



## NOTICE OF SPECIAL COUNCIL MEETING

To: Mayor Jan-Claire Wisdom

Councillor Ian Bailey
Councillor Kirrilee Boyd
Councillor Nathan Daniell
Councillor Pauline Gill
Councillor Chris Grant
Councillor Linda Green
Councillor Malcolm Herrmann
Councillor John Kemp
Councillor Leith Mudge
Councillor Mark Osterstock
Councillor Kirsty Parkin
Councillor Andrew Stratford

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 13 July 2021**  
**6.30pm**  
**36 Nairne Road Woodside**

Business of the meeting:

1. Leave of Absence – Cr Pauline Gill
2. Expression of Interest – 103 Mt Lofty Summit Road Crafers

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.

**Andrew Aitken**  
**Chief Executive Officer**



## AGENDA FOR SPECIAL COUNCIL MEETING

Tuesday 13 July 2021  
6.30pm  
36 Nairne Road Woodside

### ORDER OF BUSINESS

**1. COMMENCEMENT**

**2. OPENING STATEMENT**

Council acknowledges that we meet on the traditional lands and waters of the Peramangk and Kaurna people. They are Custodians of this ancient and beautiful land and so we pay our respects to Elders past, present and emerging. We will care for this country together by ensuring the decisions we make will be guided by the principle that we should never decrease our children's ability to live on this land.

**3. APOLOGIES/LEAVE OF ABSENCE**

3.1. Apology

3.2. Leave of Absence

- *Cr Pauline Gill 08 July to 31 August 2021*
- *Cr Kirrilee Boyd 25 May to 27 July 2021 inclusive, approved at Council 25 May 2021*

**4. DECLARATION OF INTEREST BY MEMBERS OF COUNCIL**

**5. PRESIDING MEMBER'S OPENING REMARKS**

**6. PUBLIC FORUM**



**7. BUSINESS OF THE MEETING**

**7.1. Expression of Interest – 103 Mt Lofty Summit Road Crafers Council resolves:**

1. *That the report be received and noted*
2. *The communication dated 8 June 2021 received from Renewal SA advising that the land located at 103 Mt Lofty Summit Road Crafers contained in Certificate of Title Volume 5951 Folio 582 (“Land”) has been declared surplus be received and noted*
3. *That, having given consideration to the location, size of the land parcel, topography and heritage listed ruins on the Land, the Council does not identify the Land as having a strategic value for Local Government purposes*
4. *To delegate to the Chief Executive Officer to communicate to Renewal SA Council’s decision to decline to lodge an expression of interest in the Land but recommend that the Land be consolidated within the immediately adjacent Cleland Conservation Park and managed, with appropriate public access, as part of that public space*

**8. CONFIDENTIAL ITEM**

Nil

**9. CLOSE SPECIAL COUNCIL MEETING**

**ADELAIDE HILLS COUNCIL  
SPECIAL COUNCIL MEETING  
TUESDAY 13 JULY 2021  
AGENDA BUSINESS ITEM**

**Item:** 7.1

**Responsible Officer:** Natalie Westover  
Manager Property Services  
Corporate Services

**Subject:** Expression of Interest – 103 Mt Lofty Summit Road Crafers

**For:** Decision

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**SUMMARY**

The purpose of this report is to present communication received from Renewal SA advising that the South Australian Government has declared 103 Mt Lofty Summit Road Crafers comprised in Certificate of Title Volume 5951 Folio 582 ("Land") (**Appendix 1**) surplus and seeking expressions of interest from interested parties, and seek a resolution from Council in respect of the same (**Appendix 2**).

**RECOMMENDATION**

**Council resolves:**

1. That the report be received and noted
  2. The communication dated 8 June 2021 received from Renewal SA advising that the land located at 103 Mt Lofty Summit Road Crafers contained in Certificate of Title Volume 5951 Folio 582 ("Land") has been declared surplus be received and noted
  3. That, having given consideration to the location, size of the land parcel, topography and heritage listed ruins on the Land, the Council does not identify the Land as having a strategic value for Local Government purposes
  4. To delegate to the Chief Executive Officer to communicate to Renewal SA Council's decision to decline to lodge an expression of interest in the Land but recommend that the Land be consolidated within the immediately adjacent Cleland Conservation Park and managed, with appropriate public access, as part of that public space
-

## 1. GOVERNANCE

### ➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

#### *Strategic Plan 2020-24 – A brighter future*

Goal	A functional Built Environment
Objective B4	Sustainable management of our built assets ensures a safe, functional and well serviced community
Priority B4.1	Ensure the long term management of the built form and public spaces occurs in consideration of the relevant financial, social and environmental management matters
Goal	A progressive organisation
Objective O3	Our organisation is financially sustainable for both current and future generations
Priority O3.2	Ensure that renewal of assets and the associated maintenance is based on current asset management plans which consider reviewed service levels and whole of life costing

The Council's Strategic Plan provides commentary as to the Council's objectives in relation to the preservation and management of its current assets as well as its objectives

### ➤ Legal Implications

The State Government have commenced a process to assess the Land as surplus in accordance with Parliamentary Circular 114.

