

Orig. **LF 12314846**



11:31 23-Apr-2015
1 of 1

LANDS TITLES REGISTRATION
OFFICE
SOUTH AUSTRALIA

**LODGEMENT FOR FILING UNDER
THE
COMMUNITY TITLES ACT 1996**

FORM APPROVED BY THE REGISTRAR-GENERAL

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LF
Series No.

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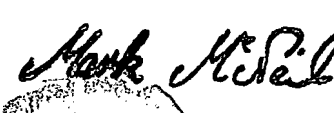

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UNDERMENTIONED AGENT(S)

ITEM(S)	AGENT CODE

CORRECTION	PASSED <i>JK</i>
REGISTERED <i>12/5/2015</i>	
  PRO REGISTRAR-GENERAL	

~~*NOTICE OF AMENDMENT OF SCHEME DESCRIPTION~~
~~*NOTICE OF VARIATION OF BY-LAWS~~
~~*APPLICATION TO FILE VARIATION OF DEVELOPMENT CONTRACT~~

Guidance
Notes
available

*Delete the
inapplicable

INSTRUMENT AFFECTED 11655951 /

PLAN No. 21109 /

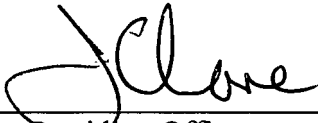
To the Registrar General

I, JUDITH CLARE of 9 Kennedia Walk Aldinga SA 5173 being an officer of Community Corporation No. 21109 Incorporated certify:

(a) that the copy of the By-Laws attached to this certificate is a true copy of the By-Laws as varied by unanimous resolution of the corporation on the 12th day of April 2015; and

(b) that the copy of the resolution attached to this certificate is a true copy of the resolution referred to in paragraph (a).

DATED the day of April 2015



Judith Clare - Presiding Officer
Community Corporation No. 21109 Inc.

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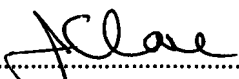
21/04/15

**COMMUNITY CORPORATION
NO. 21109 INC**

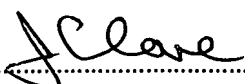
**Aldinga Arts Eco Village
Aldinga**

BY-LAWS

"This is a copy of the By-Laws referred to in the attached certificate"


.....
Judith Clare - Presiding Officer
9 Kennedia Walk Aldinga 5173

Certified correctly prepared in accordance with the requirements of the Community Titles Act
1996 by an officer of the Community Corporation


.....
Judith Clare - Presiding Officer
9 Kennedia Walk Aldinga 5173

COMMUNITY SCHEME BY-LAWS PLAN NO. 21109

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PART 1 – PRELIMINARY

Definitions

1. In these by-laws unless otherwise appears -

“Act” means the Community Titles Act 1996;

“administrative fund” means a fund established by the Community Corporation for the payment of recurrent expenditure;

“animal” includes a bird and a reptile;

“associated person” means a person on the community parcel other than an owner or occupier of a community lot;

“building” means –

- (a) any building for which a development approval is required under the Development Act; and
- (b) any shed, aviary or other structure which alters the external appearance of a lot;

“commercial purposes” means any purpose or purposes approved by the Community Corporation involving the performance or pursuit of trade or commerce (including a hotel, motel or hostel and any other form of temporary residential accommodation for valuable consideration) and any business or craft but excluding any industrial use or activity other than a cottage industry and the production of mud bricks;

“common property” means the common property within the Plan and includes the service infrastructure (except for any part of the service infrastructure that provide a service to only one lot) and any other property that comprises the common property pursuant to the Act;

“Community Corporation” means this Community Corporation;

“community lot” means a community lot within the Plan and, where appropriate, includes any building or other improvement on the community lot;

“community parcel” means the land divided by the Plan but does not include a street, road, thoroughfare, reserve or other similar open space vested in a council or prescribed authority or reverting to the Crown;

“Council” means the City of Onkaparinga and any subsequent municipal or district council for the area in which the community parcel is located and any other statutory authority performing or responsible for the role, decisions and activities of a municipal or district council for that area;

“develop” includes –

- (a) to construct, alter, demolish or remove, or

(b) significantly alter the external appearance of,

any building, structure, wall, fence, site works, paving or other improvement on the community parcel;

"Development Approval" means the development approval granted by the City of Onkaparinga on the 15th day of May 2001 and numbered 145/C015/1999/LC (as may be varied from time to time) and any subsequent planning, building or development approvals and/or consents for building and other works on the community parcel;

"development approvals" means any planning, building or development approvals and/or consents to construct or perform building and other works on a community lot or other land within the community parcel and includes the Development Approval;

"development lot" means a development lot within the Plan;

"edible landscape" means plants, shrubs and trees of high human use and includes plants, shrubs and trees that are used for food, beverages, medicines, construction, fuel and fibres;

"Effluent Treatment Delivery System" means the effluent treatment collection and system located within the community parcel that connects buildings and other structures on the community parcel to the Waste Water Treatment Plant situated on a lot within the community parcel;

"energy efficient" means efficient in the use, consumption and conservation of energy and includes –

- (a) consideration of the ancillary and consequential energy requirements,
- (b) in relation to buildings and structures, the considerations specified in Part 5 of these by-laws, and
- (c) in relation to materials, machinery and equipment, the energy efficiency of the production and life cycle of the material, machinery and equipment;

"external appearance" means the permanent appearance when viewed from any structure on other community lots or the common property or from outside the community parcel;

"farming purposes" includes any use as a farm, market garden, woodlot, plant nursery, animal husbandry or other agricultural, horticultural or related purposes and as an education centre for environmental, permacultural or similar purposes provided any such use –

- (a) does not depart from the application of permacultural techniques, and
- (b) is permitted or approved by the Council;

"fencing" means any person-made structure (not being a building) which creates a visual barrier to observers outside the lot upon which it is constructed and includes a fence, gate, partition, mound and screen;

"filed" means filed with the Lands Titles Registration Office;

"Guidelines" means the guidelines for architectural and developmental works prescribed by the Community Corporation and any other guidelines prescribed by the Community Corporation from time to time in relation to the community parcel;

"height" in relation to a building means the vertical distance between any two points in that building;

"immediate vicinity" of a lot is the area which may be seen from any part of the lot and from which any part of the lot may be seen;

"lot" means a community lot or a development lot within the Plan and, where appropriate, includes any building or other improvement on the lot;

"median floor level" in relation to a lot means the height above sea level or the point on the community parcel (as the case may be) determined by the Community Corporation to be the median floor level in relation to the community parcel;

"minor repair" in relation to a motor vehicle means a repair which is completed within 24 hours of commencement;

"neighbourhood" means approximately ten or more dwellings that –

- (a) are located or proposed to be located together, and
- (b) visually or demographically relate to each other;

"non-recurrent expenditure" means expenditure for a particular purpose that is normally made less frequently than once a year;

"occupier" of a lot includes, if the lot is unoccupied, the owner of the lot;

"organic" means complying with the requirements, recommendations and practices referred to from time to time in the 'National Standard for Organic and Bio-dynamic Production' adopted by the National Standards Association for Sustainable Agriculture Australia and its successors;

"permacultural techniques" means the techniques for land use that assemble conceptual, material and strategic components in a conscious design system to work with nature to create a permanent and sustainable environment for humans and all other forms of life, being techniques recommended by The Permaculture Institute and similar bodies;

"person" includes an unlawful occupier and a visitor to the community parcel whether invited or uninvited;

"Plan" means the plan of community division filed with these by-laws and any amendment of that plan;

"recreational use" in relation to motor vehicles on the common property means any use which is not reasonably necessary for the transportation of persons or goods;

"recurrent expenditure" means expenditure for a particular purpose that is normally made every year or more frequently;

“Regulations” means the Community Titles Regulations 1996;

“residential purposes” does not include the use of a lot for the purposes of a hotel, motel or hostel;

“Scheme Description” means the Scheme Description for this Community Scheme;

“screening” may include screening by natural means such as trees and shrubs;

