customer Service and Community/Cultural Implications**

Not Applicable

➤ **Environmental Implications**

Nil

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Property Advisory Group

Administration: Manager Property Services
Biodiversity Officer
GIS & Asset Management Officer

Community: Not Applicable

2. BACKGROUND

Mr Kenneth Ronald Lehmann and Mrs Nydia Mignon Lehmann own the property at 2 Glenside Lane, Crafers.

Mr Mark Edward Penfold Jolly, Mr Christopher Rawson Penfold Jolly and Mrs Angela Evelyn Penfold Foley, as Executors for the Estate of the Late Marjorie Anne Patterson Jolly own the property at 4-6 Glenside Lane, Crafers.

The landowners undertook a survey of their property and it was identified that the existing fence line sits on the public road land. The existing fence line has been in location for over 60 years.

The adjoining land owners approached Council to seek a rectification of their boundaries, given that this area is heavily vegetated, already contained within fence lines, and has established service infrastructure within the road reserve area.

The Jolly family is in the process of finalising their late Mother's estate, and are seeking to rectify the boundaries of their property to aid with the sale of "Derrymor".

It is proposed that 2 Glenside Lane, Crafers will have incorporated 186m² of road reserve, which will enable the rectification of encroachments of built infrastructure (such as gates and the driveway) over the road reserve.

It is proposed that 4-6 Glenside Lane Crafers will have incorporated 400m² of road reserve which is vegetated and already contained within the fenced boundary.

3. ANALYSIS

The Road Land was assessed by Council staff to ascertain its suitability for a closure and sale and this assessment indicated that it was suitable.

The proposed closure of the Road Land will not have any impact on the passage of vehicular or pedestrian traffic as the proposed closure will result in the boundary being altered to the location of the existing fence line.

The road closure process was commenced and is undertaken in accordance with the requirements of the *Roads (Opening & Closing) Act 1991*.

As required under the Council's *Disposal of Land Policy*, a valuation was obtained from an independent Valuer to determine the market value of the Road Land. The Valuer used a different methodology when attributing a value to the Road Land for the two transactions. Whilst Council staff understand the methodology used, it creates a significant difference in the per m² value of the Road Land for the two sections that are immediately adjacent to each other.

The road closure will result in 4-6 Glenside Lane Crafers incorporating an additional 400m² of land. The area of road to be closed is vegetated and already contained within the fenced boundary. The value attributed by the McLean Gladstone Valuers equated to \$113.75pm² (\$45,500) for the closed road, which was determined taking into account the large broad acre land holding of this property.

The road closure will result in 2 Glenside Lane Crafers incorporating an additional 186m² of land. The area of road to be closed is vegetated and already contained within the fenced boundary including gates and a portion of the driveway. The value attributed by the McLean Gladstone Valuers equates to \$349.46m² (\$65,000), being well above the valuation attributed to the adjoining land. The owners of 2 Glenside Lane Crafers asked for consideration to be given to a compromised position given the valuation for the adjoining road land and offered \$46,500.00 which equates to \$250m² which is considered acceptable given the methodology used to value the section of Road Land immediately adjacent.

The Surveyor-General has implemented new and updated guidelines under the *Roads (Opening & Closing) Act 1991* from 1 July 2018. The new guidelines change the manner in which public notification can be undertaken. In addition to the advertising in the Government Gazette, the Surveyor General will publish the notice to commence the 28 day public consultation process on the sa.gov.au website. This meets the requirements of Section 6(3) of the *Roads (Opening & Closing) Regulations 2006* and alleviates the need for advertising in the local newspapers.

This proposed road closure is not considered contentious given the nature of the land contained within the existing fence boundaries and it is believed that the public notification for this application is a suitable to be undertaken under the new guidelines.

4. OPTIONS

The Council has the following options:

