MEETING OF THE COUNCIL TO BE HELD IN THE COUNCIL CHAMBERS, 1 CASHEL STREET, PASADENA ON TUESDAY, 19 DECEMBER 2000 AT 7.00 PM.

MEMBERSHIP:  
His Worship the Mayor (I Brooks) (Chair)  

INDEX

PRAYER: ................................................................................................................... 1

PRESENT: ................................................................................................................. 1

APOLOGIES: ............................................................................................................. 1

LEAVE: ...................................................................................................................... 1

STAFF IN ATTENDANCE: .......................................................................................... 1

WELCOME: ............................................................................................................... 1

BUSINESS: .............................................................................................................. 1

1. CONFIRMATION OF MINUTES........................................................................... 1
   1.1 COUNCIL MEETING - 28 NOVEMBER 2000................................................. 1
   1.2 SPECIAL COUNCIL MEETING - 12 DECEMBER 2000............................... 1

2. BUSINESS RAISED BY THE MAYOR ............................................................... 2
   2.1 MAYOR’S REPORT ....................................................................................... 2
   2.2 OTHER BUSINESS RAISED BY THE MAYOR.......................................... 3

3. WRITTEN REPORTS FROM ELECTED MEMBERS AS  
   COUNCIL REPRESENTATIVES ON OUTSIDE BODIES......................... 3
   3.1 CR HART - MITCHAM GIRLS HIGH SCHOOL ....................................... 3
   3.2 CR HART - REPORT ON THE ALGA NATIONAL ASSEMBLY ............. 4
4. QUESTIONS ON NOTICE .............................................................. 4
5. QUESTIONS WITHOUT NOTICE .................................................... 4
6. PETITIONS .................................................................................. 5
   6.1 PETITION - NOISE AND PARKING PROBLEMS - 6 KINGSTON AVENUE DAW PARK ............................................................ 5
7. DEPUTATIONS ............................................................................. 6
8. GALLERY QUESTION TIME .......................................................... 6
9. REPORTS OF STANDING COMMITTEE MEETINGS ....................... 6
   9.1 PLANNING AND DEVELOPMENT COMMITTEE - TUESDAY, 5 DECEMBER 2000 .......................................................... 6
   9.2 ENGINEERING AND ENVIRONMENTAL SERVICES COMMITTEE - TUESDAY, 12 DECEMBER 2000 ......................................... 6
   9.3 CORPORATE AND COMMUNITY SERVICES COMMITTEE - TUESDAY, 12 DECEMBER 2000 .................................................. 6
10. REPORTS FROM CENTENNIAL PARK CEMETARY AUTHORITY ................................................................................ 7
   10.1 CENTENNIAL PARK CEMETARY AUTHORITY ........................................... 7
11. APPOINTMENTS TO INTERNAL/EXTERNAL BODIES .................... 7
   11.1 NOMINATIONS FOR THE LIBRARIES BOARD OF SA ........................................... 7
12. BUSINESS RAISED BY THE CHIEF EXECUTIVE OFFICER ............ 9
   12.1 CHIEF EXECUTIVE OFFICER'S REPORT ................................................... 9
   12.2 LOW IMPACT TELECOMMUNICATION FACILITIES .................................. 11
   12.3 COUNCIL OFFICES REDEVELOPMENT .............................................. 11
   12.4 39 LINCOLN AVENUE, COLONEL LIGHT GARDENS ............................... 15
   12.5 3 EGMONT TERRACE, HAWTHORN ........................................................ 18
   12.6 LOCAL GOVERNMENT ASSOCIATION ANNUAL REPORT 1998/99 ........ 22
   12.7 ANNUAL REPORT OF CARRICK HILL TRUST ........................................ 22
   12.8 CLASSIC ADELAIDE CAR RALLY ............................................................. 23
   12.9 CITY OF MITCHAM RESIDENT SURVEY - NOVEMBER 2000 .............. 23
13. ADJOURNED MOTIONS ................................................................ 26
14. NOTICES OF MOTION ................................................................ 26
   14.1 CR WARREN - MAINTENANCE OF FOOTPATHS ........................................ 26
   14.2 CR HART - MCGELLIGOTT'S RESERVE CAR PARK ............................... 26
15. MOTIONS WITHOUT NOTICE ............................................................... 27

16. REPORTS OUTSTANDING AND RESOLUTIONS NOT YET
    EFFECTED ................................................................................ 27

17. ANY OTHER BUSINESS .................................................................. 27

18. CONFIDENTIAL ........................................................................... 27
    18.1 REPLACEMENT OF HP9000 SERIES SERVER (THE
        "AUTHORITY") SERVER - TENDER ............................................ 27

CLOSE: ........................................................................................................... 28

RON MALCOLM
CHIEF EXECUTIVE OFFICER
MEETING OF THE COUNCIL TO BE HELD IN THE COUNCIL CHAMBERS, 1 CASHEL STREET, PASADENA ON TUESDAY, 19 DECEMBER 2000 AT 7.00 PM.

MEMBERSHIP:  His Worship the Mayor (Ivan Brooks), Crs C Hart, D Rowe, S Fisher, C Adcock, J Sanderson, N Lawson, C Gellie, R Warren, H Chennell, E Grimm, R Marshall and C Campbell

PRAYER:

PRESENT:

APOLOGIES:

LEAVE:

STAFF IN ATTENDANCE:

WELCOME:

BUSINESS:

1. CONFIRMATION OF MINUTES

1.1 COUNCIL MEETING - 28 NOVEMBER 2000

RECOMMENDED that the Minutes of the Council Meeting held on 28 November 2000 be confirmed.

1.2 SPECIAL COUNCIL MEETING - 12 DECEMBER 2000

RECOMMENDED that the Minutes of the Special Council Meeting held on 28 November 2000 be confirmed.
2. BUSINESS RAISED BY THE MAYOR

2.1 MAYOR’S REPORT

Ivan Brooks (Prepared 12.12.00)

Listed below are the activities in which I have been involved during the period Tuesday, 28 November to Monday 18 December.