“service infrastructure” means the cables, wires, pipes, sewers, Effluent Treatment Delivery System (excluding the Waste Water Treatment Plant), drains, ducts, conduits, spaces, receptors, reflectors, machinery, plant and equipment constructed or installed at any time and from time to time by which the lots or the common property are provided with any system or service specified in the Act or designed to improve the amenity or enhance the enjoyment of the lots or the common property;

“sinking fund” means a fund established by the Community Corporation for the payment of non-recurrent expenditure;

“special residential lot” means a residential lot that is used or may be used for special residential purposes;

“special residential purposes” means any commercial purpose or purposes that has been approved by the Community Corporation in relation to the lot that is primarily used or to be used for residential purpose with the approval of the Community Corporation;

“stage” means a stage in the development of the community parcel in accordance with this scheme description; and

“structure” includes any structure, improvement, fixture, fitting, plant, equipment, machinery, wall, fence, partitioning, path, paving and any other chattel and property constructed, installed or situated on or in the lot or the common property (as the case may be) and any alterations, additions and modifications made thereto from time to time;

“vehicle” includes a trailer, caravan and any other thing towed or pushed by a vehicle;

“Village Elders” means a board of elders constituted by the Community Corporation to advise the Community Corporation or its committees or nominees on a matter or matters affecting the occupation and use of the community parcel;

“waste water” means —

- (a) any water discharged from any toilet, and
- (b) any other water discharged from any building or structure other than storm water; and

“Waste Water Treatment Plant” means the waste water treatment plant referred to in the Development Approval and specified in Development Approval 145/2953/2000 excluding the Effluent Treatment Delivery System.

Interpretation

2. In these by-laws unless otherwise appears -
 - 2.1. all other words shall have the meaning (if any) ascribed by the Act and the Regulations;
 - 2.2. a reference to any Act, Regulations, document or plan must be construed as a reference to that Act, Regulation, document or plan as amended, varied or replaced;
 - 2.3. words in other forms will have the same meaning as defined in these by-laws;
 - 2.4. a by-law is to be interpreted against the background of the Ethos and any relevant statement of philosophy in the Scheme Description and these by-laws;
 - 2.5. any reference to height is to be measured by reference to the median floor level or, where the median floor level is not specified, -
 - 2.5.1. where there is a building on the lot - from the level of the ground floor (or lower or lowest ground floor), and
 - 2.5.2. where there is no building on the lot - from the median natural ground level over the lot;
 - 2.6. where the consent of the Community Corporation is required, such consent must be in writing and may be subject to conditions; and
 - 2.7. where these by-laws create or impose any obligation or requirement on any person, the obligation or requirement on that person extends to not allowing any other person to breach that obligation or requirement.

PART 2 – ETHOS AND GENERAL PHILOSOPHY

Ethos

3. The ethos upon which the by-laws are drafted is “*Care for the Earth and Care for the People*”.

General Philosophy

4. The most responsible way we can deal with the built environment is to acknowledge Nature as the driver of our decision-making, not the sufferer therefrom.
5. The theme of an organic edible landscape in conjunction with local indigenous species is to be developed using permacultural techniques.
6. Harmonious relationships between the residents, created in freedom and with mutual respect, will not only benefit all living things within the boundaries of the community parcel, but will also radiate out into wider and wider circles of the environment and the

external community.

7. Subject to other legitimate constraints, preservation of nature and protection of the more vulnerable requires priority of movement on the common property, paths and roads to be accorded firstly to native animals, then non-native animals, then children, then other pedestrians, then non-motorized wheeled vehicles and finally motor vehicles.
8. The aim for decision-making and conflict resolution will always be based on consensus among the owners and occupiers of lots within the community parcel.

PART 3 – MANDATORY BY-LAWS

Administration, management and control of common property

9. The Community Corporation is responsible for the administration, management and control of the common property. This responsibility shall include the servicing, maintenance, repair, upkeep, security and replacement of the common property (including all improvements to the common property and any service infrastructure comprising the common property).

Use and enjoyment of the common property

10. Subject to the Act and Regulations, the Scheme Description and these by-laws, the common property is for the common use and enjoyment of occupiers of lots in the community parcel and their associated persons.

Consistency with the Act and the Scheme Description

11. These by-laws must be read in conjunction with the Act, the Regulations and the Scheme Description. Any by-laws that are inconsistent with the Act, the Regulations or the Scheme Description are invalid to the extent of the inconsistency.

PART 4 – DEVELOPMENT OF LOTS

Philosophy

12. The development and maintenance of buildings on a lot should reflect respect for and be sympathetic to the ecology and natural environment both within and without the community parcel.
13. All buildings shall be as energy efficient as the circumstances allow. This includes building materials selection, bearing in mind the embodied energy and life cycle costs of these materials, together with their capacity to insulate or provide thermal mass for thermal comfort levels.

14. All occupied buildings must be orientated to maximize direct northern light during winter.
15. The placement and orientation of buildings –
 - 15.1. in a natural manner in relation to buildings on other lots and/or the common property, and
 - 15.2. that avoids straight lines and thin and rigid boundaries between lots and/or the common property,is to be encouraged.
16. Demarcation of boundaries of lots should utilise or be screened from external view by vegetation where possible.

Building on community lots

17. A person must not develop a community lot or a development lot unless the development complies with –
 - 17.1. the Scheme Description and
 - 17.2. the requirements of this Part 4.
18. Every proposal for development of a community lot or a development lot must be submitted to the Community Corporation or its nominee for consideration and, if appropriate, approval. The Community Corporation or its nominee may give its approval subject to conditions which must be complied with when undertaking the proposed development.
19. Where a nominee of the Community Corporation considers an application for development –
 - 19.1. the application must be accompanied by the fee (if any) nominated by the Community Corporation; and
 - 19.2. the applicant shall have the right to appeal against the decision of that nominee to the Community Corporation or some other person or body designated by the Community Corporation to hear such appeals.
20. The Community Corporation may restrict the number of buildings and the development of buildings on any lot.
21. The Community Corporation may restrict the development of dwellings on any lot to single storey buildings. The floor level or upper floor level (for multi-level buildings) must not be located above the median floor level without the approval of the Community Corporation. Single storey and mezzanine type developments will be encouraged. Two storey developments shall be encouraged on the area within the community parcel designated for cluster housing and on lots with an area of less than 220 square metres.
22. The design and external appearance of, and materials to be used in, the construction of every building within the community parcel, and every alteration thereof, must be approved by the Community Corporation.

- 22.1 In particular, approval will not be given for the following:
- 22.1.1 any use of PVC materials in contact with potable water or where they touch or might possibly touch or come in contact with the soil;
 - 22.1.2 any use of timber treated with chromium, arsenic or Creosote in any application;
 - 22.1.3 any building that does not use solar heating, or an alternative shown by the proposer to be at least as ecologically efficient as solar heating, for its hot water supply.
 - 22.1.4 any building utilizing wood fired stoves or ovens or any other wood fired device for the purposes of room heating, water heating or cooking.
23. In deciding whether to give any approval required by this Part, regard shall be had to –
- 23.1. whether the design of the building or structure is energy efficient including –
 - 23.1.1. the appropriate use of insulating materials;
 - 23.1.2. the adequacy, size and placement of windows;
 - 23.1.3. the use of form and structures to reduce the impact of cold winds, harsh sunlight and other environmental factors;
 - 23.1.4. the likely implications for heating and cooling of air and/or water on the lot; and
 - 23.2. the adequacy and utilisation of facilities for the collection, storage and use of rainwater (including the siting and construction of rainwater tanks);
 - 23.3. whether the building will provide sufficient privacy for all persons and will avoid, as far as possible, overshadowing and overlooking by and of neighbouring lots;
 - 23.4. whether the design of the building incorporates the use of natural and historic external wall finishes, including –
 - 23.4.1. plantation or recycled timber;
 - 23.4.2. slate;
 - 23.4.3. stone;
 - 23.4.4. concrete render;
 - 23.4.5. rammed earth;
 - 23.4.6. mudbrick;
 - 23.4.7. galvanised iron or colorbond (but not zincalume); and
 - 23.4.8. prepared and appropriately rendered straw;