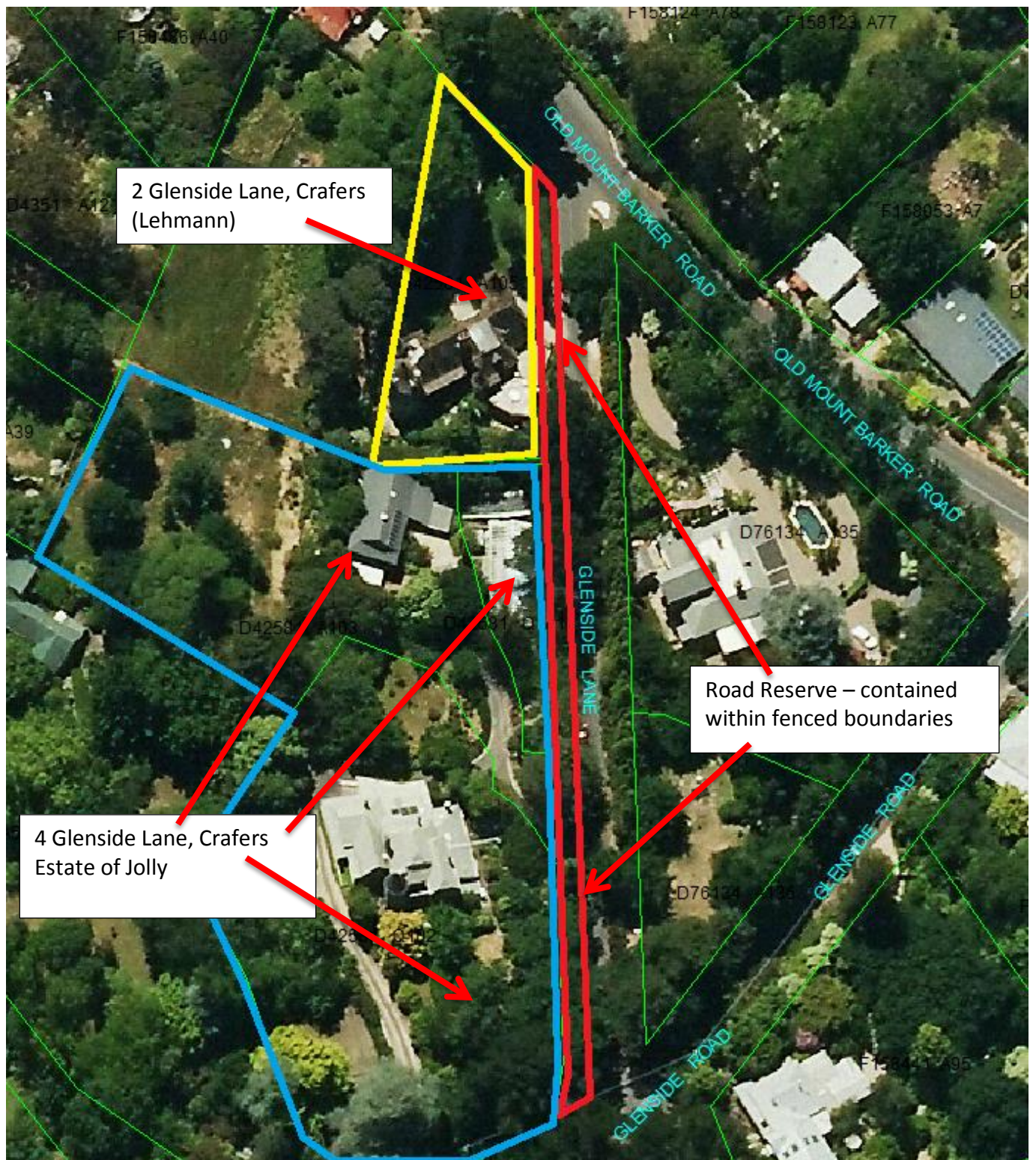
- I. Resolve to close the road and issue a Road Process Order in accordance with the recommendation (Recommended)
- II. Resolve to not endorse the road closure which will result in either the fence line needing to be relocated to the correct boundary or a road rent/permit being entered into to permit the encroachment (Not Recommended)

5. APPENDICES

- (1) Map identifying the Road Land
- (2) Preliminary Plan identifying the Road Land and merging parcels

Appendix 1

Identification of Road Land (bordered in red)



Appendix 2

*Preliminary Plan identifying land with which the closed
road will merge*

PRELIMINARY PLAN PP - - / - -

FILE 4395 PP1 V1

DATE OF PLAN 10/08/2018

SCALE AS SHOWN

OLDEN & van SENDEN PTY. LTD.
ACN 008 133 159 ABN 47 008 133 159
SURVEYING & PLANNING CONSULTANTS
3/42 MT BARKER ROAD 11 CHAPEL STREET
STIRLING, S.A. 5152 STRATHALBYN
PH (08) 83709699 SA 5255
FAX (08) 83709699 PH (08) 85363224
EMAIL olvs@bigpond.net.au M 0417878671

A103 D42581
CT 5291/388
Executors of
M. JOLLY

Q101 D42581
CT 5291/387
Executors of
M. JOLLY

A103 D42581
CT 5291/388
Executors of
M. JOLLY

Q102 D42581
CT 5291/387
Executors of
M. JOLLY

A135 D76134
CT 6009/438
M ZDENKOWSKI
& N TOWNSEND

A136 D76134
CT 6009/439
S & K HEALY

'Executors of M. JOLLY' are;
C JOLLY, M JOLLY and A FOLEY

HUNDRED OF NOARLUNGA
AREA CRAFTERS
ADELAIDE HILLS COUNCIL

ROAD TO BE CLOSED LETTERED A (186m²)
TO MERGE WITH CT: 5291/390

ROAD TO BE CLOSED LETTERED C (212m²) AND
E (97m²) TO MERGE WITH CT: 5291/387

ROAD TO BE CLOSED LETTERED B (4m²) AND
D (87m²) TO MERGE WITH CT: 5291/388

I HEREBY CERTIFY THAT THE PORTIONS OF
ROAD LETTERED A, B, C, D AND E HEREON
ARE PUBLIC ROAD WITHIN THE MEANING
OF SECTION 3 OF THE ROADS (OPENING AND
CLOSING) ACT 1991. (AUTHORITY: PUBLIC MAP)

Geoffrey C. van Senden
Geoffrey C. van Senden
LICENSED SURVEYOR

DATE 15/08/2018

CERTIFIED CORRECT AS TO INTENT:

DATE 22/8/2018

N Westover
N Westover
manager property
service
AHC Authorised officer

SCALE 0 10 20 30 40 50 METRES

GLENSIDE ROAD

GLENSIDE ROAD

GLENSIDE LANE

OLD MOUNT BARKER ROAD

**ADELAIDE HILLS COUNCIL
SPECIAL COUNCIL MEETING
Tuesday 11 September 2018
AGENDA BUSINESS ITEM**

Item: 6.12

Originating Officer: Natalie Westover, Manager Property Services

Responsible Director: Terry Crackett, Director Corporate Services

Subject: Sale of closed unnamed road off Burton Road Mt Torrens

For: Decision

SUMMARY

The purpose of this report is to seek a resolution to sell the land known as Closed Road U in Road Plan No. 1793 contained in Certificate of Title Volume 6191 Folio 688 (Land) to the adjoining land owner, R T & T L Gladigau.

The Council has previously undertaken a revocation of the community land classification for this Land.

The identification of the Land in **Appendix 2** includes the identification of Closed Road S in Road Plan No. 1793 which is the subject of the report titled *Sale of closed unnamed road off McVitties Road Birdwood* also being considered by Council on 11 September 2018.