November

28 Presentation at Maggie Ragless’ Volunteers Breakup
28 Full Council Meeting
29 Luncheon with Principal & Ministers’ Fraternal Group at Scotch College
29 Murray Darling Association Meeting
30 Weekly Meeting with CEO

December

1 Australian Red Cross Christmas function at Carrick Hill
1 Blackwood Christmas Parade
2 Travel to Canberra for ALGA National General Assembly
3 ALGA National General Assembly
4 ALGA National General Assembly
4 Lunch with Dr Andrew Southcott, Parliament House, Canberra
5 ALGA National General Assembly
6 ALGA National General Assembly
6 Meeting with Hon Jackie Kelly, Federal Minister for Sport & Tourism
6 Meeting with Senator Hon Ian Macdonald, Federal Minister for Regional Services, Territories & Local Government
7 Tour of Council Chambers, Belair Road
7 Strategic Management Plan Workshop
8 Trees for Life Christmas Barbecue
10 Crescent Youth Club Annual Demonstration & Barbecue
10 Carols by the Creek
11 Citizenship Ceremony
12 Reception Dr Andrew Southcott’s office
12 Presentation Day, Margaret Lohmeyer Kindergarten
12 Engineering & Environmental Services Committee
12 Corporate & Community Services Committee
12 Special Council Meeting
13 Official Opening of IWS Wingfield Resource Recovery & Transfer Facility
13 End of Year Ceremony 2000 Scotch College Junior School
13 Carrick Hill Board Meeting
13 Meeting with Iain Evans re Blackwood Recreation Centre
13 Briefing on Council Chambers & Building
14 Weekly meeting with CEO
14 Briefing by President & Executive Director, LGA
15 RAAF Association Yuletide Meeting
18 Mitcham District Bushfire Prevention Committee Meeting
18 Mitcham City Band Informal Dinner and Presentation Evening

RECOMMENDATION:

That the report be received.

2.2 OTHER BUSINESS RAISED BY THE MAYOR

3. WRITTEN REPORTS FROM ELECTED MEMBERS AS COUNCIL REPRESENTATIVES ON OUTSIDE BODIES

3.1 CR HART - MITCHAM GIRLS HIGH SCHOOL

The following is a summary of activities that occurred at Mitcham Girls High School during the year 2000. The school continues to enjoy community support and has a waiting list. It has fulfilled its educational responsibility and is financially sound.

- The Performing Arts Centre was opened.
- Music Groups performed for Citizenship Ceremonies at Mitcham, The Unley Community Affair, the X-Site at the Royal Adelaide Show, Rotary Clubs and the residents of Sunset Lodge.
- The Health Faculty catered for many functions included the SAETA State Conference and Rotary dinners.
- Computerised machines were introduced enabling students to generate their own designs and patterns.
- Students participated in the mock trial competition run by the Law Society of SA.
- Visits were made to the Magistrates Court, Migration Museum, Botanical Gardens and Parliament House.
- School based traineeships were offered in retail, childcare and floristry.
- Courses were offered in marketing and law.
- A Youth Employment Learning Program was run in conjunction with Urrbrae and Hyde Park Rotary Club.
- A successful Young Achievers Programme was established.
- The SHIP (Students with High Intellectual Potential) programme enabled students to attend a diverse range of activities including:
  - science workshops at CSIRO, SEC and the Urrbrae Wetlands.
  - Sessions on writing in song and prose and creative thinking in philosophy, participation in the Tournament of Minds at Flinders University and involvement in Solar Car Technology.
  - Participation in the Australian Science Festival in Canberra.
- New Resource Centre, Administration Counselling and staff facilities are to be constructed soon.
- Participation in the Young Writers Competition.
- Purchase of a Sony digital camera, i-mac and i-movie program enabling students to become more proficient in movie making and editing.
- Discussion continues regarding full participation in Partnerships 21.
- Support given for limited fees for education.
The school continues to offer a variety of innovative academic vocational and training programmes.

RECOMMENDED that the report be received.

### 3.2 CR HART - REPORT ON THE ALGA NATIONAL ASSEMBLY

The Assembly can be used extremely effectively as a lobbying tool. However, it was patently obvious that some councils are more proficient than others.

In future, Mitcham should present motions for discussion and eventual endorsement by the SA Local Government Association for presentation at the National Assembly. Once on the National Local Government Agenda, the Federal Government can be engaged in dialogue.

Council's representatives should meet prior to any future Assembly to form a strategy and they must be prepared to read and discuss motions on the Agenda.

Your representatives did read and discuss the Agenda. In addition, time was well spent lobbying politicians on your behalf. Representatives spoke on the deficiencies of the draft Telecommunications Code and were able to include concerns about a-thermal radiation in a prepared motion put forward by the Western Australian Local Government Association and endorsed by the National Assembly.

A copy of the General Assembly Provisional programme indicates attendance (refer attachment - p 1).

**MAYOR BROOKS**

**COUNCILLOR HART**

**CEO, RON MALCOLM**

A copy of a thought-provoking address by Mark Latham, Member for Werriwa, dealing with Social Capital for the 21st Century is available on request.

RECOMMENDED that the report be received.

### 4. QUESTIONS ON NOTICE

### 5. QUESTIONS WITHOUT NOTICE
6. PETITIONS

6.1 PETITION - NOISE AND PARKING PROBLEMS - 6 KINGSTON AVENUE DAW PARK
(Ref: PR. 3650/6) Stephen Saffin (Prepared 14/12/00)

PROPOSAL

To receive a petition signed by residents and neighbours of 6 Kingston Avenue, Daw Park concerning excessive noise and parking problems.

BACKGROUND

The petitioners state:

We the undersigned, write to request that within a full Council member meeting, the following issues facing the residents and near neighbours of Kingston Avenue, Daw Park, arising from the presence at No. 6 Kingston Avenue, Daw Park, of the "Powerhouse Church" group, be discussed and resolved.