- 23.5. in relation to the roofs and reflective surfaces of buildings, whether –
 - 23.5.1. the roof form and roof line provides variety and relief in relation to neighbouring buildings;
 - 23.5.2. the colour and angle of the roof or other surface allows sunlight to be reflected (but not onto other neighbouring buildings);
- 23.6. whether the external and externally visible colour scheme of the building provides variety and relief in relation to neighbouring buildings;
- 23.7. whether the design of the building includes discreet storage areas for tools, equipment, motor vehicles and refuse;
- 23.8. the general visual, ecological and environmental impact of the building;
- 23.9. the nature and style of buildings on other lots in the neighbourhood of the lot;
- 23.10. the Guidelines; and
- 23.11. any other factors that the Community Corporation considers relevant.
24. Subject to requirements of the Council, the Community Corporation may require that a building be situated at a particular location within, and with a particular orientation upon, a lot.
25. In deciding whether a building should be required to be situated at a particular location within a lot, the Community Corporation may have regard to -
 - 25.1. the desire to encourage open space between buildings;
 - 25.2. the desire to avoid the location of buildings in rows;
 - 25.3. the desire to avoid visual obstruction of landscape within the community parcel and hence to reduce the overall sense of bulk on an individual lot;
 - 25.4. the desire to avoid construction of buildings from boundary to boundary except on lots with an area of less than 220 square metres; and
 - 25.5. any other factors the Community Corporation considers relevant.
26. The external appearance of a building must not be altered by a change in the colour scheme, external wall finishes or alteration of or addition to any structure without the approval of the Community Corporation.
27. The Community Corporation may, as a condition of giving its approval under this Part, require that fencing or screening be placed adjacent the proposed building to reduce the visual impact of the proposed building. Any such condition will impose a continuing obligation to maintain that fencing or screening unless the contrary is expressed in the condition.

Fencing of and in community lots

28. Fencing of any kind along the street frontage of any lot other than a lot used for farming purposes is not permitted.
29. Fencing along the rear boundary and the side boundaries from a point adjacent the front of the foremost building to the rear boundary of a lot will be permitted provided that –
 - 29.1. such fencing is a hedge or of wire mesh that is visually permeable and, unless prohibited by legislation relating to safety, able to support vegetation;
 - 29.2. that vegetation is planted along such fencing to screen the fencing from external view where possible; and
 - 29.3. that the height of such fencing does not exceed 1.8 metres from natural ground level without the approval of the Community Corporation.
30. The creation of private spaces within a lot is permitted provided that the material used is consistent with materials used in the construction of the building or buildings on the lot and that the height of such structure does not exceed 1.8 metres without the approval of the Community Corporation.
31. Sheet metal must not to be used in fencing or within a lot without the approval of the Community Corporation.

PART 5 – ECOLOGICALLY SUSTAINABLE DEVELOPMENT

Philosophy

32. Development on the community parcel must be ecologically sustainable - ie meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Energy efficient design

33. The result of building design which is “energy efficient” is a building which remains thermally comfortable inside without significant additional mechanical assistance in all types of weather. Extended extreme weather conditions are beyond the scope of this requirement. Materials are selected on the basis of their performance and their environmental cost.
34. “Balance” is a fundamental to good design. It is wise to consider these energy efficiencies in conjunction with the economics and availability of suitable materials and systems, and overall design issues.

Local Factors

35. The climate at Aldinga is temperate, with very hot conditions in summer and mild in

winter. The sun is naturally lower in the north sky in winter than in summer which allows heat penetration deep into a building with glass facing north, and shading from the higher sun in summer. Buildings need to keep heat in during winter and prevent heat ingress in summer. Winds can be strong and cold or hot.

Building design considerations

36. The design of a building or structure on the community parcel must take into account the following factors affecting the energy efficiency of the building or structure:
 - 36.1. a relativity to natural site and local features when considering location and size of dwelling (ground and environmental footprints of buildings);
 - 36.2. the nature, style, placement and orientation of nearby buildings and structures (The availability of winter sun to their northern elevation is a requirement);
 - 36.3. longer northern elevations than those of the east and west;
 - 36.4. significant glass to the north and reduced quantities on other elevations;
 - 36.5. shade from summer sun and access to winter sun;
 - 36.6. arrangement of living rooms which require heating to the northern part of the building, keeping non-heat requiring rooms to the south;
 - 36.7. well insulated roof and walls (to keep heat out in summer and in during winter);
 - 36.8. reduced thermal mass materials and glazing on external east and west elevations (protects from excess heat ingress in summer);
 - 36.9. provision of thermal mass materials to internal walls (for retention of heat in winter and absorption of heat in summer);
 - 36.10. glass to be arranged with care (Heat gain and loss across single glazed walls is significant: double glazing is worthy of consideration too.);
 - 36.11. low embodied energy and locally available materials to be selected in preference to higher embodied materials (For example: rammed earth and mud brick in preference to fired clay brick; recycled timber in preference to manufactured timber products and timber in place of steel framing.);
 - 36.12. materials that can be reused or disposed of sensitively when demolished;
 - 36.13. access to natural breezes and natural cooling in summer (Gardens to south can cool air that enters the dwelling, while hot air inside can be naturally exhausted at high level.);
 - 36.14. air circulation through and within spaces (This can include reticulating warm air back down in winter and cause breezes and/or exhaust warm air in summer.);
 - 36.15. systems which heat water and spaces efficiently. Refrigerant air-conditioning systems are not preferred but may be required: they must be used on a strict needs

only basis. The preferred method of cooling is "evaporative";

- 36.16. minimise use of chemically dangerous materials (Some adhesives are poisonous but generally accepted in our internal spaces. Some materials are formulated from ozone depleting substances like chlorine and must be avoided where possible.); and
- 36.17. selection of water devices and watering systems that keep use of water to a minimum.

PART 6 – USE AND MAINTENANCE OF LOTS

Philosophy

37. The use and occupation of lots should result in as little adverse impact as possible on the ecology and environment within and without the community parcel and on the owners and occupiers of other lots and the common property.
38. Whilst individuals may not agree upon standards of repair, order, maintenance and condition, the Community Corporation shall determine whether the required standard has been satisfied.
39. The selection of "white goods" and other appliances should be appropriate for the user's needs and declared by an appropriate authority to be energy efficient.

Use of lots

40. Subject to the Scheme Description, the Community Corporation may approve the use of a lot for –
 - 40.1. residential purposes,
 - 40.2. special residential purposes,
 - 40.3. commercial purposes,
 - 40.4. farming purposes, and
 - 40.5. any other purpose permitted by the Scheme Description.
41. A person must not use a lot for any purpose (whether residential purposes, special residential purposes, commercial purposes, farming purposes or any other non-residential purposes) unless –
 - 41.1. that use has been approved by the Community Corporation; and
 - 41.2. all necessary development approvals have been obtained for such use.
42. In deciding whether to approve the use of a lot, the Community Corporation may have regard to –

- 42.1. any possible increase in vehicular and pedestrian traffic within the community parcel;
 - 42.2. any possible disturbance to other community lots and the common property; and
 - 42.3. any other relevant matter.
43. The Community Corporation may make it a condition of approval for use of a lot for special residential, commercial, farming and other non-residential purposes that the owner or occupier of the lot take reasonable steps, including alteration of the lot and structures on the lot, to prevent disturbance to other community lots and the common property.
 44. The Community Corporation may restrict the number of persons employed on a lot approved for use for special residential, commercial and other non-residential purposes.
 45. The Community Corporation may restrict the hours and days during which a lot may be used for special residential, commercial and other non-residential purposes.
 46. A person may not, on any lot, disassemble or carry out any repair on any motor vehicle within the community parcel other than –
 - 46.1. a minor repair,
 - 46.2. a repair required for the maintenance of such vehicle, or
 - 46.3. a repair required to render mobile an immobile vehicle.
 47. Unless appropriately garaged, no vehicle shall remain in a disassembled or immobilised state within the community parcel for more than seven days without the consent of the Community Corporation.

Maintenance and repair of buildings and structures on the lot

48. The owner of a lot must maintain and keep in good repair, order and condition -
 - 48.1. all buildings and structural improvements to the lot, and
 - 48.2. all structures, paintwork and finishes on the lot that affect the external appearance of all buildings and structures on the lot.
49. The owner or occupier of a lot must not change the external colour (as applied) or finishes of any building or structure on a lot without the consent of the Community Corporation and all external paintwork and finishes on any building and structural improvement must conform with the conditions (if any) of the development approvals.