RECOMMENDATION

Council resolves:

1. That the report be received and noted
2. To sell the land comprised in Certificate of Title Volume 6191 Folio 688 known as Closed Road U in Road Plan No. 1793 and identified on the plan attached as Appendix 1 (Land) for the amount of \$9,500 (exclusive of GST) to the adjoining land owner R T & T L Gladigau
3. To delegate to the Chief Executive Officer to sign all documentation necessary to effect the sale of the Land

1. GOVERNANCE

➤ **Strategic Management Plan/Council Policy**

Goal	Organisational Sustainability
Strategy	Financial Sustainability
	Risk and responsibility

Assessment of the Land as being surplus to Council's community land requirements is part of the Council's Strategic Property Review framework and meets the objectives for long term asset retention and management.

➤ **Legal Implications**

The sale of the Land will be undertaken in accordance with the Council's *Disposal of Land Policy*.

➤ **Risk Management Implications**

The sale of the land will assist in mitigating the risk of:

Unutilised Council assets surplus to community requirements leading to the loss of economic and social returns for Council and the community.

Inherent Risk	Residual Risk	Target Risk
High (4C)	Medium (2C)	Medium (2C)

➤ **Financial and Resource Implications**

The Land has been valued by an independent Valuer and attributed a value of \$9,500.

The valuation costs to Council for the Land was \$750 exclusive of GST.

Each party will pay its own costs associated with the sale and purchase. The Council's costs for the sale will be approximately \$1,000.

➤ **Customer Service and Community/Cultural Implications**

Not Applicable.

➤ **Environmental Implications**

The land is currently used for grazing stock and has a sparse cover of native trees consistent with the adjoining land.

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Property Advisory Group

Administration: Not Applicable

Community: Public Consultation was undertaken in relation to the revocation of community land process which included the Council's intention to dispose of the land

2. BACKGROUND

Council was approached in early 2017 by a land owner on Lee Road Kenton Valley who wished to purchase the land defined as “A” in Road Plan No. 1793 being a closed road adjacent to their property.

Investigations showed that there were 4 closed roads in the said Road Plan No. 1793 which had not been disposed of and remained as untitled Council land. By default, the land was deemed community land.

At the meeting of 26 April 2007, Council resolved to:

14.3. Revocation Community Land Kenton Valley

Moved Cr John Kemp
S/- Cr Lynton Vonow

86/17

Council resolves

1. That the report be received and noted
2. To commence a revocation of community land process for the land described as “A”, “B”, portion of “U” and “S” in Road Plan No. 1793 (now identified as “AU” & “AS” on the aerial plans attached as Appendix 3) (“Closed Road”) including consultation in accordance with Council’s Public Consultation Policy and the Local Government Act 1999 with the intention of selling the Closed Road to the adjoining owners.
3. That a further report be presented to Council at the completion of the consultation.

Carried Unanimously

At the meeting of 22 August 2017, Council resolved to:

14.4. Revocation of Community Land Closed Roads in RP 1793

Moved Cr Ian Bailey
S/- Cr John Kemp

182/17

Council resolves:

1. That the report be received and noted
2. A report be prepared and submitted to the Minister for Planning seeking approval for the revocation of the community land classification of the land identified as:
 - Closed Road A in Road Plan No. 1793 contained in Certificate of Title Volume 6191 Folio 686 located at Kenton Valley *Appendix 1*
 - Closed Road B in Road Plan No. 1793 contained in Certificate of Title Volume 6191 Folio 687 located at Kenton Valley *Appendix 1*
 - Closed Road S in Road Plan No. 1793 contained in Certificate of Title Volume 6193 Folio 468 located at Birdwood *Appendix 3*
 - Closed Road U in Road Plan No. 1793 contained in Certificate of Title Volume 6191 Folio 688 located at Mount Torrens *Appendix 4*

Carried Unanimously

At the meeting of 28 November 2017, Council resolved as per the following:

12.7. Revocation of Community Land – Closed Roads in Kenton Valley, Birdwood & Mt Torrens

Moved Cr Lynton Vonow
S/- Cr Malcolm Herrmann

283/17

Council resolves:

1. That the report be received and noted
2. That the community land classification over the land listed below be revoked:
 - Closed Road A in Road Plan No. 1793 in the area named Kenton Valley contained in Certificate of Title Volume 6191 Folio 686
 - Closed Road B in Road Plan No. 1793 in the area named Kenton Valley contained in Certificate of Title Volume 6191 Folio 687
 - Closed Road S in Road Plan No. 1793 in the area named Mount Torrens contained in Certificate of Title Volume 6191 Folio 688
 - Closed Road U in Road Plan No. 1793 in the area named Birdwood contained in Certificate of Title Volume 6193 Folio 468

Carried Unanimously

The Community Land classification has been revoked and the Land is now able to be sold.

Council staff wrote to all of the land owners immediately adjoining the untitled closed roads to determine if any of them had an interest in the purchase of the closed road adjacent to their property.

3. ANALYSIS

Council received confirmation from R T & T L Gladigau that they were interested in purchasing the land as it was used as part of their current primary production use of their land. No other expressions of interest were received from any of the immediately adjoining land owners.

A valuation has been undertaken and it has attributed a value of \$9,500 to the Land. Mr & Mrs Gladigau have agreed to pay the market value determined by the valuation.

The Land is within the Watershed Primary Production zone and not suitable for separate development. In line with the Council's objective to assess its land holdings and rationalise where appropriate, the Land is deemed suitable for disposal.