We, the undersigned perceive that our residential area's peace and quiet is at this time being totally compromised by:

(1) The electronic amplification of sermons and the parishioners' responses in a charismatic manner to these sermons at No. 6 Kingston Avenue, Daw Park.

(2) The electronic amplification of the music associated with the sermons.

(3) The parking and property access problems created by Sunday services and the increasing use of the premises for activities other than Sunday Services.

Whilst respecting the right for human beings to conduct their lives as they see fit, we the undersigned also perceive that due to the above stated problems, our quality of life has been diminished.

DISCUSSION

Administration will investigate the concerns of the petitioners and conduct surveillance of the area to ensure proper parking practices.

The residents' concerns regarding excessive noise will be conveyed to the Environment Protection Agency for investigation.

RECOMMENDATION

(1) That the petition be received.

(2) That the petitioners be advised:
(a) That Council's compliance officers will provide surveillance of the parking areas surrounding the "Powerhouse Church" to ensure proper parking practices.

(b) That the concerns of noise and loud amplification will be passed on to the Environment Protection Agency for investigation.

7. DEPUTATIONS

8. GALLERY QUESTION TIME

Members of the Gallery may ask 2 questions and 1 supplementary question. These questions must be in writing and supplied to the Minute Secretary. If a response is not given by the Mayor or Administration at the meeting, a written reply will be provided within 7 days.

9. REPORTS OF STANDING COMMITTEE MEETINGS

9.1 PLANNING AND DEVELOPMENT COMMITTEE - TUESDAY, 5 DECEMBER 2000

RECOMMENDED that the Minutes of the Planning and Development Committee Meeting held on 5 December 2000 be received and the relevant recommendations adopted.

9.2 ENGINEERING AND ENVIRONMENTAL SERVICES COMMITTEE - TUESDAY, 12 DECEMBER 2000

RECOMMENDED that the Minutes of the Engineering and Environmental Services Committee Meeting held on 12 December 2000 be received and the recommendations adopted.

9.3 CORPORATE AND COMMUNITY SERVICES COMMITTEE - TUESDAY, 12 DECEMBER 2000

RECOMMENDED that the Minutes of the Corporate and Community Services Committee Meeting held on 12 December 2000 be received and the recommendations adopted.
10. REPORTS FROM CENTENNIAL PARK CEMETERY AUTHORITY

10.1 CENTENNIAL PARK CEMETERY AUTHORITY
(Ref: SU.110.2.2) Helen Green (Prepared 12/12/00)

Attached (pp 2-6) are the Minutes of the meeting of the Board of Management, Centennial Park Cemetery Authority and the Centennial Park Educational Trust held on 23 November 2000.

A full copy of the Agenda for the meeting to be held on 14 December 2000 is available from the Chief Executive Officer's Executive Assistant upon request.

RECOMMENDATION

That the Minutes of the Board of Management, Centennial Park Cemetery Authority and the Centennial Park Educational Trust held on 23 November 2000 be received.

11. APPOINTMENTS TO INTERNAL/EXTERNAL BODIES

11.1 NOMINATIONS FOR THE LIBRARIES BOARD OF SA
(Ref: 321.1.1) Camilla Kinnane (Prepared: 11.12.00)

PROPOSAL

To nominate a Local Government representative to the Libraries Board of SA.

BACKGROUND

The Local Government Association (LGA) is seeking nominations for the Libraries Board of SA following the expiration of two of the three current LGA representatives, Liz Bok (City of Salisbury) and Mayor Rosemary Craddock (Town of Walkerville). The remaining representative is Janice Nitscke (Wattle Range Council).

The nomination is for a period not exceeding four years. Nominations should be from persons such as members or officers of a Council or person with experience in Local Government, who need not be a member or officer of Council.

The Board is responsible for the following functions:

- To formulate policies and guidelines for the provision of public library services;
- To establish, maintain and expand collections of library materials and in particular, collections of such materials that are of South Australian origin, or have a particular relevance to this State;
- To administer the State Library;
• To establish and maintain such other public libraries and public library services as may best conduce to the public interest;

• To promote, encourage and assist in the establishment, operation and expansion of public libraries and public library services by councils and others;

• To collaborate with departments and instrumentalities of Government, and with other authorities and bodies, in the provision of library and information services;

• To make recommendations to the Minister upon the allocation of funds that are available for the purposes of public libraries and public library services;

• To receive and expend funds for the purposes of this Act;

• To acquire, deal with and dispose of real and personal property, and to enter into contracts and arrangements for the purposes of the Board;

• To initiate and monitor research and experimental projects in relation to public libraries and public library services; and

• To keep library services provided in the State under continuing evaluation and review.

DISCUSSION

Due to the recent Government funding issues for public libraries, the opportunity for Council’s to nominate a representative on the Libraries Board will probably generate considerable interest this year. Council may opt to nominate one or two representatives to the Board. In the past the LGA has attempted to ensure representation from both the Elected Members and Officers of Council, however this requirement has now been removed.

This report recommends that consideration be given to an Elected Member nominating for one of the LGA representatives on the Libraries Board position.

Nominees must complete a two page nomination form outlining their relevant experience and knowledge. Nominations are due by the close of business on the Wednesday 20 December 2000.

RECOMMENDATION

That Council considers making a nomination for a LGA representative on the Libraries Board of South Australia.
12. BUSINESS RAISED BY THE CHIEF EXECUTIVE OFFICER

12.1 CHIEF EXECUTIVE OFFICER’S REPORT
(Ref: 240.1.12) Ron Malcolm (Prepared 12/12/00)

Listed below are the Chief Executive Officer’s appointments attended during the period Monday, 27 November to Friday, 15 December 2000.