The Council is not legally obligated to respond in the affirmative or negative to the notice dated 8 June 2021.

If the Council were to lodge an expression of interest in the Land, it does not create a legal obligation on the Council to take any further part in the disposal process or a commitment to purchase the Land.

It is a requirement of the State Government that any land acquired by a Council through the PC114 process be placed on the Council's Community Land Register.

### ➤ Risk Management Implications

The resolution to formally advise that the Council does not express an interest in the acquisition of the Land will assist in mitigating the risk of:

*Council owning an under or unutilised council facility (buildings, open spaces, road reserves) leading to loss of economic and social returns for the Council and the community.*

Inherent Risk	Residual Risk	Target Risk
High (4C)	Medium (3C)	Low

The recommendation will ensure that the Council does not look to acquire an additional asset with considerable resource required to enable it to be fit for purpose as a public open space area and with an obligation to maintain the heritage value of the Land.

➤ **Financial and Resource Implications**

The State Government will determine the purchase price based on an independent valuation. At this time, the price is unknown and would only be disclosed if the Council lodged an expression of interest and received a formal letter of offer from the State Government.

The Land and ruins on the Land, known as ‘Arthur’s Seat’, are heritage listed at a local level.

If the Council were to purchase the land, it would be at market rates with an ongoing obligation to maintain the Land and the locally heritage listed ruins.

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

Access to the site is not currently available as the site is fenced and gated (refer **Appendix 3** for photos of the fenced and gated entrances). Given the Land is immediately adjacent to the Cleland Conservation Park, there would be synergies with the Land being incorporated into and managed as part of the Cleland Conservation Park, including the provision of public access to the Land.

➤ **Sustainability Implications**

The Land houses the ruins known as ‘Arthur’s Seat’ and is also well vegetated with native vegetation, both of which are afforded protection under the heritage listing and Native Vegetation Act respectively. The Council’s Biodiversity Team does not have any current involvement in the Land and has advised that they do not see merit in Council acquiring the Land from a conservation perspective as it would require considerable effort to restore the native vegetation from the obvious weed issues (refer **Appendix 3** for photos of the ruins)

➤ **Engagement/Consultation conducted in the development of the report**

As there has been a short period of time permitted for a response to the request for expressions of interest, consultation has been limited.

Consultation on the development of this report was as follows:

*Council Committees:* Not Applicable

*Council Workshops:* Not Applicable

*Advisory Groups:* Not Applicable

*Administration:* Executive Leadership Team  
Sport & Recreation Coordinator  
Trails Officer  
Biodiversity Officer  
Manager Strategic Assets  
Asset Management Officer  
Parks and Reserves Technical Officer

*External Agencies:* Not Applicable

*Community:* Not Applicable

The Council's Biodiversity Team advised that they do not see merit in acquiring the Land from a conservation perspective and would support a recommendation for it to be amalgamated with the adjoining Cleland Conservation Park. The site appears to have many weed issues and the building appears to have been taken over with Broom, Blackberry and Ivy.

Council's Asset Management Officer advised that there are no records indicating that there are any Council infrastructure assets that would require an easement.

Council's Trail's Officer advised that the acquisition of the Land would not provide additional value to the Council's trails or cycle network now or into the future.

Council's Parks and Reserves Technical Officer advised that fire tracks to access Cleland Conservation Park are maintained by the Department of Environment and Water and that there is no need to acquire the Land for the purposes of fire mitigation.

## **2. BACKGROUND**

The Council received a notice dated 8 June 2021 advising that the Land located at 103 Mount Lofty Summit Road Crafers has been declared surplus and Renewal SA is coordinating a disposal strategy for the Land.

Renewal SA is seeking to determine if Council has an interest in purchasing the Land for Council purposes and/or needs to protect services on the land that may not be covered by a registered easement.

The building was a mansion built in 1875 known as 'Arthur's Seat' and was later known as 'Staywell School'. The building was destroyed in the 1983 Ash Wednesday bushfire. Following that fire, the land was sold to the State Government and much of the land was incorporated into the adjoining Cleland Conservation Park, however the ruins were retained separately.

## **3. ANALYSIS**

As detailed in the engagement and consultation section above, the proposal has been assessed by a number of administrative staff to consider the benefits and liabilities to the Adelaide Hills Council community of a possible acquisition of the Land.

It is the considered opinion of the administrative staff that the Land would be best placed to be retained by the State Government and amalgamated with the immediately adjoining Cleland Conservation Park and made publicly available as part of that park network (if appropriate).

## **OPTIONS**

Council has the following options:

- I. Resolve to respond to the request for expression of interest to formally decline interest in acquiring the Land but recommending that consideration be given to the Land being amalgamated and managed with the immediately adjacent Cleland Conservation Reserve (Recommended)
- II. Resolve to respond to the request for expression of interest to formally express an interest, in the affirmative, to acquire the Land (Not Recommended)

**4. APPENDICES**

- (1) Location of the Land
- (2) Land information provided by Renewal SA
- (3) Photos of building ruins

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# **Appendix 1**

*Location of the Land*

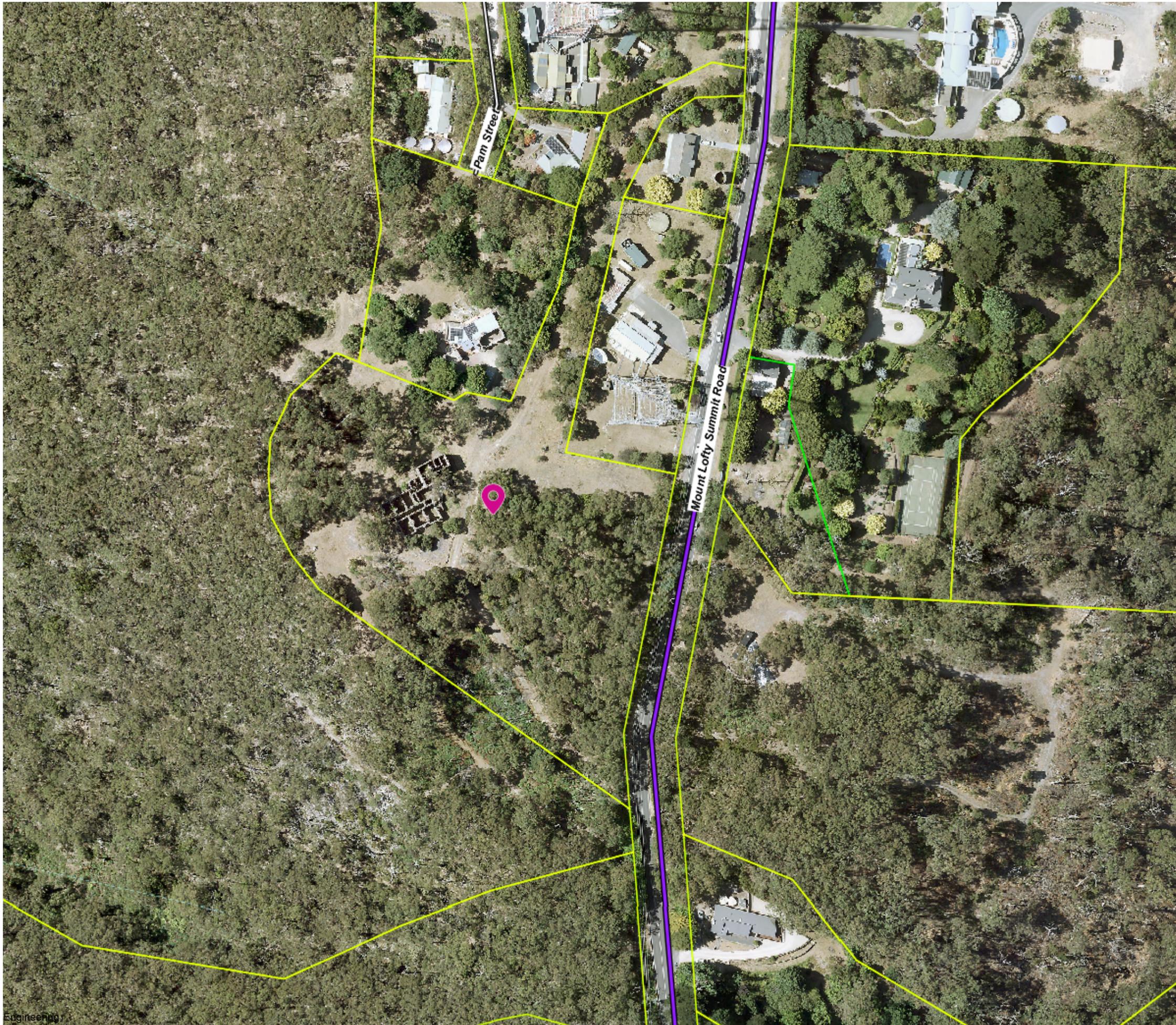
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# 103A Mt Lofty Summit Road Crafers