4. OPTIONS

Council has the following options:

- I. Resolve to sell the Land to R T & T L Gladigau (Recommended)
- II. Resolve to retain the Land as a Council asset (Not Recommended)

5. APPENDICES

- (1) Identification of Closed Road U
- (2) Identification of Closed Roads S & U

Appendix 1

Identification of Closed Road U

Land Services Group

The Property Location Browser is available on the Land Services Group Website: www.sa.gov.au/landservices

Date created:
August 14, 2018



Disclaimer: The information provided above, is not represented to be accurate, current or complete at the time of printing this report. The Government of South Australia accepts no liability for the use of this data, or any reliance placed on it.

Appendix 2

Identification of Closed Roads S & U

Land Services Group

The Property Location Browser is available on the Land Services Group Website: www.sa.gov.au/landservices

Date created:
August 14, 2018



Government
of South Australia

Land Services Group

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**ADELAIDE HILLS COUNCIL
SPECIAL COUNCIL MEETING
Tuesday 11 September 2018
AGENDA BUSINESS ITEM**

Item: 6.13

Originating Officer: Natalie Westover, Manager Property Services

Responsible Director: Terry Crackett, Director Corporate Services

Subject: Sale of closed unnamed road off McVitties Road Birdwood

For: Decision

SUMMARY

The purpose of this report is to seek a resolution to sell the land known as Closed Road S in Road Plan No. 1793 contained in Certificate of Title Volume 6193 Folio 468 (Land) to the adjoining land owner, Talunga Pty Ltd.

The Council has previously undertaken a revocation of the community land classification for this Land.

The identification of the Land in **Appendix 2** includes the identification of Closed Road U in Road Plan No. 1793 which is the subject of the report titled *Sale of closed unnamed road off Burton Road Mt Torrens* also being considered by Council on 11 September 2018.

RECOMMENDATION

Council resolves:

1. That the report be received and noted
 2. To sell the land comprised in Certificate of Title Volume 6193 Folio 468 known as Closed Road S in Road Plan No. 1793 and identified on the plan attached as Appendix 1 (Land) for the amount of \$8,500 (exclusive of GST) to the adjoining land owner Talunga Pty Ltd
 3. To delegate to the Chief Executive Officer to sign all documentation necessary to effect the sale of the Land
-

1. GOVERNANCE

➤ **Strategic Management Plan/Council Policy**

Goal	Organisational Sustainability
Strategy	Financial Sustainability
	Risk and responsibility

Assessment of the Land as being surplus to Council's community land requirements is part of the Council's Strategic Property Review framework and meets the objectives for long term asset retention and management.

➤ **Legal Implications**

The sale of the Land will be undertaken in accordance with the Council's *Disposal of Land Policy*.

➤ **Risk Management Implications**

The sale of the land will assist in mitigating the risk of:

Unutilised Council assets surplus to community requirements leading to the loss of economic and social returns for Council and the community.

Inherent Risk	Residual Risk	Target Risk
High (4C)	Medium (2C)	Medium (2C)

➤ **Financial and Resource Implications**

The Land has been valued by an independent Valuer and attributed a value of \$8,500.

The valuation costs to Council for the Land was \$750 exclusive of GST.

Each party will pay its own costs associated with the sale and purchase. The Council's costs for the sale will be approximately \$1,000.

➤ **Customer Service and Community/Cultural Implications**

Not Applicable.

➤ **Environmental Implications**

The land is currently used for grazing stock and has a sparse cover of native trees consistent with the adjoining land.

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Property Advisory Group

Administration: Not Applicable

Community: Public Consultation was undertaken in relation to the revocation of community land process which included the Council's intention to dispose of the land

2. BACKGROUND

Council was approached in early 2017 by a land owner on Lee Road Kenton Valley who wished to purchase the land defined as “A” in Road Plan No. 1793 being a closed road adjacent to their property.

Investigations showed that there were 4 closed roads in Road Plan No. 1793 which had not been disposed of and remained as untitled Council land. By default, the land was deemed community land.

At the meeting of 26 April 2007, Council resolved to:

14.3. Revocation Community Land Kenton Valley

Moved Cr John Kemp
S/- Cr Lynton Vonow

86/17

Council resolves

1. That the report be received and noted
2. To commence a revocation of community land process for the land described as “A”, “B”, portion of “U” and “S” in Road Plan No. 1793 (now identified as “AU” & “AS” on the aerial plans attached as Appendix 3) (“Closed Road”) including consultation in accordance with Council’s Public Consultation Policy and the Local Government Act 1999 with the intention of selling the Closed Road to the adjoining owners.
3. That a further report be presented to Council at the completion of the consultation.

Carried Unanimously

At the meeting of 22 August 2017, Council resolved to:

14.4. Revocation of Community Land Closed Roads in RP 1793

Moved Cr Ian Bailey
S/- Cr John Kemp

182/17

Council resolves:

1. That the report be received and noted
2. A report be prepared and submitted to the Minister for Planning seeking approval for the revocation of the community land classification of the land identified as:
 - Closed Road A in Road Plan No. 1793 contained in Certificate of Title Volume 6191 Folio 686 located at Kenton Valley *Appendix 1*
 - Closed Road B in Road Plan No. 1793 contained in Certificate of Title Volume 6191 Folio 687 located at Kenton Valley *Appendix 1*
 - Closed Road S in Road Plan No. 1793 contained in Certificate of Title Volume 6193 Folio 468 located at Birdwood *Appendix 3*
 - Closed Road U in Road Plan No. 1793 contained in Certificate of Title Volume 6191 Folio 688 located at Mount Torrens *Appendix 4*

Carried Unanimously

At the meeting of 28 November 2017, Council resolved as per the following:

12.7. Revocation of Community Land – Closed Roads in Kenton Valley, Birdwood & Mt Torrens

Moved Cr Lynton Vonow
S/- Cr Malcolm Herrmann

283/17

Council resolves:

1. That the report be received and noted
2. That the community land classification over the land listed below be revoked:
 - Closed Road A in Road Plan No. 1793 in the area named Kenton Valley contained in Certificate of Title Volume 6191 Folio 686
 - Closed Road B in Road Plan No. 1793 in the area named Kenton Valley contained in Certificate of Title Volume 6191 Folio 687
 - Closed Road S in Road Plan No. 1793 in the area named Mount Torrens contained in Certificate of Title Volume 6191 Folio 688
 - Closed Road U in Road Plan No. 1793 in the area named Birdwood contained in Certificate of Title Volume 6193 Folio 468

Carried Unanimously

The Community Land classification has been revoked and the Land is now able to be sold.