**November**
- 28 Full Council Meeting
- 29 Weekly Senior Management Team Meeting
- 29 Luncheon with Principal & Ministers’ Fraternal Group at Scotch College
- 29 Meeting re HR Issues
- 30 Weekly Meeting with Mayor
- 30 Review of Key Performance Indicators
- 30 Belair National Park Management Plan Reference Group Meeting

**December**
- 5 ALGA National General Assembly
- 6 ALGA National General Assembly
- 6 Meeting with Hon Jackie Kelly, Federal Minister for Sport & Tourism
- 6 Meeting with Senator Hon Ian Macdonald, Federal Minister for Regional Services, Territories & Local Government
- 7 Review re Key Performance Indicators
- 8 Urrbrae Wetland Management Committee Meeting
- 8 Review re Key Performance Indicators
- 8 Meeting with Richard Hancock, James Brown Memorial Trust
- 11 Meeting with Cr Marshall & Tina Borg, LGA re Centennial Park
- 11 Weekly Senior Management Team Meeting
- 12 Meeting re Development of Asset Management Works Order System
- 12 Engineering & Environmental Services Committee
- 12 Corporate & Community Services Committee
- 12 Special Council Meeting
- 13 Metropolitan CEO’s Association Meeting
- 13 Meeting re HR Issues
- 13 Briefing on Council Chambers & Building
- 14 Briefing to Staff
- 14 Meeting with Malcolm Oade, Waite Institute
- 14 Weekly meeting with Mayor
- 14 Briefing by President & Executive Director, LGA
- 15 Environmental Improvement workshop
- 15 Meeting re Recreational Issues

**RECOMMENDATION**

That the report be received.
12.1.1 RECREATION LEAVE - CHIEF EXECUTIVE OFFICER

PROPOSAL

To request annual leave for the Chief Executive Officer, Mr Ron Malcolm, and appoint an officer to the position of Acting Chief Executive Officer in the absence of Mr Malcolm.

BACKGROUND

Section 102(b) of the Local Government Act 1999 states that in the absence of the Chief Executive Officer:

(b) if there is no deputy or the deputy is absent - a suitable person appointed by the Chief Executive Officer after consultation with the Council must act in the office.

Section 1.4.1 of the Policy Manual states:

Appointment to the position of Acting Chief Executive Officer shall be made by the Chief Executive Officer from amongst the executive viz:

• Director Engineering and Environmental Services
• Director Corporate Services
• Director Planning and Development
• Director Community and Information Services

Section 1.4.2 of the Policy Manual also states:

Requests for annual leave from the CEO requires the approval of Council.

DISCUSSION

Accordingly, the Chief Executive Officer seeks approval for three days' recreation leave from 27 - 29 December 2000 inclusive and the appointment of Mr David Altmann, Director Planning and Development as Acting Chief Executive Officer in his absence.

RECOMMENDATION

(1) That council approves recreation leave for the Chief Executive Officer, Mr Ron Malcolm, over the three ordinary working days between Christmas and the New Year.

(2) That the Director Planning and Development, Mr David Altmann, act in the position of Chief Executive Officer during this time.
12.2 LOW IMPACT TELECOMMUNICATION FACILITIES  
(Ref: 335.1.16) Jason Willcocks  (Prepared: 11/7/00)

PROPOSAL

To inform Council on any low impact mobile phone base station installations within the City of Mitcham.

BACKGROUND

In accordance with Council's resolution on 27 June 2000, Administration will provide advice on any low impact mobile phone base station installations within the City of Mitcham.

This advice is for general information purposes only; each proposed installation is classified as a low impact facility under the Telecommunications Act and is therefore exempt from any powers available to Council under the Development Act.

DISCUSSION

Council has received no notifications of proposed low impact telecommunication facilities

RECOMMENDATION

That the report be received for information only.

12.3 COUNCIL OFFICES REDEVELOPMENT  
(Ref: 115.2.29) Joe Carbone  (Prepared: 11.12.00)

PROPOSAL

To determine any additional works to the Council Chambers, Mayor's Parlour and Committee Room as part of the Council Offices Redevelopment.

BACKGROUND

As part of the Council Offices redevelopment funds were allocated in the building contract and the furniture and fittings budget for any required additional works to the civic areas of the building.

An inspection tour was conducted of the Council Offices Redevelopment on Thursday, 7 December 2000 with Elected Members and Matthews Architects.

Matthews Architects provided details on some options for additional refurbishment of the Council Chambers and Mayor's Parlour. Elected Members views on the extent and form of any additional refurbishment were that it should be kept to a minimum and basically replicate the existing theme.
A briefing session was held on Wednesday, 13 December 2000 where various options were further discussed.

DISCUSSION

Generally, the following additional works were considered to be adequate for the civic areas of the building:

**Council Chambers**

- Advice from an acoustic engineer recommends that the entire room be re-curtained to maintain the room’s good acoustic qualities.

  *Members considered that the curtain fabric sample at a price of $55 per metre was the most appropriate for the room.*

- To block out the westerly sun, windows on the western elevation would have timber venetian blinds.

- Painting feature details on the ceiling. This would be a minimalist approach with a progression of the same colour in three different shades on various elements of the ceiling.

- Replacing the two existing main light fittings with ones that match the building era more closely would be considered further and a decision made prior to completion of the building works in February/March 2001.

**Mayor’s Parlour**

- Windows to have a timber trim around the edges and sill and timber venetian blinds, both to match the existing skirting board.

- A picture rail to be installed at approximately top of window height to be used to hang historical photographs, paintings, etc.

- Ceiling to remain in its current form and be repainted in one colour.

- The proposed floor power box is to be deleted from the scope of works.

- Further consideration to be given to light fittings to this room. Matthews Architects to provide further details.

**Committee Room**

- A picture rail will be installed and new timber venetian blinds provided.

- Additional advice and costing to be provided to repair/reinstate the original coffer ceiling in this room. This will involve removing the existing suspended ceiling as well as changes to the lighting and air-conditioning to the room. An indicative cost will be available at the Council meeting.
Signage/Council Logo

Matthews Architects presented an option for the Council logo to be installed on the curved wall at the front and back entrances to the building.