Gardens and landscaping

50. Unless exempted by the Community Corporation –
 - 50.1. the owner of a residential lot must ensure that a significant area of the lot (which area but not location may be designated by the Community Corporation) is laid out as garden and planted with trees or other plants with the theme of an edible

landscape, local indigenous native vegetation, or a combination thereof (see Vegetation Guidelines);

- 50.2. the planting of lawns and gardens for ornamental purposes is discouraged; and
 - 50.3. there must not be more than 2 trees more than 6 metres in height when mature on the same residential lot.
51. For non-residential lots and the common property, the landscaping and the planting of trees and other plants must be undertaken, cared for and maintained in accordance with a landscape management plan and the Vegetation Guidelines.

Occupier's obligations to maintain the lot in good condition

52. The occupier must –

- 52.1. properly maintain the landscaping, gardens, trees, grass and other plants on the lot and replace any landscaping, gardens, trees, grass and other plants that shall deteriorate or die;
- 52.2. ensure that the lot is maintained in a safe condition with respect to fire and other hazards; and
- 52.3. keep the lot in a clean, neat and tidy condition and free of pests (including plant, vertebrate, invertebrate and insect pests).

Collection and disposal of garbage and recyclable materials

53. The occupier of a lot must -

- 53.1. recycle all recyclable items and materials whenever possible;
- 53.2. recycle all domestic plant and garden refuse material whenever possible;
- 53.3. store domestic garbage in an appropriate sealed container that prevents the escape of unpleasant odours and which is not visible outside the lot;
- 53.4. store and dispose of other waste in an appropriate manner to prevent any nuisance to the occupier of any other lot;
- 53.5. comply with any requirements of the Council and the Community Corporation for the disposal of garbage, garden and other waste;
- 53.6. not engage in any activity or practice that attracts or maintains pests or vermin.

54. The Community Corporation may designate portions of the common property as centres for the disposal of domestic garbage and recyclable materials.

55. Occupiers of lots must at least once each week, remove domestic garbage and recyclable materials from lots and deposit the same in receptacles provided in such designated portions for collection by the Council or such contractors as the Community Corporation may engage for the disposal of garbage or recycling of materials.

Reporting of pests and vermin

56. The owner and the occupier of a community lot must report as soon as practicable to the Community Corporation any apparent or threatened -
- 56.1. infestation by pests or vermin,
 - 56.2. contamination or pollution by agricultural or other chemicals, and
 - 56.3. outbreak or presence of any plant or animal disease
- on any community lot or the common property.

Use and storage of chemicals and gases

57. Persons must not, except with the approval of the Community Corporation, use or store on any lot or on the common property any flammable liquid, gas or chemical other than those intended for domestic use or for use in an internal combustion engine.
58. Persons must not, except with the approval of the Community Corporation, use or store on any lot or on the common property any liquid, gas or chemical which is likely to cause an allergic reaction to any person.

Hanging of washing etc.

59. The hanging of clothing, bedding and similar articles for the purpose of drying must be as discreet as possible.

PART 7 – THE COMMON PROPERTY

Development of the common property

60. Except as required by any development approval, there shall be no development of the common property (other than the establishment and maintenance of gardens, trees, grass and other plants as shown on the Plan) unless such development has been authorised by the Community Corporation.

Use of the common property to produce income

61. The common property may be used to produce income where such activity or type of activity has been authorised in writing by the Community Corporation.

Damage etc. to common property

62. A person must not, without the approval of the Community Corporation –
- 62.1. smoke any cigarette, cigar, tobacco or other herb on the common property;

- 62.2. light any open fire on the common property;
- 62.3. make any unnecessary noise on the common property between the hours of 10 pm and 8 am;
- 62.4. damage or interfere with a building, structure, tree or garden on the common property;
- 62.5. affix any object to the common property;
- 62.6. deposit any rubbish or waste material on the common property other than in a receptacle placed on the common property by the Community Corporation for such purpose;
- 62.7. deposit any object or material on the common property if it is likely:-
 - 62.7.1. to obstruct the movement of vehicular or pedestrian traffic;
 - 62.7.2. to be hazardous or offensive to other persons using the common property;
or
- 62.8. exclude or discourage other persons from using any part of the common property.

Traffic and Parking

63. A person must not use vehicles including motor cycles and motor scooters for any recreational purpose on the common property.
64. A person must not obstruct vehicular or pedestrian traffic on the common property.
65. A person must not park a motor vehicle on the common property except on a part set aside by the Community Corporation for such parking.
66. A person must not drive a motor vehicle on the common property except on a roadway established for use by motor vehicles.
67. A person driving a vehicle on the common property must comply with the rules applicable under the *Road Traffic Act 1961* to the driving of a vehicle on a public road.
68. A person must not undertake any repairs to any vehicle on the common property except for repairs necessary to render mobile an immobile vehicle.
69. The following vehicles shall not be parked in any area within the community parcel other than an area designated by the Community Corporation as the parking area for such vehicles –
 - 69.1. vehicles in excess of three (3) tonne in weight;
 - 69.2. vehicles in excess of 7 metres; and
 - 69.3. any trailer, caravan or other towed or pushed vehicle that cannot be parked wholly within a community lot.

Taking animals onto common property

70. Subject to this Part –
- 70.1. no pet animal may be taken or allowed to go on common property unless such animal is on a leash.
 - 70.2. persons taking any pet animal or pet animals onto the common property must remove and clean up any excreta left by the animal on the common property.
71. The Community Corporation may allow animals to remain on the common property for grazing, weed control and other purposes for the benefit and maintenance of the common property and may exempt such animals from requirements under these by-laws. However, no animal shall remain on the common property without the approval of the Community Corporation. Where such approval has been obtained, the animal shall only remain on the common property whilst it –
- 71.1. is enclosed or otherwise restrained in the manner approved by the Community Corporation and
 - 71.2. complies with any other conditions imposed by the Community Corporation.

PART 8 – ANIMALS

Philosophy

72. All animals and pets must be kept in a humane manner in a clean spacious environment without any disturbance to other persons or other animals.

Limited right to keep an animal on a lot

73. Unless expressly exempted by these by-laws, a person must not bring onto or keep any animal on a lot or the common property without the consent of the Community Corporation.
74. The consent of the Community Corporation shall not be required in relation to a dog that is trained to assist the person in respect of a disability.
75. An animal shall be exempt in relation to a community lot whilst it satisfies the following criteria –
- 75.1. where the animal is a dog or a cat, that animal must be desexed and only one of either of such animals shall be kept on the community lot;
 - 75.2. the animal is not a prescribed breed under the Dog and Cat Management Act or the subject of an order under that Act;
 - 75.3. the animal is fully contained by fences, walls or other structures that prevent it from escaping at any time from the lot;

- 75.4. the animal stays at all times on the lot unless it is entering or exiting the lot, at which times it must be kept on a leash or confined to a cage;
- 75.5. the animal does not cause a nuisance at any time;
- 75.6. the animal does not cause an unreasonable disturbance to a person on another lot after 9.00 pm and before 8.00 am on any day; and
- 75.7. the animal does not exceed 22 kilograms in weight..
76. The Community Corporation may resolve that a specified animal fails to meet the criteria for exemption. In such case, the occupier –
- 76.1. must not bring, permit or keep that animal on any part of the community parcel; and
- 76.2. where that animal permanently resides on a lot, must permanently remove that animal from the community parcel within 14 days of the Community Corporation's resolution.
77. An occupier of a lot used for farming purposes may keep animals as approved by the Community Corporation but must not, without the Community Corporation's authorisation, allow such animals to stray beyond the boundaries of such lot.
78. Where any animal is kept on a lot used for farming purposes, such lot must be fenced to prevent the escape of such animal from the lot.

Unreasonable interference by animals

79. The owner or occupier of a lot must ensure that any animal kept on a lot does not unreasonably interfere with the use or enjoyment of another lot or the common property by an occupier or other persons who are lawfully thereon. Failure on several occasions to minimise, control and immediately clean up the excreta of the animal on the common property shall constitute unreasonable interference with the use or enjoyment of the common property.
80. Where the Community Corporation forms the view that an animal has created an unreasonable interference contrary to this by-law, the Community Corporation may –
- 80.1. direct the occupier to take specified action (ie "Bark Busters" or retraining) or unspecified action to prevent any repetition of any interference; and
- 80.2. require the animal to be removed permanently from the community parcel or direct that the animal must not be brought, permitted or kept on any part of the common property.

Liability of occupiers and other persons

81. The owner and occupier who keeps or permits any animal to be on a lot or the common property and the person who brings any animal onto the lot or the common property shall be liable for any loss, damage or injury caused by that animal.

PART 9 – SUPPLY AND MAINTENANCE OF WATER AND TREATMENT OF SEWERAGE

Philosophy

82. While all community lots are to be connected to a main low pressure water supply, all owners and occupiers are encouraged to be as self-reliant as is reasonably practicable for their domestic water supply. All domestic wastewater is to be recycled and all domestic water must be used in such a way that it is suitable for recycling.

Collection of rainwater

83. Owners of community lots must ensure that each building on each lot is capable of collecting rain water and that water collected is stored in a tank or tanks with a minimum total capacity of 10,000 litres on Lots with an area of less than 220 square metres; and 20,000 litres on all other Lots - and used for internal and external domestic water consumption.

- 83.1 Where a water tank is set up to store both rainwater and mains water, the mains water inlet must be a minimum distance of 75mm above the tank overflow outlet.

Waste water

84. In the absence of the approval of the Community Corporation, all wastewater from a community lot must be discharged into the Effluent Treatment Delivery System.
85. All wastewater must be suitable for discharging into the Effluent Treatment Delivery System.

Disposal and treatment of sewerage

86. Other than composting toilets, all sewerage from community lots and any toilet facilities on the common property must be discharged into the Effluent Treatment Delivery System.

Maintenance of discharge pipes

87. Owners of community lots must maintain in good order and repair all pipes on each lot that discharge sewerage into the Effluent Treatment Delivery System.

Provision of water from the common property

88. The Community Corporation must ensure that all suitable buildings on the common property collect rain water.
89. The Community Corporation will ensure that rainwater collected on the common property is used for watering gardens on the common property.
90. The Community Corporation will ensure that all waste water from the common property is discharged into the Effluent Treatment Delivery System except any water which may be

contaminated such as road run-off.

PART 10 – COMMUNITY ELECTRONIC AND COMMUNICATION SYSTEM

Philosophy

91. The Village must share as many resources as possible for environmental and economic reasons and to future-proof the Village as much as possible. As part of the service infrastructure a design goal for the Village (but not a financial obligation of the Developer or the Community Corporation) is a central electronic and communication system that provides data and communication networks, high speed internet connection and security networking.
92. By acting as a coordinated community it will be possible to offer services on the community parcel that owners and occupiers would not otherwise have been able to obtain, or obtain cost-effectively, were they to act individually. A co-ordinated approach will facilitate the introduction and integration of new or changing technologies, thereby maximizing the lifestyle of the owners and occupiers of lots within the community parcel.
93. To allow these community-wide electronic systems to be implemented, it is necessary that a uniform set of technical standards be used within the structures to be built on the community parcel.

Guidelines

94. To the extent that it is compatible with any future National Broadband Network (NBN), the community is to maintain a centrally distributed television and telephone cabling system throughout the common land, including central TV aerials, signal amplifiers and a telephone main distribution panel.
 - 94.1 Where individual community lots have the option to connect to the community communication systems, owners may not install any aerials or other structures externally to any building for the purposes of receiving or distributing communications that can be provided by the community communication system.

PART 11 – THE COMMUNITY CORPORATION

95. The membership of the Community Corporation will consist of all owners of community lots within the community parcel.
96. The Community Corporation has the power to –
 - 96.1. administer, manage and control the common property for the benefit of the owners of the community lots;
 - 96.2. maintain the common property and the property of the Community Corporation in good order and condition;
 - 96.3. enforce these by-laws and the development contract; and
 - 96.4. carry out any other function or functions assigned to it by the Act or these by-laws.

97. In the exercise of its powers and the performance of its functions, the Community Corporation may take advice from the Village Elders.

PART 12 – GENERAL MEETINGS

98. The Community Corporation will hold a general meeting at least once in each year.
99. Such meeting must be held within three months of the commencement of each financial year.

PART 13 – MANAGEMENT COMMITTEE

100. The Community Corporation may, by ordinary resolution in general meeting, establish a management committee.
101. The Community Corporation may delegate the exercise of any or all of its powers and the performance of any or all of its functions to the management committee.
102. In the exercise of its powers and the performance of its functions, the management committee may take advice from the Village Elders.

PART 14 – FINANCIAL MANAGEMENT

Establishment and use of administrative and sinking funds

103. The Community Corporation must establish an administrative fund and sinking fund.
104. Unless otherwise provided in the Act or regulations, all recurrent expenditure must be made from the administrative fund and all non-recurrent expenditure must be made from the sinking fund.

PART 15 – DISCLOSURE OF FINANCIAL INTEREST

Members must disclose interests

105. A member of a committee and any member acting as a representative or delegate of the Community Corporation must disclose in writing to the committee or the Community Corporation (as the case may be) the nature of any direct or indirect pecuniary interest that he or she has in any matter for the consideration of the committee or in relation to which he or she proposes to act or perform delegated functions or powers to the Community Corporation.

106. A member of a committee must not take part in any deliberations or decisions of that committee in relation to any matter in which he or she has a direct or indirect pecuniary interest.

Members' duties of honesty

107. A member of a committee and any member acting as a representative or delegate of the committee or the Community Corporation must act honestly at all times in the performance of his or her duty.

PART 16 – PROHIBITION OF DISTURBANCE

Prohibition of nuisance and unreasonable interference

108. A person within the boundaries of the community parcel must not engage in conduct that constitutes a nuisance or unreasonably interferes with the use or enjoyment of a lot or the common property by any person who is lawfully on the lot or the common property.
109. The owner or occupier of a lot must ensure, as far as practicable, that persons who are brought or allowed onto the lot or the common property do not engage in conduct that unreasonably disturbs the occupier of another lot or others who are lawfully on a lot or the common property.

PART 17 – GENERAL PROVISIONS

Display of advertisements

110. A person must not display an advertisement, sign, placard or banner on a lot or the common property without the approval of the Community Corporation. However, this by-law shall not prevent the display of an advertisement or sign associated with the sale of a lot where that advertisement or sign is located in an area designated for that purpose by the Community Corporation.

Persons bound by these by-laws

111. These by-laws are binding on –
- 111.1. the Community Corporation;
 - 111.2. the owners and occupiers of the community lots and development lots within the community parcel; and
 - 111.3. associated persons.

Offence

112. A person who contravenes or fails to comply with a provision of these by-laws is guilty of an offence.

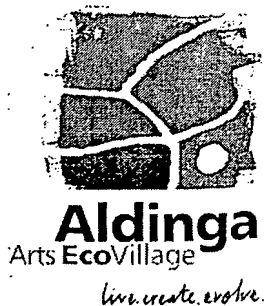
Penalty: The maximum penalty prescribed pursuant to the Act for contravention of, or failure to comply with, a by-law.

Note: The maximum penalty prescribed upon the introduction of the Act was \$500.00.

Amendment of these by-laws

113. These by-laws may be amended, varied or replaced by the Community Corporation in accordance with the Act and the Scheme Description.

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**General Meeting
of Community Corporation 21109 Inc
Aldinga Arts EcoVillage**

Sunday 12th April 2015. Aldinga Bowling Club, Port Road, Aldinga

1. Welcome, Quorum, Present, and Apologies

10:15 Meeting opened

Present

Voting members (lot numbers):

003	033	060	081	106	140
004	034	063	084	115	148
009	038	067	085	116	149
018	039	068	090	117	307
021	042	075	091	118	308
027	044	076	094	119	310
029	048	077	097	121	315
030	051	078	101	132	318
031	057	079	103	139	

Proxy votes registered (lot numbers):

022	059	092	123	143	323
023	069	095	127	302	324
028	070	102	131	303	
035	071	104	133	305	
045	072	105	134	313	
054	073	108	135	319	
056	082	112	142	322	

Note: proxy votes from lot owners who had outstanding amounts owing as at Fri 10th April were not counted and are not listed above.