Council staff wrote to all of the land owners immediately adjoining the untitled closed roads to determine if any of them had an interest in the purchase of the closed road adjacent to their property.

3. ANALYSIS

Council received confirmation from Talunga Pty Ltd that they were interested in purchasing the land as it was used as part of their current primary production use of their land. No other expressions of interest were received from any of the immediately adjoining land owners.

A valuation has been undertaken and it has attributed a value of \$8,500 to the Land. Talunga Pty Ltd have agreed to pay the market value determined by the valuation.

The Land is within the Watershed Primary Production zone and not suitable for separate development. In line with the Council's objective to assess its land holdings and rationalise where appropriate, the Land is deemed suitable for disposal.

4. OPTIONS

Council has the following options:

- I. Resolve to sell the Land to Talunga Pty Ltd (Recommended)
- II. Resolve to retain the Land as a Council asset (Not Recommended)

5. APPENDICES

- (1) Identification of Closed Road S
- (2) Identification of Closed Roads S & U

Appendix 1

Identification of Closed Road S



Government
of South Australia

Land Services Group

Appendix 2

Identification of Closed Roads S & U

Land Services Group

The Property Location Browser is available on the Land Services Group Website: www.sa.gov.au/landservices

Date created:
August 14, 2018



Government
of South Australia

Land Services Group

Disclaimer: The information provided above, is not represented to be accurate, current or complete at the time of printing this report. The Government of South Australia accepts no liability for the use of this data, or any reliance placed on it.

**ADELAIDE HILLS COUNCIL
SPECIAL COUNCIL MEETING
Tuesday 11 September 2018
AGENDA BUSINESS ITEM**

Item: 6.14

Originating Officer: John McArthur, Manager Waste and Emergency Management

Responsible Director: Peter Bice, Director Infrastructure and Operations

Subject: East Waste Recycling Contract

For: Information

SUMMARY

Correspondence (refer **Appendix 1**) has been received from East Waste seeking confirmation or otherwise that Council is willing for its annual kerbside recycling tonnes to be included in a Request for Tender (RFT) to be undertaken for the receipt and processing of Member Councils' kerbside recycling material.

The correspondence received is in response to a resolution of the East Waste Board from a Special Meeting held 3 September 2018 to terminate the existing contract with SKM Recycling and to undertake a RFT process for the receipt and processing of kerbside recycling material.

RECOMMENDATION

Council resolves:

1. That the report be received and noted.
 2. To note the inclusion of Council's annual kerbside recycling tonnes in the forthcoming East Waste request for tender process for the receipt and processing of Member Councils' recycling material.
-

1. GOVERNANCE

➤ **Strategic Management Plan/Council Policy**

Goal 3	Places for people and nature
Strategy 3.7	We will drive further reduction in waste consigned to landfill

Allowing for the provision of Council's kerbside recycling material in the forthcoming RFT to be undertaken by East Waste will ensure this material is continued to be recycled in an environmentally sound manner.

Goal 4	Explore
--------	---------

Strategy 4.6 We will actively pursue opportunities to share resources and partner with others for better community outcomes

A collaborative partnership approach by all East Waste Member Councils to include their respective recycling tonnes in the RFT process will assist to provide better community outcomes through achieving the best possible results from a future recycling contract.

Legal Implications

There are no legal implications arising from the subject matter of this report.

➤ **Risk Management Implications**

The inclusion of Council's annual kerbside recycling tonnes in the East RFT process for receipt and processing of recycling material will assist in mitigating the risk of:

Reduced ability to attract the best possible market rate for future receipt and processing of Council's kerbside recycling material leading to potentially higher costs.

Inherent Risk	Residual Risk	Target Risk
Medium (1A)	Low (1C)	Low (1C)

There are no new mitigation actions arising from the inclusion of Council's kerbside recycling tonnes in the East Waste RFT process.

➤ **Financial and Resource Implications**

The use of Council's recycling tonnes in the East Waste RFT process has no direct financial and resource implications. Indirectly, inclusion of Council's recycling tonnes in the RFT process will ensure the best possible financial outcomes arise from RFT responses for Adelaide Hills Council and other East Waste Member Councils.

➤ **Customer Service and Community/Cultural Implications**

The use of Council's recycling tonnes in the East Waste RFT process will ensure costs for providing recycling receipt and processing services are minimised. There will not be any service disruption to kerbside recycling collection services provided by East Waste from the RFT process to be undertaken.

➤ **Environmental Implications**

Participating in and providing kerbside recycling services is a key community service to reduce material being unnecessarily disposed of to landfill.

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

Council Committees: Not Applicable

Council Workshops: Not Applicable

<i>Advisory Groups:</i>	Not Applicable
<i>Administration:</i>	Director Infrastructure and Operations Manager Waste and Emergency Management
<i>Community:</i>	Not Applicable

2. BACKGROUND

In early 2018 East Waste received advice from its recycling contractor, SKM Recycling, regarding the need to make changes to the *Receipt and Processing of Recyclables* contract in response to the 'China National Sword' program introduced and implemented by the Chinese Government over 2017 and 2018. The China National Sword program effectively resulted in China banning the importing of recycled material into China from many countries, including Australia.