The logo would be on a stainless steel backing with the same treated metal panels material on the curved wall forming the Council coat of arms/logo.

A provisional sum of $10,000 is included in the building contract for this work. Cost estimates for the two signs is approximately $5,000.

Disability Access

Matthews Architects provided advice on tactile indicators which were specified to be installed at the top and bottom of stairs. These tactile indicators are 5mm in height and need to be installed across the entire width of the stair. They will cause a tripping hazard and be potential danger to both the public and staff.

The Australian Standard which details these requirements is not called up in the Building Code of Australia or the Disability Discrimination Act. These tactile indicators could easily be retro-fitted if needed in the future.

It was agreed that the tactile indicators be deleted from the current scope of works.

Historical Photographs/Paintings

Space for an historical photographic display will be available in both the ground and first floor foyer areas, the Council Chambers, Mayor’s Parlour and Committee Room. There are up to 60 photographs and paintings that could immediately be displayed and rotated on an ongoing basis.

The option of large photographic prints are to be considered as a future option and budget allocated in 2001/2002 including specific themes, print sizes and locations.

Budget and Financial Implications

A budget of $10,000 for any additional building works is included as a provisional sum in the building contract and $20,000 for curtains/window treatments is included in the furniture and fittings budget for the Council Chambers, Committee Room and Mayor’s Parlour as part of the Council Offices Redevelopment.

A provisional sum of $10,000 is included in the building contract for signage.
RECOMMENDATION

(1) That Council undertakes the following additional works, within the approved budget, to the Council Chambers, Mayor's Parlour, Committee Room and signage as part of the Council Offices redevelopment:

**Council Chambers**

- The entire room be re-curtained with the curtain fabric sample provided at a price of $55 per m.
- The western elevation windows to have timber venetian blinds.
- The ceiling to be painted with a progression of the same colour in three different shades.

**Mayor's Parlour**

- Windows to have a timber trim around the edges and sill and timber venetian blinds both to match the existing skirting board
- A picture rail to be installed at approximately top of window height to be used to hang historical photographs, paintings, etc
- Ceiling to remain in its current form and be repainted in one colour
- The proposed floor power box is to be deleted from the scope of works

**Committee Room**

- A picture rail will be installed and new timber venetian blinds provided.

**Signage**

- The Council logo to be on a stainless steel backing with the same treated metal panels material on the curved wall forming the Council coat of arms/logo.

(2) That a decision on the following works to the Council Chambers, Mayor's Parlour and Committee Room be deferred to a future meeting:

- Replacing the two existing main light fittings to the Council Chambers to be considered further and a decision made prior to completion of the building works in February/ March 2001.
• Light fittings to the Mayor’s Parlour to be considered further and a decision made prior to completion of the building works in February/March 2001.

• Additional advice and a builder’s cost be provided to repair/reinstate the original coffer ceiling in the Committee Room including any required changes to the lighting and air-conditioning to the room.

12.4 39 LINCOLN AVENUE, COLONEL LIGHT GARDENS

<table>
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<tr>
<th>DEVELOPMENT PROPOSAL:</th>
<th>SECOND-STOREY DWELLING ADDITION AND DOUBLE GARAGE</th>
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<tr>
<td>APPLICANT:</td>
<td>KAKOGIANOS</td>
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<tr>
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<td>LODGEMENT DATE:</td>
<td>28/6/00</td>
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<tr>
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<td>STATE HERITAGE AREA COLONEL LIGHT GARDENS</td>
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<td>GAULT</td>
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<tr>
<td>PREPARED BY:</td>
<td>MIKE DUFF</td>
</tr>
<tr>
<td>ON:</td>
<td>15/11/00</td>
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</table>

BACKGROUND

Given that the proposal is at variance with the Mitcham Development Plan a meeting between the applicant, architect, Council Planning staff and Heritage Advisor has been held in attempt to create a more suitable and compliant development. Though some amendments have been made the application is still at variance with the development plan.

PROPOSED DEVELOPMENT

The proposed development is for a second-storey dwelling addition and double car garage on the side property boundary. The second-storey addition falls within the roofline of the built form giving the dwelling a single storey appearance. The garage has been proposed to be built in line with the front of the dwelling and on the boundary.

Copy of Plans - refer separate Attachment A. Copy of superseded plans - refer separate Attachment B.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

<table>
<thead>
<tr>
<th>UNIT NO.</th>
<th>SITE AREA</th>
<th>FRONTAGE</th>
<th>DEPTH</th>
<th>CARPARKING SPACES</th>
<th>SITE COVERAGE</th>
<th>SETBACK</th>
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<tr>
<td>39</td>
<td>706m2</td>
<td>18.54m</td>
<td>37.19</td>
<td>2</td>
<td>39.2%</td>
<td>7.6m</td>
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PUBLIC NOTIFICATION

The application is considered to be a Category 2 form of development pursuant to section 38 and Schedule 9 of the Development Act and Regulations.

Category 2 public notification has received one representation from an abutting neighbour which is in support of the proposal.

REFERRALS

The application has been referred to Simon Weidenhofer for Heritage comment and the following concerns have been raised.

- The two-storey addition is contrary to the Development Plan, although it does have a single storey appearance.
- The enclosed garage does not comply with setback requirements. It should be set 900mm off the side boundary and be set back at least 4m from the front wall of the dwelling.

Copy of comments, refer separate Attachment C.

ASSESSMENT

Development Plan

The subject land is located within the State Heritage Area Colonel Light Gardens zone as described in the City of Mitcham Development Plan.

The main provisions of the Development Plan which relate to the proposed development are as follows:

**Council Wide Provisions**

Objective 10, 11

**Principle of Development Control** 19, 27, 29,

**Zone Provisions**

Objective 1, 2

Principles 1, 2, 4, 6, 8, 9, 10, 11, 15, 17, 19, 20

In assessing the merits or otherwise of the application the primary planning issues have been assessed relevant to the Development Plan under the following sub headings.