## AHC Core

- Parks
- ★ Townships
- RoadsStreetView
- ADJOINING LG
- AHC & PRIVATI
- = AHC RD
- DPTI RD
- PRIVATE RD
- SHARED RD
- PropertyOwner
- Parcels
- Roads
- AHC LGA
- LGAs
- Suburbs
- Rivers
- River
- Creeks
- Streams



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2-Jul-2021

## PropertyOwner (1)

Assessment: 19037

Valuation\_Number: 3304786608

Owners\_Name: Minister For Transport & Urban Planning

Parcel\_Legal\_Description: Lot 50 Sec: P1160 DP:56031 CT:5951/582

Parcel\_Land\_Area: 20600

Parcel\_Land\_AreaX: 2.06 ha

Parcel\_Land\_Uses: 4190 - Heritage Area; 9 - Other

Property\_Unit\_No:

Property\_House\_No: 103

Property\_Letter\_No: A

Property\_Number: 103A

Property\_Street\_Name: Mount Lofty Summit

Property\_Street\_Type: RD

Property\_Suburb: Crafers

Property\_Postcode: 5152

Property\_Address: 103A Mount Lofty Summit Road

Parcel\_Status\_Name: Active

Title\_Volume: 5951

Title\_Folio: 582

Ratepayer\_Care\_of:

Ratepayer\_Name: Minister For Transport & Urban Planning

Ratepayer\_Address: Property Services PO Box 1

Ratepayer\_Locality: Walkerville

Postal\_State: SA

Postal\_Postcode: 5081

Postal\_Country:

Full\_Name: Minister For Transport & Urban Planning

Surname:

First\_Names:

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## Parcels (1)

OBJECTID: 5451

PLAN\_T: D

PLAN: 56031

PARCEL\_T: A

PARCEL: 50

QUALIFIER:

FLOOR\_LEVEL: 0

DATE\_FROM: null

DCDB\_ID: D56031 A50

ACCURACY\_CODE: 7

SHAPE\_Length: 900.508596898464

SHAPE\_Area: 20454.4348450349

PLAN\_ID: D56031

PARCEL\_ID: A50

TITLE\_ID: CT5951/582

TITLE\_ESTATE: FEE SIMPLE

valuation: 3304786608

Area\_SqM: 20450

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## AHC LGA (1)

LGATYPE: ADE  
ABBNAME: ADELAIDE HILLS COUNCIL  
LGA: 1.90343  
SHAPE\_Length: 0.0783305  
SHAPE\_Area: 794.3868474188018

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## LGAs (1)

LGATYPE: DC  
ABBNAME: ADELAIDE HILLS  
LGA: ADELAIDE HILLS COUNCIL  
SHAPE\_Leng: 1.903433381592955  
SHAPE\_Area: 0.078330499973201

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## **Appendix 2**

*Land information provided by Renewal SA*

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<b>Agency Property Reference</b> (if applicable)	Office of Local Government
<b>Property Address</b>	103 Mount Lofty Summit Rd Crafers
<b>Parcel Identification</b> (Lot/DP of FP)	A50 DP 56031 Hundred of Adelaide
<b>Certificate of Title</b>	CT Volume 5951 Folio 582
<b>Council</b>	Adelaide Hills Council
<b>Zoning</b>	Hills Face
<b>Registered Proprietor</b>	Minister for Transport and Urban Planning
<b>Land Area</b>	2.058ha
<b>Brief Description</b> (previous use, improvements etc)	Vacant land inclusive of local heritage house ruins (Arthurs Seat).
<b>Tenancy details</b> (if applicable)	NA.
<b>Reason(s) for disposal</b>	Declared surplus
<b>Special Notes/Comments</b>	NA.
<b>Agency Contact</b>	Jarrold Gitsham Renewal SA
<b>Contact Details</b>	Ph 8207 1328



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## **Appendix 3**

*Photos of the building ruins*

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