As a result of the China National Sword SKM Recycling advised East Waste that they were no longer able to provide the recycling rebate, as required by the *Receipt and Processing of Recyclables* contract, to member Councils of up to a top rate of \$35.50 per tonne.

Further, as a result of the changes in the recycling market SKM Recycling were seeking from Member Councils, through East Waste, payment for the receipt and processing of kerbside recycling material. The impact of this change on Council's 2018/19 budget was a loss of annual income (via non-payment of the rebate) of approximately \$120k, and an increase to the expenditure budget of \$267k, a net cost to Council of \$387k.

Whilst the aforementioned impact was not ideal it was the best outcome to be negotiated at the time given it was imperative to minimise losses and provide continuity of service in uncertain times. Additionally, this negotiated position was based on further negotiations that were to occur between East Waste and SKM Recycling before 1 October 2018 to explore the best possible outcomes longer term for Member Councils.

Correspondence (refer **Appendix 1**) has been received from East Waste in relation to the negotiations with SKM Recycling. This correspondence outlines that the negotiations with SKM Recycling have drawn to a close with the East Waste Board resolving at the 3 September 2018 Special Board Meeting to terminate the existing contract with SKM Recycling based on their inability to pay the ongoing rebate.

The termination of the contract will be effective from 1 October 2018. At the Special Meeting the East Waste Board also resolved for the East Waste General Manager to undertake an open market RFT for the longer-term receipt and processing of recyclables.

In the interim, and in accordance with resolution two, point three, from the East Waste 3 September Special Board Meeting (refer **Appendix 1**), East Waste is committed to ensuring uninterrupted recycling services through the RFT process.

To progress the resolution of the East Waste Board, the General Manager is seeking confirmation from Member Councils that they are willing to include their annual recycling tonnes in the RFT process to be undertaken. For information, the kerbside recycling tonnes

collected from the Adelaide Hills Council in 2016/17 and 2017/18 was 3628 and 3421 tonnes respectively.

East Waste are seeking a response from Member Councils by no later than 20 September 2018 regarding their preparedness or otherwise to include their respective recycling tonnes in the East Waste Receipt and Processing of Recyclables RFT process.

3. ANALYSIS

Collectively, East Waste Member Councils account for approximately 20% of the total tonnes of kerbside recycling material processed annually in South Australia. This volume is a significant market share and as a result there is potential, in aggregate, to deliver the best possible market rates for Member Councils through the RFT process.

To maximise this market influence through the RFT process the inclusion of all Member Councils' recycling tonnes are required. At this point in the process East Waste is only seeking confirmation from Council to include its recycling tonnes in the RFT process. East Waste is not seeking a binding commitment, at this stage, from Member Councils to participate in the future *Receipt and Processing of Recyclables* contract.

However, once the RFT process has been concluded East Waste will seek a commitment from Member Councils to the *Receipt and Processing of Recyclables* contract. At this time, the costs and other matters relating to the *Receipt and Processing of Recyclables* contract will be known in detail allowing a thorough analysis to be undertaken on the pros and cons of committing to such a contract. This analysis will inform a future report to Council for consideration and resolution to commit, or not, to the *Receipt and Processing of Recyclables* contract.

Noting the benefits outlined above in including Council's recycling tonnes in the forthcoming RFT process, and that there are no binding commitments from this process, Council staff intend to advise East Waste that Council is willing to include its annual kerbside recycling tonnes for aggregation in the East Waste RFT process.

4. OPTIONS

Council has the following options:

- I. Receive the Report (Recommended)

5. APPENDICES

- (1) Correspondence from East Waste

Appendix 1

Correspondence from East Waste

4 September 2018

Mr Andrew Aitken
Chief Executive Officer
Adelaide Hills Council
PO Box 44
WOODSIDE SA 5244

Dear Andrew,

Response Sought - Recycling Contract

I am writing following the Eastern Waste Management Authority (East Waste) Board meeting on Monday 3 September to update you on a number of significant matters associated with the current recycling contract.

As you are aware East Waste is committed to securing the best long term deal for our Member Councils while at the same time protecting and advancing the community's positive kerbside recycling behaviours. Having considered a wide range of information, including an industry analysis, risk and market assessments, consultant and legal advice and the counsel of the Recycling Review Technical Advisory Committee, the Board have made the decision to cease further negotiations with SKM Recycling, terminate the existing *Receipt and Processing of Recyclables* Contract, as of 1 October 2018 (when the current Addendum expires) and undertake an open Request for Tender. This is a strong and significant decision and one which the Board is confident will deliver the best market rate for our Member Councils. The minutes of the 3 September 2018 Special Board meeting are now publicly available and I have attached in full for your reference, along with the minutes of the previous Special Board Meeting on 17 August 2018.

Annually across South Australia there are approximately 130,000 tonnes of kerbside recycling processed through three local Recyclers; SKM Recycling, Visy Recycling and Northern Adelaide Waste Management Authority (NAWMA). East Waste Member Councils collectively are responsible for approximately 20% of these total tonnes, making us the single largest contract. With the two largest Material Recovery Facilities (MRF) facing an unclear future, due to the uncertainty around current contracted tonnes, our collective tonnes are significant and can underpin and/or provide critical market share to any of the MRF Operators. I am confident that collectively our tonnes can deliver the best market rates.