**Land Use**

The proposed dwelling is in keeping with the desired residential land use. However, the design and scale is not consistent with the desired character of the locality or requirements of the Development Plan.
**Impact on Amenity**

Given that the proposal does not meet the requirements of the Development Plan it is considered by Council Staff and the Heritage Advisor that the dwelling addition and garage will have a negative impact on the amenity of the locality. The original three dimensional garden suburb design of Colonel Light Gardens is not conserved or reinforced as the Development Plan is set out to achieve. The locality is characterised by single-storey detached dwellings with side setbacks a minimum of 1.5m. If these requirements are not met the proposal will have a detrimental effect on the localities amenity.

**Traffic and Parking**

The proposal includes a double a garage which abuts the neighbouring boundary and is in line with the front of the existing dwelling. It is felt that the garage should be moved a minimum of 900mm off the boundary and be set back 4m from the front of the dwelling. Given that the garage door is only 4.7m wide it is felt that access for two cars into the garage would be limited at best. A more suitable alternative would be to create a single car garage, off the boundary which will easily accommodate one car with ample storage room.

**Visual Impact**

The appearance of the proposed addition and garage will be bulky from a streetscape vantage. Alternatives should be explore to reduce the bulk, height and width of the garage.

**CONCLUSION**

When assessed against the relevant provisions of the Development Plan the application warrants REFUSAL of the current application though amended plans should be encouraged to meet the criteria of the Development Plan.

**RECOMMENDATION**

That the application by Kakogianos to construct two-storey dwelling addition and double garage at 39 Lincoln Avenue, Colonel Light Gardens as detailed in Development Application No: 080/842/2000 be REFUSED Provisional Development Plan Consent pending no further amendments to the plans on the following grounds:

- An ‘Area’ containing the Colonel Light Gardens State Heritage Area in which the heritage value and integrity of the original three dimensional garden suburb design of Colonel Light Gardens is conserved and reinforced.

- Alterations and additions to the building should conserve and enhance the character of the existing building with the street facade and side walls not significantly altered.
Carports, garages and other outbuildings should each have a total floor area not exceeding 40 square metres in area. The proposed is 45 square metres.

Garages situated on right of ways should generally be set back not less than 900mm from side boundaries.

12.5 3 EGMONT TERRACE, HAWTHORN

<table>
<thead>
<tr>
<th>DEVELOPMENT PROPOSAL:</th>
<th>CONSULTING ROOMS</th>
</tr>
</thead>
<tbody>
<tr>
<td>APPLICANT:</td>
<td>ACCESS PLANNING</td>
</tr>
<tr>
<td>APPLICATION NO:</td>
<td>080/1166/00</td>
</tr>
<tr>
<td>LODGEMENT DATE:</td>
<td>23/10/00</td>
</tr>
<tr>
<td>ZONE:</td>
<td>RESIDENTIAL (CENTRAL PLAINS) POLICY AREA 9</td>
</tr>
<tr>
<td>WARD:</td>
<td>GAULT</td>
</tr>
<tr>
<td>APPLICATION TYPE:</td>
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<tr>
<td>PUBLIC NOTIFICATION:</td>
<td>CATEGORY 3</td>
</tr>
<tr>
<td>REFERRALS:</td>
<td>NIL</td>
</tr>
<tr>
<td>PREPARED BY:</td>
<td>RUSSELL FINK, DAVID ROBERTS</td>
</tr>
<tr>
<td>ON:</td>
<td>4/12/00</td>
</tr>
</tbody>
</table>

PROPOSED DEVELOPMENT

The application is to convert an existing vacant consulting room, with attached residence, to 3 consulting rooms and an ancillary carparking area. The subject land is an irregular shaped allotment having a frontage to Egmont Terrace and secondary frontage, including vehicular access, from Sussex Terrace.

For further information relevant to the proposed development, refer separate Attachment D.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

<table>
<thead>
<tr>
<th>SITE AREA</th>
<th>FRONTAGE</th>
<th>DEPTH</th>
<th>CARPARKING SPACES</th>
</tr>
</thead>
<tbody>
<tr>
<td>400m²</td>
<td>20.14m</td>
<td>42.98m</td>
<td>5</td>
</tr>
</tbody>
</table>

PUBLIC NOTIFICATION

The proposal is considered to be a non-complying form of development pursuant to Section 38 and Schedule 9 of the Development Act and Regulations, due to the consulting rooms having a floor area in excess of 50m².

The application had a category 3 notification put in The Advertiser and neighbours were notified via mail.
Five representations were received:

- Petition from neighbouring shop owners - supports the application
- Russell Fleet, 2 Egmont Tce, Hawthorn - supports the application
- Julie Myers - 3/1 Egmont Tce, Hawthorn - supports the application
- D. & V. Thomas - 3 Sussex Tce, Hawthorn - object to the application
- B. Hoar - 8/6 Egmont Tce, Hawthorn - objects to the application

Reasons for objections:
- Residential nature of area should not be eroded further.
- Increase in traffic congestion/hazards on Egmont and Sussex Terrace.

A copy of the representor concerns and the applicants response is contained in separate Attachment E

Both objectors have indicated in their written submissions that they do not wish to be heard personally. It is therefore considered that a separate public hearing is not required.

ASSESSMENT

Development Plan

The subject land is located within the Residential Central Plains zone, Policy Area 9, as described in the City of Mitcham Development Plan.

The main provisions of the Development Plan which relate to the proposed development are as follows:

Council Wide Provisions

Objective 8
Principle of Development Control 22, 64, 66, 70

Zone Provisions

Objective 1
Principle of Development Control 1, 2

In assessing the merits or otherwise of the application the primary planning issues have been assessed relevant to the Development Plan under the following sub headings.