Apologies: Margaret Madge.

Absent & silent (lot numbers not represented in person, by proxy, or by apology):

001	019	050	087	120	306
002	020	052	088	122	309
005	024	053	089	124	311

I hereby certify that this is a true copy of the resolution referred to in paragraph (a) of the Notice attached hereto.

J. Clare

Judith Clare - Presiding Officer - 9 Kennedia Walk Aldinga 5173

006	025	055	093	125	312
007	026	058	096	126	314
008	032	061	098	128	316
010	036	062	099	129	317
011	037	064	100	130	320
012	040	065	107	136	321
013	041	066	109	137	
014	043	074	110	138	
015	046	080	111	144	
016	047	083	113	301	
017	049	086	114	304	

Quorum

At 10:15 am, the Secretary advised that a quorum was present and that, in this particular meeting, special resolutions must have no more than 39 votes cast against.

Introduction and Welcome

Judith Clare, Presiding Officer, welcomed members to the meeting. Then, with a statement of appreciation to the Management Committee, she requested MC members to stand and be identified. With similar statements of appreciation she then requested members of the Community Development Committee, and Hub Committee to stand for identification. She also generally acknowledged all the other volunteer groups whose work is important to the Community.

Judith said that, regrettably, there were 15 lot owners significantly in arrears with their payments to the Community Corporation, and that the grand total of arrears outstanding as of the day of the meeting was \$23,626.

Judith then handed over to Ray Mines to talk briefly about what a Community Corporation is, and what the responsibilities of membership are. The Aldinga Arts EcoVillage (AAEV) is a Community Title development which means that land is structured into both private lots and common land owned by all lot holders. AAEV is incorporated under the Community Titles Act of South Australia as Community Corporation 21109 (C21109 Inc.). Under the Act, levies are collected from all lot owners who, as co-owners, have the responsibility to maintain and develop common land. Common land includes roads and other areas which are open to the public and must be maintained to ensure public safety. Some less exciting decisions by the Management Committee are connected to dealing with this responsibility.

Next, Judith handed the floor to Wayne Allen to introduce and present the Traffic Calming project and resolutions.

2. Traffic Calming Resolutions

[A background paper "Background – Traffic Calming Resolutions" and a traffic consultancy report "Aldinga Arts Eco-Village Community Corporation Movement Planning Report, January 2015" had been made available electronically two weeks before the meeting via the MC and SDG sections of the Community Forum.]

Wayne outlined the rationale for constructing our roads as “walks” and “ways” rather than “roads” and “streets”, and the current issue with undesirable traffic speeds and “rat-running” through the Village. Erosion of road edges and corner cutting have been related problems.

Ray Mines, for the Strategic Development & Governance Committee (SDG), then outline the background to the Traffic Calming initiative. This arose out of the Village walk-around during the “Whole-of-Village” planning exercise. During the walk-around, multiple comments of concern were logged relating to traffic. As a result Gayle Buckby of the firm Infraplan was engaged to prepare a report with recommendations for traffic calming. It was noted that Gayle was familiar with the Village, having been involved in the original planning of roads for AAEV.

In the recent consultancy, problem areas were identified relating to the evolving use of our roads, including e.g., intersections of roads with the newer cycling / walking paths, and changes caused by the new garbage collection system.

With a draft traffic report available, together with results of a study of traffic volume and speeds on most roads organised by Emma Holdsworth, a community discussion forum was held in November 2014 at which much villager feedback was collected. Feedback included avoidance of signs (as they do not work), but instead creation of an environment that discourages speeding. There was a strong desire to not divide the village into unconnected east and west halves. There was also a desire to encourage people to use the carpark and walk through the village rather than drive.

We are legally responsible for maintaining our roads up to the standards of the Roads Traffic Act. We are also responsible for “road-related areas” such as Market St and the connector between the carpark and Tetragonia Walk. Accordingly, the Infraplan report covers our legal responsibilities, and provides a template for actioning the recommendations. Implementation is starting with the areas perceived as most problematical.

Related road repairs are already under way, and in this regard, Wayne thanked Stefan Glockner (with acclamation) for the excellent but heavy work he is doing with cobbling road corners to reduce corner cutting.

In refining the detail of the road modification projects that will follow on today’s resolutions, we will be working with Gayle Buckby and Infraplan, using CAD drawings and checking all legal requirements.

Wayne noted that the intent is not for the SDG do the hands-on implementation of the projects themselves. Rather, they will be calling for individuals or groups to champion, develop, and implement them according to the Infraplan report recommendations and guidelines. Champions will be needed who will follow through, and also provide opportunities for other villagers to participate.

Wayne then asked for any questions:

Q: What is “rat running”?

A: Short cutting through Carter St and Tetragonia Walk to avoid the traffic roundabout in Aldinga township

Q: How can we get the no-speeding message out to clients of village businesses?

A: The best answer is to address this by means such as those being put up in today’s resolutions, making it less attractive to speed

Judith reminded members of the use of their red, green, and lot-number cards in the voting process, and Wayne then presented the resolutions.

RESOLUTION 1: (Special resolution)

Road murals

Q: Will the murals be on the road surface itself?

A: Yes, they will be on the road surface, and colours will need to be chosen that do not confuse the artwork with other significant road usage of those particular colours

It is resolved that:

Approval be provided to develop road murals to be situated at two points along Dianella Way as indicated:

- a) On Dianella Way adjacent the path leading to the Amphitheatre (just south of Yacca Way intersection)**
- b) On Dianella Way north of the Clematis Walk intersection**

Where the designs conform with all regulatory requirements.

Moved by: Wayne Allen; Seconded by: Coralie Dutka

There being no votes against and no abstentions, the motion was carried unanimously

RESOLUTION 2: (Special resolution)

Dianella Way road modification trial

Wayne explained that the concept was to modify speed by making single-lane S-curves in the road to reduce speed in both directions. The plan is to temporarily use sand-filled canvas "sauces" to form the shape, and infill with mulch. Minor modification to the shape would then be possible if needed before making the structure more permanent. A well-received suggestion from the audience was to use solar LED lighting to augment visibility of the structure.

It is resolved that:

The road murals be incorporated into a road narrowing / slow point design at the same location, with the overall design corresponding to where intended pathways cross Dianella Way; and further that the road narrowing to be initially completed as a temporary structure that will effectively modify traffic, while conforming to all regulatory requirements.

Moved by: Wayne Allen; Seconded by: Jaqui Good

There being no votes against and no abstentions, the motion was carried unanimously

RESOLUTION 3: (Special resolution)

Dianella Way vertical features

Wayne reaffirmed that all installed structures will need to be legal, frangible, and not decrease visibility of other traffic on approach.

It is resolved that:

Approval be provided to develop road vertical features to be situated within the two proposed road narrowing points on Dianella Way

Moved by: Wayne Allen; Seconded by: Penny Westthorp

There being no votes against and no abstentions, the motion was carried unanimously

RESOLUTION 4: (Special resolution)

Tetragonia Walk and Kennedia Walk road modification

These modifications, which will use soil, mulch and plantings, will be made to create the appearance of driveways rather than roads. They will be accessible to emergency vehicles and villagers at lowered speed, and will be made permanent from the start.

It is resolved that:

Approval be provided for the design and implementation of road narrowing at the intended cull de sac terminations of Tetragonia and Kennedia Walks; and further that a road link is maintained between these roads and the western side of AAEV, but with design elements that dissuades vehicles from using these routes to access Carter Street.

Moved by: Wayne Allen; Seconded by: Emma Holdsworth

There being no votes against and no abstentions, the motion was carried unanimously

RESOLUTION 5: (Special resolution)

Village entrance traffic calming

Wayne explained that the idea behind this resolution is to provide a different road surface at the entrance to the Village, delineating a change in traffic conditions when coming off Port Rd. He stressed that a "tactile surface treatment" is not conventional speed humps. Cobbles give a good cue to changed road conditions, but the current cobbled section on Dianella Way is too far in from actual entrance. He showed illustrations of various options, e.g., small humps which are coloured, different audible surface to road, etc. A Traffic Engineer will be engaged to design the detail of this feature.