East Waste is now preparing Tender documentation ready for release and in order to maximise the benefits of our collective market share, I am seeking your approval to include the Adelaide Hills Council tonnes as part of the tender process. To be clear this is for the Tender process only and does not bind Council into a long term agreement. It is only at the conclusion of the Tender process, when all costs and factors are known, that Council commitment to the contract will be sought. **Can you please confirm in writing, by no later than Thursday 20 September, if you are willing for Adelaide Hills Council kerbside recycling tonnes to be aggregated into the East Waste Tender process?** Again I reiterate that the inclusion of all Member Council tonnes, will have the best opportunity of sourcing the best possible market rate for East Waste Member Councils.

Understanding the importance and impact the outcome this process will have on Member Council finances, a decision has been made to include high level representation from our Member Councils on the Tender Assessment Panel as well as independent industry expertise.

Previously I had agreed to hold a further confidential Member Council CEO and Mayors Briefing to update on the work we had undertaken and decisions. However as the minutes of the last two meetings are now publicly available (and attached for your reference) and our direction is quite clear, I do not believe I can furnish you with any additional information that would warrant taking time out of your busy schedule. As such I have not scheduled a collective meeting. If however you would like an individual briefing for yourself and/or Mayor or Elected Members, please do not hesitate to contact me to arrange a time. A separate letter, which you are cc'd into, has been sent directly to your Mayor advising of this.

In addition to the above, it is worthwhile to note that in order to uphold our strong Governance principles, Chairman, Mr Brian Cunningham has from the commencement of this issue, declared a perceived conflict of interest in the matter, due to him also holding the Chairperson position at Northern Adelaide Waste Management Authority (NAWMA). As such Brian has not been involved in any of the discussion or decision making and has excused himself from the last two Special Board meetings where the recycling Contract has been the sole focus of the meetings.

The coming period will be a challenging time as we navigate through the contract termination and tendering process, but I want to assure you that along with securing the best long term deal for our Member Councils we are committed to protecting and advancing the community's positive kerbside recycling behaviours. This includes collection of kerbside recycling bins on time, every time and ensuring the material is appropriately processed.

Once again thank you for your patience and understanding as we have diligently worked through this complex situation. I look forward to receiving confirmation by no later than Thursday 20 September, that you are willing for your recycling tonnes to be included into the upcoming East Waste Tender process. Should you have any questions in the interim, please don't hesitate to contact me.

Yours sincerely,



ROB GREGORY
GENERAL MANAGER

MINUTES OF THE SPECIAL BOARD MEETING OF THE EASTERN WASTE MANAGEMENT AUTHORITY

Held on Monday 3 September at 8:32am, at the Mayor's Parlour, City of Norwood, Payneham & St Peters, 175 The Parade, Norwood

1. PRESENT

Directors:

Cr L Green	Adelaide Hills Council
Cr G Piggott	City of Burnside
Mr P Di Iulio	Campbelltown City Council
Cr K Hockley	City of Mitcham
Mr M Barone	City of Norwood, Payneham & St Peters
Ms C Hart	City of Prospect

In Attendance:

Mr R Gregory	General Manager
Mr S Raymond	Manager, Corporate Services
Ms K Vandermoer	Finance and Executive Administration Officer
Mr F Bell	Thomson Geer

2. APOLOGIES

Mr B Cunningham	Independent Chairperson
Cr G Busato	Corporation of the Town of Walkerville

3. CONFLICTS OF INTEREST

NIL

4. CONFIRMATION OF THE MINUTES

Moved Cr Hockley that the Minutes of Special Eastern Waste Management Authority Board Meeting held on Friday 17 August 2018, be received, confirmed and adopted.

Seconded Mr Barone

Carried

5. MATTERS ARISING FROM THE MINUTES

NIL

6. QUESTIONS WITHOUT NOTICE

NIL

7. REPORTS

NIL

8. CONFIDENTIAL REPORTS

8.1 RECYCLING CONTRACT

RECOMMENDATION 1

Moved Cr Hockley that pursuant to Section 90(2) and (3) of the Local Government Act, 1999 the East Waste Board orders that the public, with the exception of the East Waste staff present, be excluded from the meeting on the basis that the East Waste Board will receive, discuss and consider:

(b) information the disclosure of which –

- (i) could reasonably be expected to confer a commercial advantage on a person with whom East Waste is conducting, or proposing to conduct, business, or to prejudice the commercial position of East Waste; and
- (ii) would, on balance, be contrary to the public interest;

and the East Waste Board is satisfied that, the principle that the meeting should be conducted in a place open to the public, has been outweighed by the need to keep the receipt/discussion/ consideration of the information confidential.

Seconded Cr Piggott

Carried

Ms Hart entered the meeting at 8:46am.

RECOMMENDATION 2

Moved Cr Hockley that the Board:

1. On the balance of information received to date from SKM Recycling and independent legal advice, is satisfied SKM Recycling have indicated a breach of contract and as such instruct the General Manager to write to SKM Recycling advising that East Waste will be terminating the Agreement effective 1 October 2018, on the basis SKM Recycling is in breach of Clause 11.1 (substantial default) as a result of not being able to pay an ongoing rebate.
2. Instruct the General Manager to undertake an open Request for Tender for the longer-term Receipt and Processing of Recyclables.
3. If required, for the duration of facilitating a Request for Tender process, approves the General Manager utilising the Exemptions Provisions in the East Waste Procurement Policy, to enter into a short-term arrangement for the Receipt and Processing of Recyclables.

Seconded Mr Barone

Carried

RECOMMENDATION 3

Moved Mr Barone that under Section 91(7) and (9) of the Local Government Act 1999 the East Waste Board orders that the report, attachment(s), and discussion be kept confidential for a period not exceeding 12 months, after which time the order will be reviewed by the East Waste Board.