Character of the Locality and Streetscape

The subject land is located near the end of an existing group of strip shops fronting Egmont Terrace and is adjacent to a railway station, which is no longer used by passenger trains. The other shops within the shopping strip consist of a doctors surgery, craft shop, haberdashery, butchers, two hairdressers, one south of the subject land, and the subject premises which is currently vacant.
Overall the character of the locality consists of a mix of retail/residential in the immediate locality and largely residential in the wider locality.

**Impact on Amenity**

The proposed change of use will occur within an existing building previously used, in part, as a consulting room.

The carpark fronting Sussex Terrace is enclosed by a large existing colourbond fence which minimises the visual impact the carpark has on the surrounding residential area.

It is therefore not envisaged that the proposed use will have any adverse visual or noise impacts which may affect the surrounding residential area. The main impact on the surrounding locality will be the amount of traffic generated by the business, which is discussed in more detail in the next section of the report.

**Traffic and Parking**

The Mitcham Development Plan requires that consulting rooms are provided with three carparks per room, hence the proposed development would be required to provide 9 carparks onsite to comply with the parking requirements. Only five parking bays have been provided onsite, with the applicant submitting a report prepared by Transportation, Management and Feasibility Consultants to justify the parking shortfall. Refer separate Attachment F

Currently none of the existing shops in the area provide for any off street carparking, including the former use of the subject land. There is an opportunity for up to 10 cars to park in front of the commercial premises along the eastern side of Egmont Terrace and a further 16 parking bays on the other side of the road within an existing parking embayment, which was mostly likely used for the adjacent train station which is no longer in use.

The proposed carpark to the rear of the building is intended for staff vehicles and a disabled carpark only, with clients using the on-street parking bays in Egmont Terrace. Therefore traffic generated by the proposal along Sussex Terrace will be minimal and have little impact on the surrounding residents in that street.

Taking into account the use of the building the traffic assessment report envisaged a maximum of 6 patients on site at any one time. This would require 6 available parking bays along Egmont Terrace.

The traffic consultants did 3 separate counts of cars along Egmont Terrace in the immediate vicinity of the shops and found a maximum of 10 cars using the 26 available parking bays at any one time. Based on those studies the available parking on Egmont Terrace would be more than adequate to accommodate any increase in demand generated by the proposed consulting rooms.
Landscaping

The proposal incorporates the retention of existing landscaping around the front and sides of the building. The majority of the rear of the property on Sussex Terrace will consist of carparking with some landscaping acting as a buffer between the carpark and the part residential property to the south.

CONCLUSION

When assessed against the relevant provisions of the Development Plan the application warrants consent.

Although the development is not for residential use, which is the main purpose of the zoning, it does warrant consent due to the attributes of the site and the proposal:

The subject land is located within a small strip shopping complex and has commercial uses situated either side of it.

The proposed consulting rooms represent a land use which is mainly intended to serve the local community and should not attract substantial business from outside the surrounding locality.

RECOMMENDATION

That the application by Michelle Atchison C/-Access Planning to develop 3 consulting rooms at 3 Egmont Terrace, Hawthorn as detailed in Development Application No: 080/1166/00 be GRANTED Provisional Development Plan Consent subject to the following conditions of consent and the concurrence of the Development Assessment Commission:-

The proposal shall be developed in accordance with the details and plans relating to Development Application Number 080/1166/00.

Reason: To ensure the proposal is established in accordance with the plans submitted.

All existing trees within the subject site not directly affected by site work and building work shall be protected during development and retained, to the reasonable satisfaction of Council.

Reason: To maintain and enhance the amenity of the locality in which the subject land is located.

The landscaping shall be established within 3 months of the date of Development Approval and maintained in good condition at all times to the reasonable satisfaction of Council.

Reason: To ensure landscaping is established within a reasonable time and that it is well maintained.
All stormwater shall be suitably disposed of to the satisfaction of Council.

Reason: To prevent discharge of stormwater onto adjoining properties.

The carpark shall be constructed and sealed with bound material (asphalt, pavers, or concrete, etc) and the parking bays line marked in accordance with the approved plan.

The hours of operation shall be between:
- Monday to Friday: 8am to 6pm
- Saturday and Sunday: Closed

12.6 LOCAL GOVERNMENT ASSOCIATION ANNUAL REPORT 1998/99
(321.1.1) Anne Jenner (Prepared 12.10.99)

PROPOSAL


BACKGROUND

Copies of the LGA Annual Report 1999/2000 have been received by Council and distributed to Elected Members and senior staff. Additional copies can be obtained from the CEO’s Executive Assistant. The LGA has requested that a copy of the Annual Report be formally tabled at a meeting of Council.

RECOMMENDATION

That the report be received for information only.

12.7 ANNUAL REPORT OF CARRICK HILL TRUST
(Ref: 320.3.4) Ron Malcolm (Prepared 13/12/00)

PROPOSAL


BACKGROUND

The Chairman and Director of the Carrick Hill Trust have sent Council a copy of the Carrick Hill Trust’s 1999-2000 Annual Report.

The Report is available from the Chief Executive Officer’s Executive Assistant upon request.

RECOMMENDATION

That the report be received for information only.
12.8 CLASSIC ADELAIDE CAR RALLY
(452.1.2) Ron Malcolm (Prepared 13.12.00)

BACKGROUND

At the Council Meeting held on 26th September 2000 a motion was carried, as follows:

That Council writes to the Tourism Minister, Joan Hall, requesting the following information about an event (car rally) scheduled for Thursday, 26 October to Sunday, 29 October on Mount Barker Road from the Devil's Elbow to the Eagle on the Hill:

(a) Reasons for the event.
(b) Consultation process engaged in.
(c) Race times.
(d) Safety precautions to be taken.
(e) Degree of police presence.
(f) Responsibility for clean up.
(g) Future plans under discussion.

Accordingly I wrote to the Hon Joan Hall MP, Minister for Tourism on 10 October requesting a response to these questions. The Minister’s response dated 9 December has now been received, and a copy is attached - pp 7-9).

RECOMMENDATION

That the information be received.