It is resolved that:

Approval be provided for the following traffic calming design elements to be placed at the Port Road entrance to Dianella Way:

- A 'Tactile Surface Treatment' raised no more than 50mm north of the Cottages road entrance
- A temporary traffic island in the middle of the road positioned slightly set back from the entrance, under the design and direction of a traffic engineer
- A "threshold treatment" demonstrating an entrance and changed traffic conditions
- A design element and signage that will provide benefit for identifying that there is a transition to a changed road condition.

Moved by: Wayne Allen; Seconded by: Annette Inwood

There being no votes against and no abstentions, the motion was carried unanimously

At the close of the Traffic Calming resolutions, Wayne outlined the next actions. The SDG will meet and call for Project Champions and for work to get under way as soon as possible.

A vote of thanks was recorded to the SDG Traffic Group with acclamation.

3. Works Resolutions

RESOLUTION 6: (Ordinary Resolution)

Re-provisioning of the Contingency line in the Administration Fund from the Sinking Fund

Background:

In February 2015, draw-down of the Village mains water storage tank outstripped capacity to supply from the existing single input connection on Port Road. The Management Committee determined that a second input connection should be plumbed in urgently to restore immediate supply and guard against future water contingencies. This was done using \$3,000 from the "Contingency" line in the Administration fund. However, with 7 months of the year remaining, it has been deemed it advisable to re-provision this fund in case of other emergencies before implementation of a new budget for 2015-16.

Accordingly, it is resolved to:

Move \$3,000 from the Sinking Fund to the Administration Fund (Contingency).

Moved by: Tony Gerlach; Seconded by: John Heij

There being no votes against and no abstentions, the motion was carried unanimously

RESOLUTION 7: (Ordinary Resolution)

Re-provisioning of the Works Recurrent budget line

Background:

In September 2014 a major blockage occurred under the roadway outside 18 Dianella Walk. The blockage was caused by sagging of the sewer pipe as a result of soil settling after formation of the roadway. Urgent, necessary repairs required extensive excavation and cleaning out of the sewer pipe. Altogether, the repair cost \$11,800. This unanticipated expenditure was covered from the Works recurrent budget, which now needs to be re-provisioned from the Sinking Fund (specifically from the line for Future Infrastructure Replacement" which currently stands at \$166,950).

Q: Is this sort of blockage likely to happen again?

A: It might be possible but periodic cleaning out of the pipe should prevent it

Q: Wouldn't this cost be covered by insurance?

A: Unfortunately not. This possibility was discussed with our insurers.

Accordingly, it is resolved to:

Move \$11,800 from the Sinking Fund (Future Infrastructure Replacement) to the Administration Fund (Works).

Moved by: Tony Gerlach; Seconded by: Coralie Dutka

There being no votes against and no abstentions, the motion was carried unanimously

4. Farm Resolutions

RESOLUTION 8: (Ordinary resolution)

Re-provisioning of the Farm Special Projects Water Line Extension budget line

Background:

The funds for this budget line were originally allocated at the 2013 AGM for trenching under the feral-proof fence and making mains water available to the SE corner of the farm from a point just inside the fence. The Village Greens enterprise was not approved until the 2014 AGM, and their planning was in a very early phase. Planning and installation of new water lines, fittings and meters to connect both mains and reclaimed water to the Village Greens site has been done since December 2014, and the cost has exceeded the original budget by around \$400, with one meter valued at around \$400 still to be purchased. To cover the shortfall, and ensure that future development of the water system is not stifled by unanticipated costs, a buffer of \$2,000 needs to be moved

to this budget line from the Farm allocation in the Sinking fund, which currently stands at over \$21,000.

Accordingly it is resolved to:

Move \$2,000 from the Farm Allocation in the Sinking Fund to the Special Projects Farm Water Line Extension budget line.

Moved by: Rae D'Esprit; Seconded by: Sue Eltahir

There being no votes against and no abstentions, the motion was carried unanimously

RESOLUTION 9: (Ordinary resolution)

Re-provisioning of the Special Projects Pasture Improvement budget line

Background:

The funds for this budget line were allocated at the last AGM before a detailed Pasture Improvement Plan had been developed. During the last few months the Farm Committee has been working with Richard Wellsmore of Wirra Wirra organic/biodynamic farm (McLaren Vale) to develop this project. This is a large project, with many interdependent, time-sensitive components (e.g. testing, purchase of nutrients and seed, hire of contractors, etc). Some of the costings have yet to be obtained. Having insufficient funds could cause a whole year's delay and even undo some of the previous work. A buffer of \$5,000 is needed to ensure the smooth implementation of the Pasture Improvement Plan. It is proposed to move the required funds from the Farm allocation in the Sinking fund, which currently stands at over \$21,000.

Accordingly it is resolved to:

Move \$5,000 from the Farm Allocation in the Sinking Fund to the Special Projects Farm Pasture Improvement budget line.

Moved by: Rae D'Esprit; Seconded by: Sue Eltahir

There being no votes against and no abstentions, the motion was carried unanimously

5. Community House Report - Deleted

This item was deleted, as a full report had been provided to the Community by Mary Davies, Hub project coordinator via the electronic News Feed a few days before the meeting.

6. Resolution for a change to By-Laws

RESOLUTION 10: (Special Resolution)

Connection of homes to the Community Communication Systems

Background:

This resolution makes it compulsory under the by-laws for homes to be linked to the Village central television aerial system rather than carrying external aerials on individual homes. This provision to amend clause (94) in the by-laws was passed unanimously (Resolution 7.12) at the 2009 AGM. Unfortunately, however, an oversight at the time resulted in the change being omitted from the current version of the by-laws, and the elapsed time makes it necessary to take the vote again. Currently, clause (94) of the By-laws specifies:

94. The design philosophies and technical specifications shall be defined from time to time by Guidelines.

Accordingly, it is resolved to replace existing clause 94 (as above) with:

(94) To the extent that it is compatible with any future National Broadband Network (NBN), the community is to maintain a centrally distributed television and telephone cabling system throughout the common land, including central TV aerials, signal amplifiers and a telephone main distribution panel.

(94.1) Where individual community lots have the option to connect to the community communication systems, owners may not install any aerials or other structures externally to any building for the purposes of receiving or distributing communications that can be provided by the community communication system.

Moved by: Elizabeth Heij; Seconded by: Dix Molanus

There being no votes against and no abstentions, the motion was carried unanimously

7. Seaberry Walk Resolutions

RESOLUTION 11: (Ordinary resolution)

Seaberry Walk Drainage Works

Background:

The developer of the Seaberry Walk cottages precinct left the roads and associated drainage in an unfinished state without proper drainage or a bitumen surface. The run-off from 10 carports discharges onto the main driveway and, consequently, the surface of the driveway and the floors of many of the carports are wet and muddy whenever it rains. Also, as a consequence, the roadway becomes pot-holed and the precinct becomes extremely dusty in dry or windy weather.

Currently, there are sufficient funds available in the Roads budget line to install a proper drainage system (estimated at \$1,870) to take excess surface water out to the swale along Dianella Way. (See accompanying drainage map).

Q: What budget line are the funds to come from? I thought the roads allocation was fully committed.

There was some uncertainty on the actual current commitment of the roads allocation which has active work in progress, but assurance was given that, if not available in the roads allocation, this fairly small amount of funding would be found in the overall budget (e.g., from maintenance if required).

Accordingly it is resolved to:

Make the sum of \$2,000 available from the Roads budget line to install the required drainage system in Seaberry Walk.

Moved by: Rae D'Esprit;

Seconded by: Tricia Stewart

There being no votes against and no abstentions, the motion was carried unanimously

For the following two resolutions (12 & 13), a background paper "Access & Safety in Seaberry Walk" was made available electronically via the Community Forum two weeks before the meeting.

RESOLUTION 12: (Unanimous resolution)

Rae d'Esprit presented an illustration of the map of the Seaberry Walk entrance to summarise the problems caused by poor design of the roadway. Owing to the sharp, 90-degree turn required around the roofed carport allocated to 23 & 24 Seaberry Walk, a standard fire truck is unable to enter the precinct. Two fires in Seaberry cottages have required a long water line to be run in from outside the precinct. In addition, larger removal vehicles have problems with the turn, and the owner of 24 Seaberry Walk is unable to make the necessary sharp 180-degree turn needed to access his carport.

Q: Can the necessary allocation of common land for the exclusive use of lot owners be more simply done under a provision in the by-laws?

A: As the change also involves the allocation of use of private land to the community corporation, it is better done with reciprocal licenses under the appropriate provision of the Community Titles Act.

Q: Are there likely to be problems with the license being for 5 years only, and being able to be voided by the lot owners with 60 days notice?

A: The licenses will be readily renewable at the end of any 5-year period, and the improvement to conditions will be such that lot owners are highly unlikely to wish to void their licenses

Q: Will there be a cost for drawing up licenses?

A: Yes, but it is expected to be small enough to cover under general administration.

It is resolved that:

In view of the in-principle agreement by the owners of lots 323 & 324 (23 & 24 Seaberry Walk) that the community may lease their current carparks (lots 343 & 344) in lieu of common land, the Community agrees to lease the two visitor carparks immediately north of lots 343 and 344 to these two community members for their exclusive use in lieu of their current carparks (Lots 343 & 344); these reciprocal leases to be negotiated by the Management Committee under the terms shown below.

Moved by: Rae D'Esprit;

Seconded by Phillip Baker & Elspeth Caines

The motion was carried, there being no votes against and 2 abstentions.

Terms of two lease agreements between the Community Corporation (Owner) and owner of Lot 343 / 344 (Tenant) for use of common land for car parking:

Period of Lease	Five (5) Years, with a right of renewal under the same terms and conditions as the first lease
Payment for Lease	None, or nominal at \$1 per year
Permitted Use	Car parkings
Rights of Use	Exclusive
Type of Lease	Non Registrable
Insurances	Tenant to provide insurance equivalent to that currently carried over Lot 343 / 344
Indemnity	Tenant to indemnify the Corporation against all and any losses associated with the leased area.
Tenants Obligations	
Maintenance	The Tenant required to maintain the area of the lease at its own cost.
Damage	The Tenant required to repair any damage to the lease area at its own cost.
Care of site	The Tenant required to care for the area including collection of all waste and ensuring that it is properly contained and removed at its own cost.
Safe use of site	The Tenant required to ensure that all

	safety measures which could be reasonably required or expected are taken for the site.
AAEV bylaws	The Tenant obliged to comply with the Corporation By-Laws
Compliance with Laws	The Tenant required to maintain compliance with all laws and regulations pertaining to the permitted use of the lease area.
Ownership of Improvements	The ownership of improvements to the lease area remains the property of the Tenant until either the expiry or termination of the lease, or any extension.
Expiry or Termination of Lease	The Tenant must remove all personal property. Improvements to be transferred to the corporation in good repair.
Costs of Lease establishment	All reasonable costs to draft and execute lease at cost of the Owner (including stamp duty).
Costs during Lease	The Tenant to pay for all costs that may result from the Tenant's use of the Lease area, including any rates or taxes that may be levied.
Recovery of Costs	Any costs incurred by the Owner as a result of this Lease may be recovered as a debt.
Tenants right to terminate lease	The Tenant may terminate the lease with 60 days notice at any time in writing to the Corporation.
Landlords right to terminate lease	The Owner may terminate the lease if the Tenant has breached, and not remedied, the lease terms, or, if the Tenant consistently breaches requirements governing matters as noise, dangerous activities etc. The Landlord must give 60 days written notice.

Terms of two lease agreements between the owner of Lot 343 / 344 (Owner) and the Community Corporation (Tenant) for use of car parking space as Community common land:

Period of Lease	Five (5) Years, with a right of renewal under the same terms and conditions as the
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	first lease
Payment for Lease	None, or nominal at \$1 per year
Permitted Use	All uses permitted for community common land
Rights of Use	Non-exclusive
Type of Lease	Non Registrable
Insurance	Tenant to extend current insurance over common land to include Lot 343 / 344
Indemnity	Tenant to indemnify the owner of Lot 343 / 344 against all and any losses associated with the leased area.
Tenants Obligations	
Maintenance	The Tenant required to maintain the area of the lease at its own cost.
Damage	The Tenant required to repair any damage to the lease area at its own cost.
Care of site	The Tenant required to care for the area including collection of all waste and ensuring that it is properly contained and removed at its own cost.
Safe use of site	The Tenant required to ensure that all safety measures which could be reasonably required or expected are taken for the site.
AAEV bylaws	The Tenant obliged to comply with the Corporation By-Laws
Compliance with Laws	The Tenant required to maintain compliance with all laws and regulations pertaining to the permitted use of the lease area.
Ownership of Improvements	The ownership of improvements to the lease area remains the property of the Tenant until either the expiry or termination of the lease, or any extension.
Expiry or Termination of Lease	The Tenant must remove all common property. Improvements to be transferred to the Lot owner in good repair.
Costs of Lease	All reasonable costs to draft and execute lease at cost of Tenant (including stamp

	duty).
Costs during Lease	The Tenant to pay for all costs that may result from the Tenants use of the Lease area, including any rates or taxes that may be levied.
Recovery of Costs	Any costs incurred by the Owner as a result of this Lease may be recovered as a debt.
Tenants right to terminate lease	The Tenant may terminate the lease with 60 days notice at any time in writing to the Corporation.
Landlords right to terminate lease	The Landlord may terminate the lease if the Tenant has breached, and not remedied, the lease terms, or, if the Tenant consistently breaches requirements governing matters as noise, dangerous activities etc. The Landlord must give 60 days written notice.

Resolution 13: (Special resolution)

Rae d'Esprit explained that this resolution would allow the carport to be moved once the reciprocal licenses outlined in the previous resolution were executed.

Q: What line in the Sinking Fund would this allocation come from as there are no unallocated funds?

A: The figure given is a quote for the complete re-location job from a local contractor. If done in-house the figure could be much lower and be accommodated as a maintenance item

Q: Shouldn't the two carport owners be prepared to pay any shortfall as they, as well as the community, are also receiving a benefit?

A: It does not seem fair to expect the two carport owners to pay for a design mistake by the original developer.

It was agreed that the task could proceed but that the funds used should be kept to the minimum possible.

It is resolved that:

\$2,300 be allocated from the Sinking Fund to reposition the carport over lots 343 & 344 four meters to the north over the two common-land carparks allocated for the exclusive use of the owners of 23 and 24 Seaberry Walk.

Moved by Rae D'Esprit;

Seconded by: Phillip Baker & Elspeth Caines

The motion was carried, there being one vote against and 3 abstentions.

End of Resolutions

8. Other Business

Information on the bins system and Trash Team

Coralie Dutka introduced the "Trash Team" of volunteers who manage the waste and recycling bins. They were applauded for performance of this important but unglamorous task. Coralie then explained that there is currently a problem with lot owners leaving their private bins permanently in the recycle yard. She requested that lot owners with private bins bring them to the recycling bay on Sunday evening and remove them again after the collections on Monday. She also requested that all private bins should be labelled with their street address.

Information on the activities of WWOOFers in the Village

Bea Molanus reminded members that we now have WWOOFers (Willing Workers On Organic Farms) in the Village. The first official WWOOFer has been a big success and enjoyed by all who have worked with her. Bea drew members' attention to sign-up sheets for community members to offer hosting, meals, ideas for tasks for WWOOFers to perform, and offers to take them to entertainments. For the scheme to work well, WWOOFer hosts need support from their Neighbourhood Groups for hosting, meals and task supervision.

Thanks to participants

Judith Clare, as Presiding Officer, thanked Elizabeth Heij for secretarial support behind the scenes. She also gave votes of thanks to Wayne Allen and Ray Mines for excellent preparation of the Traffic Calming resolutions, and to Rae d'Esprit and the Seaberry Walk team for effective preparation of the Seaberry resolutions.

Elizabeth Heij, as Secretary, thanked Judith Clare for her role in presiding over a well-run and streamlined meeting.

12.25 General Meeting Closed – followed by a shared lunch