Seconded Cr Green

Carried

8.2 REVIEW OF CONFIDENTIAL ORDERS

RECOMMENDATION 1

Moved Mr Barone that pursuant to Section 90(2) and (3) of the Local Government Act, 1999 the East Waste Board orders that the public, with the exception of the East Waste staff present, be excluded from the meeting on the basis that the East Waste Board will receive, discuss and consider:

(b) information the disclosure of which –

- (i) could reasonably be expected to confer a commercial advantage on a person with whom East Waste is conducting, or proposing to conduct, business, or to prejudice the commercial position of East Waste; and
- (ii) would, on balance, be contrary to the public interest;

and the East Waste Board is satisfied that, the principle that the meeting should be conducted in a place open to the public, has been outweighed by the need to keep the receipt/discussion/ consideration of the information confidential.

Seconded Cr Piggott

Carried

RECOMMENDATION 2

Moved Mr Barone that the Board orders in accordance with section 91(7) of the *Local Government Act 1999*, that the existing confidentiality order on the minutes to the original report of 8.5 – RECYCLING CONTRACT REVIEW ITEM from the 17/08/2018 Board meeting be released; however, the report, attachments and discussion remain confidential due to the associated commercial sensitivities.

Seconded Cr Green

Carried

9. OTHER BUSINESS

NIL

10. NEXT MEETING OF THE BOARD

The next Board Meeting is scheduled to be held on Thursday 20 September 2018 commencing 5:30pm at the City of Norwood, Payneham & St Peters, 175 The Parade, Norwood

11. CLOSURE OF MEETING

There being no further business the meeting closed at 9:18am.

DATE: _____

CHAIRPERSON: _____



**MINUTES OF THE SPECIAL BOARD MEETING OF THE
EASTERN WASTE MANAGEMENT AUTHORITY**

Held on Friday 17 August 2018 at 8:33am, at the City of Norwood, Payneham & St Peters,
175 The Parade, Norwood

8.5 RECYCLING CONTRACT OPTIONS

RECOMMENDATION 1

Moved Cr Webster that Pursuant to Section 90(2) and (3) of the Local Government Act, 1999 the East Waste Board orders that the public, with the exception of the East Waste staff and invited guests (Mr Fraser Bell & Mr Jeff Tate) present, be excluded from the meeting on the basis that the East Waste Board will receive, discuss and consider:

(h) legal advice;

and the East Waste Board is satisfied that, the principle that the meeting should be conducted in a place open to the public, has been outweighed by the need to keep the receipt/discussion/consideration of the information confidential.

Seconded Cr Hockley

Carried

Ms Hart Left the meeting at 8:52am.

Ms Hart re-entered the meeting at 8:53am.

Cr Piggott left the meeting at 9:34am.

RECOMMENDATION 2

Moved Cr Hockley That the Board:

1. Notes the legal advice from Kelledy Jones Lawyers;
2. In light of the legal advice in relation to procurement compliance, SKM Recycling's revised offer and the market analysis work undertaken, instruct the General Manager to cease any further exclusive negotiations with SKM Recycling.
3. Directs the General Manager to write to SKM Recycling seeking confirmation that it will comply with the original terms and conditions of the *Receipt and Processing of Recyclables contract (2015-2025)* on 1 October 2018 (the expiration of the existing Addendum).
4. Subject to advice from SKM Recycling advising it will not comply with the original terms and conditions of the *Receipt and Processing of Recyclables contract (2015-2025)*, instruct the General Manager to write to SKM Recycling advising that East Waste will be terminating the Agreement effective 1 October 2018, on the basis SKM Recycling is in breach of Clause 11.1 (substantial default) as a result of not being able to pay an ongoing rebate.
5. Directs the General Manager to ensure, so far as possible, that East Waste preserves the option of pursuing financial compensation from SKM Recycling.

6. Thank the Committee Members of the Recycling Review Technical Working Committee for their diligent work guiding and advising the General Manager through the review process, noting that the committee's work is now concluded.
7. Instructs the General Manager to continue communications to the Member Councils through the respective Chief Executive Officers.

Seconded Ms Hart

Carried

Mr Barone left the meeting at 9:56am.

RECOMMENDATION 3

Moved Cr Hockley Under Section 91(7) and (9) of the Local Government Act 1999 the East Waste Board orders that the report, attachment(s), and discussion be kept confidential until the next meeting of the Board at which time the order will be reviewed by the East Waste Board.

Seconded Cr Webster

Carried

**ADELAIDE HILLS COUNCIL
SPECIAL COUNCIL MEETING
Tuesday 11 September 2018
CONFIDENTIAL AGENDA BUSINESS ITEM**

Item: 7.1

Originating Officer: John McArthur, Manager Waste and Emergency Management

Responsible Director: Peter Bice, Director Engineering and Assets

Subject: Ashton Landfill

For: Decision

1. Ashton Landfill – Exclusion of the Public

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except:

- CEO, Andrew Aitken
- Director Infrastructure & Operations, Peter Bice
- Director Development & Regulatory Services, Marc Salver
- Director Corporate Services, Terry Crackett
- Director Community Capacity, David Waters
- Executive Manager Governance & Performance, Lachlan Miller
- Manager Waste and Emergency Management, John McArthur
- Governance and Risk Coordinator, Steven Watson
- Council’s Legal Advisor, Stephen Williams (Norman Water House)

be excluded from attendance at the meeting for Agenda Item 7.1 (Ashton Landfill) in confidence.

The Council is satisfied that it is necessary that the public, with the exception of Council staff in attendance as specified above, be excluded to enable Council to consider the report at the meeting on the following grounds:

Section 90(3)(i) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item is information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council, the disclosure of which could reasonably be expected to prejudice the commercial position of person/agency/business involved with any litigation that may be undertaken.

Accordingly, on this basis the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information and discussion confidential.