12.9 CITY OF MITCHAM RESIDENT SURVEY - NOVEMBER 2000
(Ref: 7449) Helen Green / Richard Bowey (Prepared: 13.12.00)

PROPOSAL

To provide a summary on the November 2000 Resident Survey and its findings.

BACKGROUND

The City of Mitcham conducts an annual survey of residents, seeking their opinion on a range of issues. As in the previous years, the 2000 Survey sampled the views of 400 residents randomly selected across the Plains and the Hills.

DISCUSSION

This year’s survey highlights a number of key issues for the Mitcham community:
• **Serving Our Community**

There was widespread satisfaction with the overall range and quality of services provided with a 62% of respondents rating Council excellent or good. Highest among these services was garbage collection with 87% rating the service as either excellent or good. Library services were next with a 65% excellent or good rating.

While communications with residents was given a 52% excellent or good rating it was also given a 9.5% poor rating. Similarly, while streetsweeping rated 48% as excellent or good, it also scored a 19% poor rating.

• **Our Environment**

Two thirds of respondents support significant tree legislation.

While 72% of those surveyed were concerned about mobile phone towers and telecommunication base stations in residential areas, parks and open spaces, only 40% felt Council should oppose such facilities being set up within the City of Mitcham.

Half of the respondents indicated they would support the redevelopment of the Council land located opposite the Council offices. A further 21.5% said it would depend on what was proposed.

89% of respondents use Council’s reserves, parks and gardens with about a third using them on a weekly basis and 60% using them on a monthly basis.

85% support Council purchasing additional open space. 41% suggested they would donate to a fund for this purpose, but an equal number said they would not.

67% of respondents suggested that would be willing to pay an extra $10 each year for Council sponsored nightly surveillance in their suburb.

While only 28% of respondents believed that there is not sufficient accommodation for older residents in within the City, in the 55 to 64 age bracket, of those most likely to be on the lookout for such accommodation, 34% believed there was not enough.

51% of residents supported the legislation and regulation of prostitution. 39% opposed it.

• **Communication**

80% of respondents read "Mitcham Matters" in the local Messenger, with 56% favouring the scrapping of "Community News" and using the resources saved to improving "Mitcham Matters".
While 56% of respondents have access and 50% claim to be aware of Council’s website, only 9% having visited it. 26% said they were quite interested in visiting it in the future, while only 2.5% were very interested.

- **Infrastructure, Governance and City Management**

  The condition of local roads was considered to be on a par with other council areas. 11% felt their roads were better than elsewhere and 19% felt they were worse.

  27% surveyed opted for the speed limit for local roads remaining at 60 kph, while 38% favoured 50 kph and 31% preferred 40 kph.

  6% of respondents were extremely interested in being involved in Council’s Strategic Planning Process while 33% were quite interested. 59% were not very or not at all interested.

  73% of respondents expressed support for a system which charges commercial and industrial properties a higher rate than that of residential properties on the assumption that they consume a higher proportion of Council services.

  When asked to choose between keeping rates as low as possible or maintaining the present level of services, 68% of respondents opted for maintaining services while 18% opted for maintaining rates. This is in line with previous years’ results.

  67% of respondents gave Council an excellent or good performance rating while another 26% rated it as average.

  80% of respondents ranked the City’s image as excellent or good, 80% ranked staff courtesy excellent or good and 60% ranked staff efficiency as excellent or good. Only 36% ranked staff responsiveness as excellent or good although another 14% ranked it as average, making a total of 49%. 10% ranked staff responsiveness as poor.

  35% ranked Council’s performance as excellent or good with a further 20% ranking it as average, making a total of 54% as average or above.

  Members who wish to read the full survey should contact the authors.

  Copies of this Survey are available for public inspection at the Council Offices and Libraries.

**RECOMMENDATION**

That the report be received for information only.
13. ADJOURNED MOTIONS

Nil

14. NOTICES OF MOTION

14.1 CR WARREN - MAINTENANCE OF FOOTPATHS

I hereby give notice that I intend to move the following motion:

*That Council provides a report in response to the following questions:*

(1) **Who is responsible for the repair and maintenance of footpaths at or near driveway crossovers when:**

   (a) the driveway crossover surface has been prepared and installed by Council;

   (b) the driveway crossover surface has been prepared and installed by the resident?

(2) **What are the liability implications for the Council and residents if a person is injured after tripping on a driveway crossover that is in a state of disrepair or has been damaged?**

**REASON**

After enquiries from some concerned residents, the implications of who is responsible for the repair and maintenance of driveway crossovers, and the consequential liability issues, are not entirely clear.

This matter has relevance as a city wide issue, and a considered response in the form of a report would clarify uncertainties.

14.2 CR HART - MCGELLIGOTT'S RESERVE CAR PARK

I hereby give notice that I intend to move:

*That the closing hours of McElligott's Reserve car park revert from 10.00 pm to 7.00 am to 8.00 pm to 7.00 am until the recommendations of the local task force are released.*

**REASON**

The early closure trial period over the winter months was a success as it resulted in an improvement in the amenity of the residents and a reduction in the incidents of vandalism. In the absence of an effective behavioural management plan, such restrictions are necessary.
15. MOTIONS WITHOUT NOTICE

16. REPORTS OUTSTANDING AND RESOLUTIONS NOT YET EFFECTED
(Ref: 150.3.5) (Prepared: 14/12/00)

PROPOSAL
To inform members of reports and actions which have been requested and their current status.

BACKGROUND
At meetings of the Council, reports are often requested concerning certain items which must be submitted to subsequent meetings. Actions are also requested and their current status is recorded in the attached table.

Attached p (10-14) is a table detailing the reports outstanding and resolutions not yet affected and a brief summary of their status.

RECOMMENDATION
That the report be received.

17. ANY OTHER BUSINESS

18. CONFIDENTIAL

18.1 REPLACEMENT OF HP9000 SERIES SERVER (THE "AUTHORITY")
SERVER - TENDER

CLOSE: