

City of Marion

Section 270 Review

Property Address - 1a Vinall Street, Dover Gardens

Appendix A

CITY OF MARION
INFORMATION MANAGEMENT

28 MAY 2010

Original

Fwd: ☐

9.67.2.2.

File No: 1467.2.12.

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P

10.46.1.1.

SCANNED

Chief Executive officer
Marion Council
PO Box 21, Oaklands Park
South Australia 5046

Wendy Wilson
PO Box 668
Brighton
South Australia 5048

Re: Wilson Family Mail Delivery / ACT 270

21/5/10

Dear Sir / Madam,

We have been advised by the Ombudsman not to wait on paperwork from Council to inform you that we 'do' seek to protect our rights by invoking Section 270 of the Local Government Act 1999.

Please note: that it is not our preference to call upon extra resources. This is a situation which can be remedied quickly and easily and - at no further expense.

We have a serious Mail Delivery problem here. Our Mail Delivery problem has not been looked at as part of the recent Street renaming / renumbering issue here.

Briefly: We purchased a Townhouse, 1 /7 Laurence Street, Dover Gardens 5048, in 2007. (one of three, described as - 1/7, 2/7, 3/7).

The units are on a corner, on the border between Brighton and Dover Gardens. They have conjoined walls, fencing and the actual roof is conjoined.

The plans had been passed by Council and our conveyancing was obviously done.

* Council changed our address to 1A Vinall Street (1a, 1b, 1c).

Please note : This was (1) Without notice to us. (2) Without consultation with us

(3) Without notice after the fact.....

In the place of a perfectly functional, desirable address, we were assigned, in our absence, a duplicate address.

There is an old, infirm lady at the "other 1A".

We trialed the change over Christmas and had three messages over a period of approximately ten days. It was demanded that we come and take our mail from her box. She is not able to bring us our mail and is not comfortable with our answering service. For this reason we re-activated our redirection service. In other words, we are paying to help this old lady and paying to get our mail. At one point, when I was away, my daughter, who has an illness, injured her hand, taking our mail from that old lady's box. The lid simply came off!

Questions arise as to the legal implications of going into other people's mailboxes.

Can someone look at what had been happening between Marion and Holdfast Councils with this situation as far back as 2006. It is in the records. As newcomers, we eventually learned from neighbours of this pre existing problem. Questions arise as to the reasons for the Marion Council's treatment of our family. We also need a chance here.

Because we are located on a corner, we have other options.

The application of an Affix to Vinall Street, now making it 'Vinall Street West' has not solved our Mailing problems. The Council persists in maintaining that the matter has been addressed and solved and finished. However we are still paying for a PO Box for the third year and still require two permanent mail redirections. Costs are now approaching \$1000.00.

Council did eventually conducted a survey. Feedback from this survey clearly shows that (1) our needs were not considered and (2) our feedback and situation are not mentioned in it. I was told personally that it was not about us.

We need a chance here. We are on a corner and have other options.

Prior to the renaming of the western end of Vinall Street to - Vinall Street West, people were not able to differentiate between Dover Gardens 5048 and Brighton 5048. We now have Vinall Street West as well as Vinall Street with seven versions of the number 'one', in the space of ~~eight~~ housefronts. We, as part of the new equation, have not been considered in the problem or the solution.

~~Council will not hear us on the matter of making our property an exception:~~ There is an approximate 4% exception to the rule each year.

We put forward here, our 'right' to prefer Laurence Street. Everyone else has had their preferences taken into consideration, it seems. However, in this situation, our preference gives a win, win situation.

If Council had taken the opportunity to make an appropriate change to the Western end of Vinall Street, then we would have to accept that. It needed to be different - Smith Street for example. Then we would at least know that our Mail and address is, at least secure. This is not the case. If you look at the survey results you see that the other people involved really resisted having a change made! The result is a token change and no help to us here.

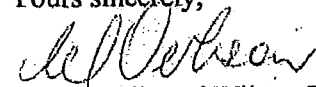
Because we are on a corner, we have other options. We can put Council in touch with members of the Police and Emergency Services who approve of our solution. Put simply, we can be found at 1/7 Laurence Street, Dover Garden. However we are willing to change to 7a if that is required by Council.

We do not know how much information you require from us, at this stage. We have tried, repeatedly to meet with Council. It can be made to appear vexacious. Whereas really, the Council has still to answer our questions, give us back what they took - or a workable option.

Our neighbour, at the corner unit has long since gone ahead and had his fence erected. Initially the Council told him to remove part of the existing fence, as it blocked off the corner more than it should. The Council has not followed up on this. Is the fence legal or is it not? When Mr. Rittberger came here, he specifically noted that fence. He also noted the direction of our driveway, but showed no interest in the numerous exceptions in that regard, like our neighbours opposite. His other theme was how Vinall Street residents like Vinall Street! I don't think he was aware of our mailing problem. He thought it just the name of the street.

Please let me know if any more information is needed.

Yours sincerely,



Wendy Wilson / Wilson Family

Marion is presently conducting pre-engagement with residents of Vinall Street between Lawrence St and Bennett St to establish present issues and gauge public response to possible street name change.

Initial Engagement

Initial engagement involved the City of Marion Community Engagement Officer, Valli Morphett, conducting phone interviews with a total of six residents (100% of residences to possibly be affected by the name change). Note - Officer was unable to contact residents at 8 & 10 Lawrence Street during period of phone survey

Survey Questions included:

1. What issues do you presently experience due to Vinall Street number?
2. Would you be concerned if your street name was changed?

Results of Initial Engagement

1. What issues do you presently experience due to Vinall Street number?

100% of residents experience problems with mail delivery

Many of the residents are elderly and feel they are becoming too frail to continually have to walk down the street and hand deliver post to the correct address.

50% of residents claim they have problems with taxi delays

2. Would you be concerned if your street name was changed?

83% of residents strongly expressed objection to possible name change.
Many of these residents are elderly and felt a street name or house number change would cause them great difficulty.

17% of residents were ambivalent about the name of the street but strongly expressed a desire for the numbering issues to be solved.

Residents comments included:

1A Vinall St

MRS. ARTHURSON

- Resident experiences problems with mail going to wrong address. Im getting too frail to walk the mail to the right house at the other end of the street.
- Problems with taxi arriving late because they are confused
- 50 years ago my house was number 1 Glenora St. Since then my house address has been changed 3 times already. I couldn't take it happening again.
- I would like my address to stay the same as it is.
- Resident keen to retain her house number as 1 as she was historically the very first resident of the street

1B Vinall St

- Has problems with mail and taxis
- Prefer to keep the street name

DISTANCE IS ONLY ONE STREET WIDTH AND 6 HOUSES! HENCE THE CONSTANT CONFUSION.

1C Vinall St

- Would like the issue to be resolved sooner rather than later
- Not concerned with street name change
- Concern with elderly neighbours coping with possible change *

2A Vinall St

- Occasional mix up with taxi
- I like the street name
- Everyone knows where I am
- Don't want it changed
- Emphatically no

2B Vinall St

- Resident admits there is a lot of talk in the street about the possible name change and high local level of interest.
- Runs a business from home.
- Like the street to stay Vinall
- Resident sees a strong sense of community in the street with residents looking out for each other and share social cups of tea regularly
- Resident expressed concern over neighbours being able to cope with street name change

2C Vinall St

- Resident doesn't think there is that big a problem with the street numbering
- Resident runs a business from the property.
- Has a lot of clients and high level of correspondence
- Resident stressed at prospect of large address changing processes with her business

Conclusions

The majority of residents are experiencing issues effect due to complicated street numbering.

There has been a consistently strong response from the majority of residents against possible street name change.

The age of the residents should be taken into consideration when both choosing the most appropriate approach to progress with the project. Many of the residents interviewed are elderly and expressed high levels of concern/stress over the possibility of having to change their address - even with the support from council and the authorities.

NB. THERE IS ONLY ONE ELDERLY LADY, MRS ARTHURSON AT 1A ON THE WESTERN SIDE OF VINALL

I WOULD THINK I AM OLDER THAN HALF OF THESE PEOPLE

Arthurson

THEY DON'T WANT CHANGE!

I AM BEING FORCED TO CHANGE - FOR NO REASON.

City of Marion

Section 270 Review

Property Address - 1a Vinall Street, Dover Gardens

Appendix B



Properties (linked) (1)	(1/1)
1A Vinal St - Dover Gardens	(1/1)
Property Info	(1/1)
Parcel & Frontage	(1/1)
Owners	(1/1)
Occupier - All	(1/1)

Canal Boundary
Holford
1a, 1b, 1c
Marion
1a, 1b, 1c



Info
Apply Reset

Property Info (1) Parcel & Frontage (1) Owners (1) Occupier - All (1)

Address	Assess. No. (V/L)	Lot/Deck	CT	Area (front sq)	Land Use	Owner Name	Occupier
1A Vinal St - Dover Gardens	343020	10264775*	D75439 A31	Lot: 3	75439 CT: 6001/622	259 m²	1220 - Maisonneuve - 6HG
M J & P A Wilson							

Export

City of Marion

Section 270 Review

Property Address - 1a Vinall Street, Dover Gardens

Appendix C



4188

03/01/2008

City of Marion

P O Box 21

Oaklands Park SA 5046

Dear Sir/Madam,

Re : Allotment 31.7 Laurence Street Dover Gardens SA 5048
1A Vinall Street Dover Gardens

Assessment No . 343020

Certificate of Title Ref : Portion of 5144 / 658

Vendor : Jim Koumbarakos & Margherita koumbarakos

Purchasers : Wendy Faye Wilson
1A Vinall Street Dover Gardens SA 5048

Please find enclosed \$909.00 for outstanding council rates on the above property.

This property settled on 03/01/2008

Please adjust your records accordingly.

A.B.N. 91 691 549 754

505c Brighton Road
Brighton SA 5048

PO Box 550
Brighton SA 5048

DX 58029

Phone (08) 8377 2966
Fax (08) 8296 2032

Mobile 0419 858 461
email: ahoz@blypond.net.au

SCANNED

A to Z CONVEYANCING

505c Brighton Road Brighton SA 5048

Bank of
South Australia

BRIGHTON, 497 BRIGHTON ROAD, SA

FILE No. 4188

CHEQUE No. 13047

DATE 03/01/2008

PAY THE SUM OF DOLLARS

HUNDREDS OF THOUSANDS	TENS OF THOUSANDS	THOUSANDS	HUNDREDS	TENS	UNITS	CENTS
Zero	Zero	Zero	Zero	Zero	Nine	00

\$ 909.00

TO CITY OF MARION

OR
BEARER

For and on behalf of
CORNELIS VERMEY T/A A TO Z CONVEYANCING TRUST ACCOUNT

013047 105004 210574 18648

City of Marion

Section 270 Review

Property Address - 1a Vinall Street, Dover Gardens

Appendix D

18 July 2008

Ms W Wilson
1/7 Laurence Street
Dover Gardens SA 5048

Dear Ms Wilson,

Thank you for your letter, dated 17 June 2008 in regards to your concern in regard to the method in which Council chose to number a recent sub division at the property formally known as 7 Lawrence Street Dover Gardens (cnr of Lawrence and Vinall Streets).

When the property, formerly known as 7 Lawrence Street, was sub-divided the developer numbered the properties 1/7, 2/7 and 3/7 Lawrence Street, Dover Gardens without first checking with Council who is the governing body responsible for the numbering of buildings and allotments within its Council boundaries. Given that the properties face Vinall Street, Council subsequently allocated the three new allotments with the numbers 1A, 1B and 1C Vinall Street.

Pursuant to Chapter 11, Part 2, Division 5, Section 220 of the Local Government Act 1999, Council takes into account a number of issues when re-numbering properties:

1. Provide a street number that assist with the efficient and effective location of properties.
2. Prevent inconsistency, inadequacy and confusion by providing a street numbering system that is simple to manage, logical to users and uniform to all properties within the City Of Marion and adjoining localities.
3. Ensure that properties are numbered in accordance with the street that they face.
4. That properties will be effectively located by State Emergency Services in the event of an emergency.

Following the re-numbering of the three allotments, it was brought to Council's attention that there is also a 1A, 1B and 1C Vinall Street, Brighton located on the other side of Lawrence Street in the City of Holdfast Bay.

I can also confirm that, during the course of telephone conversations with yourself, Council staff have explained that there is a double up of numbering and the issues Council takes into account when allocating numbers to new allotments.

Given the circumstances of the new development facing Vinall Street and the properties already number 1A, 1B and 1C Vinall Street Brighton (in Holdfast Bay Council), Council has determined that the properties will now be known as 3A, 3B and 3C Vinall Street, Dover Gardens. Whilst not sequential, (the adjoining property being No 1 Vinall Street), Council considers this the best outcome for a efficient and effective location of these properties.

The change of address will be effected on 1 August 2008 and below is a list of services Council will notify;

- Property owners
- Australia Post
- Telstra
- State Electoral Department
- AGL
- ETSA Utilities
- Origin Energy
- Land Titles Office
- Department for Information and Administrative Services
- Division of Boothby
- Australian Electoral Commission
- SA Water
- SA Police Department – Sturt Police Station
- SA Ambulance Service
- Department for the Commission of Land Tax

We note your concerns in regard to you mail being lost and people not being able to locate your property, however, changing the address to 3A Vinall Street, Dover Gardens should alleviate those concerns.

We note that Kris Hanna MP and Chole Fox MP have been in contact with Council on your behalf. I confirm that Council has written to Kris Hanna MP and Chole Fox MP, separately addressing your concerns.

Thank you for raising your concerns. Please contact me on 8375 6601 should you require any further information.

Yours sincerely

Jeff Rittberger
Acting Chief Executive Officer

17/7/08

Mr. Mark Seale
CEO Power Council
PO Box 31
Oxlands Park. SA. 5046

WENDY WILSON

RECEIVED
CITY OF MARRION
INFORMATION MANAGEMENT
16 JUL 2008
File No. 1467.2-1 Rec 10
2 5 6 7 8 10 P
COANNED

- Dear Mr. Seale,
- I would regarding the matter of council meeting to change the start address of the Oxlands wardly purchased by our family, in Oxley Gardens.
- This House and. Alled those have, I believe already contacted you and the head Mayor officials negotiation and is looking at this matter.
- The Undersigned offer has checked me to request answers to the following:-
- (1) Clarification, due to lack of communication from the council.
 - (2) Why has no public meeting or consultation with individuals occurred?
 - (3) Why has council waited until most will not in the planning stages when people purchased an address. (Self plans etc, by what legal authority does the council change individuals addresses.
 - (4)

Thank you
Yours faithfully
Wendy Wilson

17 LAURENCE STREET
DOVER GARDENS
SOUTH AUSTRALIA 5046

Please see need
assistance.

All

17/7/08

(18)

WENDY WILSON

My dear
Can I add, that my daughter produced
this writing paper which, as a Christmas
gift.

* Lawrence does hold significance for us.

* I don't believe we would have pursued
unbuilt property on Minwall St. * It is a
very quirky, old and now a large * * *
might village is to be built (a few doors
down, on Minwall St (Street can affect value)
So as well as all the duplication of most
there will be a lot more mail coming
to Minwall St.

* Lawrence St. is a nice straight street
and everyone finds us here. I have 10 up
thought my neighbour in no. 5 has a cherry
plum, and my letterbox - which has clearly
been established as unmovable, by both
concrete involved! (No apologies needed!)

* I have been accused by Marion Mc. Turner of
being irrational because I have a preference
for Lawrence St. and an ill daughter. The

177 LAURENCE STREET
DOVER GARDENS
SOUTH AUSTRALIA 5048

women has been, in turn, dismissive, aggressive,
lecturing, insulting, illogical and 'buffed with
the whip' (jealous) of the town authority and
threatening.

Wendy

SCANNED

30 July 2008

Ms Wendy Wilson
1/7 Laurence Street
Dover Gardens SA 5048

Dear Ms Wilson

I am responding to your letter dated 17 June 2008 and my visit to your premise on Thursday 30 July. I appreciate your concern with the street number process involving your property and your preference for a Laurence Street address.

As discussed, Council applies a street numbering policy for all sub-divided sites and new dwellings pursuant to Section 220 of the Local Government Act 1999 and in accordance with street numbering standards (Australian Urban Addressing Standards). In the case of new residential dwellings the properties are numbered according to the road way they front (or from where the property's main vehicle access point is located). The use of commonly accepted numbering practice is to ensure ease of identification which is particularly important for emergency services attendance.

My visit to the site confirmed that a new corrugated fence forms a visual barrier to Laurence Avenue frontage. It remains our determination that the three new units face Vinall Street and should have a Vinall Street address. The numbers allocated are 1a, 1b, 1c Vinall Street, Dover Gardens.

Where there is a logical alternative to addressing assigned by Council, which is still in accordance with Council numbering practices, Council will try to accommodate these requests. However, for reasons set out in this letter, Council believes it would be inappropriate to agree to Laurence Street address.

If you have any further queries regarding this matter please do not hesitate to contact me or in my absence, Kathy Jarrett on 8375 6720.

Yours sincerely

Jeff Rittberger
Director, Governance

14.67.2.12
OUTR08/1032234D

30 July 2008

Ms Chloe Fox MP
Member for Bright
7 Sturt Road
Brighton SA 5048

Dear Ms Fox

Thank you for your letter, dated 30 June 2008, on behalf of your constituent Ms Wendy Wilson of Dover Gardens.

Ms Wilson expressed concern in regard to the method in which Council chose to number a recent sub division at the property formally known as 7 Lawrence Street, Dover Gardens (corner of Lawrence and Vinall Streets).

It should be noted that Jeff Rittberger, Director Governance met with Wendy Wilson on site and believes that the numbering should remain as is. Please find enclosed a copy of the letter sent to Ms Wilson explaining the determination.

Ms Wilson has also written to Kris Hanna MP and to our Chief Executive Officer, Mark Searle.

Thank you for raising your constituent's concerns. Please contact me on 8375 6611 should you require any further information.

Yours sincerely

Karina Watt
Executive Assistant to the Mayor

14.67.2.12
OUTR08/1032234D

Kris Hanna MP
Member for Mitchell
867 Marion Road
MITCHELL PARK SA 5043

30 July 2008

Dear Mr Hanna,

Thank you for your letter dated 15th July 2008 on behalf of your constituent Ms Wendy Wilson of Dover Gardens

Ms Wilson expressed concern in regard to the method in which Council chose to number a recent sub division at the property formally known as 7 Lawrence Street, Dover Gardens (corner of Lawrence and Vinall Streets).

Please note that Jeff Rittberger, Director Governance met with Wendy Wilson on site and believes that the numbering should remain as is. Please find enclosed a copy of the letter sent to Ms Wilson explaining the determination.

Ms Wilson has also written to Kris Hanna MP and to our Chief Executive Officer, Mark Searle.

Thank you for raising your constituent's concerns. Please contact me on 8375 6611 should you require any further information.

Yours sincerely

Karina Watt
Executive Assistant to the Mayor

cc Chloe Fox MP

OFFICE OF THE MAYOR

14.672.12
OUTR08/395515CS

5 August 2008

Ms Wendy Wilson
1/7 Laurence Street
Dover Gardens SA 5048

Dear Wendy

I wish to clarify our discussions further to our meeting on 1st August 2008 in regard to your concern over the numbering of your residence at 1/7 Laurence Street, Dover Gardens.

At our meeting I assured you that the City of Marion will contact Holdfast Bay City Council to determine their position on street numbering in Vinall Street, Brighton. This has now occurred and we have been advised that the numbering will not be changed in the immediate future. The City of Marion acknowledge that the numbering in Vinall Street and the numbering process overall can be improved. This circumstance is a systemic issue that affects Council boundaries rather than one of individual property numbering. As such, the City of Marion will be working with Holdfast Bay City Council to improve these processes.

I have spoken with the City of Marion CEO, Mark Searle, in regard to your assertion of less than satisfactory customer service and dealings with staff in the Rates Department. I have also brought the CEO's attention to your dissatisfaction about the process of numbering and the lack of information provided to you at the planning and development stage.

I appreciate your frustration with this matter however we need you to be patient as we work through this process. I wish to assure you that information will be provided to you as it arises and an outcome for residents in both Councils is reached.

In the meantime, if you have any queries please do not hesitate to contact Ms Kathy Jarrett on 8375 6720.

Yours sincerely



Felicity-ann Lewis
Mayor



PO Box 21, Oaklands Park
South Australia 5046

245 Sturt Road, Sturt
South Australia

council@marion.sa.gov.au
www.marion.sa.gov.au

Phone +61 (08) 8375 6611
Fax +61 (08) 8375 6856
Email: mayor@marion.sa.gov.au

Mr Mark Searle
CEO Marion Council
PO Box 21 Oaklands Park
South Australia 5046

RECEIVED CITY OF MARION INFORMATION MANAGEMENT	SCANNED
12 AUG 2008	
File No: 1467212	DocID: _____
2 5 6 7 8 10	P

7/8/08
1/7 LAURENCE ST.
DOVER GARDENS, SA 5041
Ph: 8358 0704

Dear Mr Searle,

Please ^{refer} to my previous letter to you, 17/7/08.

In your absence, I was visited by Mr. Jeff Rittberger, at my home in Dover Gardens. This is right on the border of Brighton . Cnr. Laurence and Vinall Streets.

We purchased last year, one of three new Townhouses, moving from Interstate Febuary last . Our new neighbour in the cnr. Unit told us that he had been instructed by Council to change his address. We have actually never had anything in writing from the Planning Dept. All of our documentation re purchase, was verified by developer prior to purchasing and ,of course Conveyancers were used also.

Mr. Rittberger has gone on leave and obviously did not have time to talk to other people involved as promised. There are at least 8 parties involved. The issue has been going on for over 6 months.

We were assigned, verbally, an address that is already taken on the Brighton side, including the actual Post Code. Council agreed that this is not appropriate and assigned another inappropriate no. Holdfast Bay is aware of this situation and strongly objects. I have spoken to them on at least 2 occasions. They claim to have Emailed regarding it to Marion Council. We seem to be caught between 2 Councils and without someone who can hold all of the facts of the matter in their head, at the same time.

Now are now advised to go back to the original assigned , duplicated address.

Now. We realize that we are asking for an exception to be made in this unusual circumstance. We understand that Council considers 'Aspect'. There are hundreds of exceptions like this one.

Our neighbour Mr Hocking, in the corner unit is willing to consider opening up the corner by removing sections of fencing which were put up by the Developer and not at his request. We cannot speak for the Developer

It would be most appreciated if your PA would make an appointment for you to come out here personally. There is very much a visual understanding needed here.

Thank you, in the hope that we can reach a conclusion. Please do read prior notification.

Yours faithfully,


Wendy Wilson

FOR THE WILSON FAMILY,

Further to complaint re street address changes for 7 Laurence Street Dover Gardens

From: Wendy Wilson <wilsons46@hotmail.com>
To: <council@marion.sa.gov.au>
Subject: For the attention of Jeff Rittberger
Date: Thursday, 11 September 2008 12:08 PM

From: wilsons46@hotmail.com
To: michael.stewart@marion.sa.gov.au
Subject: 7 Laurence Street Dover Gardens
Date: Thu, 11 Sep 2008 12:32:32 +1000

Dear Michael,

Further to our phone call this morning regarding the situation with our address at 7 Laurence Street Dover Gardens.

We feel that our situation with 7 Laurence Street is really not associated with the issue of 1 Vinall Street. That issue was pre-existing between the owners of No. 1 on the Dover Gardens side and No's 1a, 1b and 1c on the Brighton side.

Our situation is that we purchased 7 Laurence Street and with to retain it. The behaviour of the council has been appalling. We understand the guidelines regarding orientation however we assert that an exception can and should be made here. Mr Hocking in the corner unit now has a second driveway entrance from Laurence Street he is also willing to bring the fence line back so that the corner is more open. His mail box would then face Laurence Street. He is also happy to have a sign on his fence as at No. 36 Laurence Street. Once Mr Hocking is established as No. 7 we all follow.

We assert our right at No. 7 to make secure our address, which affects all kinds of legal matters. It shouldn't be necessary to resort to litigation to be dealt with personally and appropriately. Thus far this has not happened. For Mr Rittberger to come here with no time to give to the situation, as he was going on leave, was a waste of his time and mine. He obviously had no time to consult other people as he said he would. He simply directed us to go back to the duplicated No. which the council had already admitted was not appropriate. Had we simply gone along with council's ill-considered directives we would now have had three address changes. The legal and logistical implications of changing ones address are extremely significant.

Yours Faithfully
Wendy Wilson



ombudsman
south australia

Enquiries: Holding Officer
Telephone: 8226 8699
Ombudsman reference: 76250C02
Agency reference:

Ms Wendy Wilson
1/7 Laurence Street
DOVER GARDENS SA 5048

SCANNED

RECEIVED
CITY OF MARION
INFORMATION MANAGEMENT

15 SEP 2008

File No: 14.67.2.12 Doc ID:

2 5 6 7 8 10 P

COPY

12 September 2008

Dear Ms Wilson

Re: Complaint against the City of Marion

I refer to your complaint, of 8 September 2008, about the actions of the City of Marion (the Council) in relation to your concerns with respect to the street numbering process involving your property. I acknowledge your prior telephone contact with my office on 22 August 2008 with respect to this matter.

In addressing your concerns I take this opportunity to briefly mention some important details about the Ombudsman's role:

- As Ombudsman, in the absence of evidence of *maladministration*, I do not undertake a review of the merits of an agency's administrative decisions.
- As Ombudsman, I have no legal authority to require (i.e. compel) an agency to change its decision and to substitute my own decision for that of the agency. I have legal authority to investigate the *administrative acts* of relevant agencies and to make recommendations. If I find that those administrative acts were not made in accordance with the principles of administrative law i.e. that the administrative act complained of is, amongst other things, contrary to law, unreasonable, based on a mistake of law or fact, etc, I can refer the matter back to the agency with the recommendation that the necessary corrective action be taken. It is possible, however, that after taking the necessary corrective action, having regard to all the circumstances, the ultimate decision by the agency may be the same.

I note you received a letter, dated 5 August 2008, from the Mayor of the Council, Ms Felicity-ann Lewis with respect to this matter. It is my view that the contents of that letter properly explains the manner in which Council are currently managing, what appears to be, a quite complex matter also involving an adjoining Council. Ms Lewis, in her letter, acknowledges your frustration in this matter and informed you that you will be provided with information "as it arises and an outcome for residents in both Councils is reached".

Furthermore, I also note Mr Jeff Rittberger, Director, Governance of the Council wrote to you on 30 July 2008 explaining the process adopted by Council in applying street numbering for subdivided sites and new dwellings.

Whilst I appreciate your level of concern and frustration in this matter, it is my opinion having regard to the facts of the matter, at this stage, there is no evidence of *maladministration* on the part of the Council. This is because Council are still working through the process and in light of the fact that the process is subject to consultation with another Council it would seem reasonable that longer than expected delays could occur. You are of course at liberty to contact the Council for the details provided to you in Ms Lewis' letter of 5 August 2008, to obtain an update on the progress of the matter.

At this stage it is my opinion that an investigation of this matter would not justifiable. If however, the Council fail to respond, or do not respond appropriately, you may recontact my office to seek further consideration of your complaint.

Please note, I have forwarded a copy of this letter to the Council for their information.

Accordingly, at this stage, take no further action in this matter.

Yours sincerely



KI MacPherson
ACTING OMBUDSMAN

cc Ms Felicity-ann Lewis, Mayor, City of Marion

City of Marion

Section 270 Review

Property Address - 1a Vinall Street, Dover Gardens

Appendix E

Ref: 14.67.2.12



Ms Wendy Wilson
7C Laurence Street (number under review)
DOVER GARDENS SA 5048

PO Box 21, Oaklands Park
South Australia 5046

245 Sturt Road, Sturt
South Australia

council@marion.sa.gov.au
www.marion.sa.gov.au

Phone +61 (08) 8375 6600
Fax +61 (08) 8375 6699

6 November, 2008

Dear Ms Wilson,

Street numbering – Corner of Vinall and Laurence Street, Dover Gardens

As you would be aware, there have been recent discussions concerning the street numbering of your property on the corner of Vinall and Laurence Street, Dover Gardens.

I understand that Nicola Graves from Council's Rating Services Department has spoken to you recently regarding options being considered by Council to determine the most appropriate numbering for your dwelling. Of the three owners and two occupiers canvassed regarding the possibility of renaming the western end of Vinall Street, Brighton, the majority (two owners and one occupier) were in favour of the proposal put forward.

The options and associated matters considered by Council were:

Option Considered	Comment
1. Numbering your dwelling within the sequence 7A, 7B, 7C Laurence Street.	Given that the three dwellings in question are no longer orientated towards Laurence Street, this option is not in accordance with Australian Street numbering standards. Accordingly, this option is not being pursued.
2. Numbering your dwellings – 1A, 1B and 1C Vinall Street, Dover Gardens and making no further changes.	This option is not being pursued by Council given it would result in duplicated numbering of dwellings less than 150 metres apart (although a different suburb.)
3. Renumbering <i>all</i> dwellings on Vinall Street to provide consecutive numbering.	This option would require a minimum of 58 dwellings to be renumbered and is considered beyond 'reasonable' change. This option is therefore not being pursued.
4. Numbering your dwelling within the sequence 1A, 1B and 1C Vinall Street and renaming the portion of Vinall Street west of Laurence Street.	This option is the preferred option being pursued by Council. Refer below for further details.



First SA council
awarded Environmental
Management Systems
accreditation

International
Swim Centre
for Marion



It is the City of Marion's intention to partner with the City of Holdfast Bay in undertaking community consultation with the owners and occupiers of Vinall Street on the western side of Laurence Street to consider renaming and numbering their end of the street. Renaming the western end of Vinall Street will assist in alleviating potential numbering issues if and when further sub-division of properties in this locality occurs as well as freeing-up a Vinall Street number to be used for your dwelling. This option also affects fewer owners and occupiers than if the City of Marion was to rename the eastern end of Vinall Street (6 properties, as opposed to in-excess of 52 on the eastern end of Vinall Street, Dover Gardens.)

This process may take some months to resolve, however previous meetings with senior members of the Holdfast bay administration have indicated that they are receptive to assisting with the name change for both their own and the City of Marion's Ratepayers and residents. When consultation has concluded, Council will formally advise you of the address assigned to your property. Please note that if the western portion of Vinall Street is not renamed, further examination of the options will be undertaken.

If you have any queries regarding the status of the public consultation or the process being undertaken, please do not hesitate to contact me.

Yours sincerely,



Kathy Jarrett
Manager, Governance

Cc Acting Ombudsman, Mr Ken MacPherson
Australia Post
Owners and occupiers of the properties currently known as 1A, 1B and 1C Vinall
Street, Dover Gardens
Owner of 1 Vinall Street, Dover Gardens

Telephone (08) 8375 6720
Email kathy.jarrett@marion.sa.gov.au

City of Marion

Section 270 Review

Property Address - 1a Vinall Street, Dover Gardens

Appendix F

VINALL STREET - Door Knocking Report

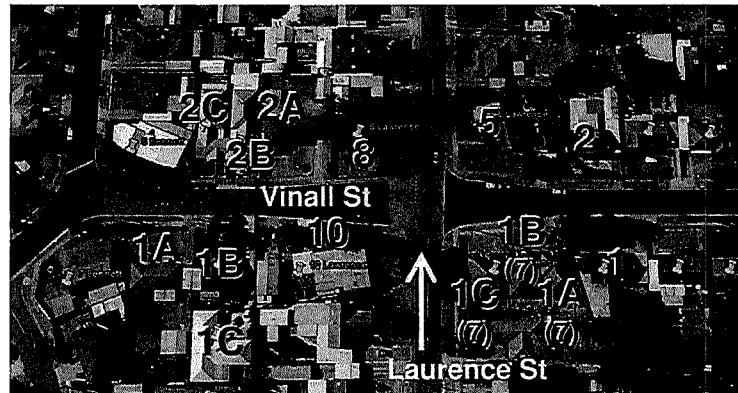
CITY OF MARION / HOLDFAST BAY

By Valli Morphet & Anthony Marioncelli

1. Project Background

Vinall Street runs in an east west direction one block south of Sturt Rd, straddling the boundary of Dover Gardens and Brighton (hence of the City of Marion and Holdfast bay council boundaries).

The street numbering of Vinall Street Brighton and Vinall Street Dover Gardens, has become complicated. Through historical subdivision evolution and Council boundary issues, Vinall Street property numbers run sequentially from 1 onwards in an easterly direction from Lawrence Street. However on Vinall St West of Lawrence street property numbers 1A, 1B, 1C, 2A, 2B and 2C exist.



Additional infill development is adding to the numerical disorder. The result is residents experience regular problems with postal delivery, taxis are often experience difficulties however more serious possible implications include delayed arrival of emergency services.

Marion Council and City of Holdfast Bay are collaborating on a community engagement process. Pre-engagement in the form of an informal phone survey, was conducted in March 09. Residents of Vinall Street between Lawrence St and Bennett St were contacted to establish present issues and gauge public response to possible street name change. Results were collated in the Vinall St Pre-Engagement Report, produced by VM from the City of Marion.

The majority of residents are experiencing issues due to complicated street numbering however there was consistently strong response from the majority of residents against possible street name change.

Many of the residents interviewed are elderly and expressed high levels of concern/stress over the possibility of having to change their address - even with the support from council and the authorities.

2. Community Engagement Activity

Anthony Marioncelli of Holdfast Bay and Valli Morphet from the City of Marion conducted door knocking of the affected residents on the morning of the 18th of June, 2009.

A total of 12 residents were involved in the door knocking activity with an additional two property owners, both residing in Victoria, yet to respond to correspondence and provide comment.

Residents were:

- Provided with feedback over the previous Pre-Engagement activity
- Informed about the letters received by Council from the SA Ambulance Service, the Metropolitan Fire Service, SAPOL and Australia Post, and the concerns raised within them
- Given opportunity voice their concerns and ideas to resolve the situation.

Council also discussed with residents their response to the options of:

- Renaming the Western End of Vinall Street
- Renumbering the length of Vinall Street or
- Adding a prefix or suffix to the street name (eg West/East Vinall St) and retain their present street numbering.

Residents involved with the activity included households: 1A, 1B, 1C, 2C, 2B, 1C, 1, 2A, 2, 1C (7 Laurence), & 1A (7 Laurence).

Phone conversations held with 10 Laurence St, 1C (7 Laurence), & 1A (7 Laurence).

Information posted to property owners of 1A (7 Laurence St) and 1B (7 Laurence St) and awaiting responses.

Feedback was sought from other stakeholders on the issue. Correspondence was received from South Australian Police, Australia Post, SA Ambulance Service and the Metropolitan Fire Service which outlined their concerns.

3. Exploration of the Issue

From the engagement activity it is evident that there are two related issues causing concern and difficulty to residents and visitors to the western end of Vinall Street.

Issue 1:

The first issue relates to the close proximity of duplicated street numbers with numbers 1A, 1B, 1C, 2C, 2B, 1, 2A, 2, 1C (previously Laurence), 1B (previously Laurence) & 1A (previously Laurence) all existing within a stretch ofm of Vinall St.

This causes mail delivery problems and taxi delays to residents on a regular basis.

Correspondence from the emergency services clearly states that the situation could create a significant risk of delay in time critical emergency situations.

Issue 2:

Subdivision of 7Laurence St has compounded the numeric confusion experienced by Vinall Street residents. The three recently constructed properties are directed towards Vinall, with front door and driveways facing north on Vinall St. Marion Council, who is responsible for

designating house numbers, allocated the house numbers 1A, 1B & 1C Vinall Street to these dwellings.

Resident in 1A (7 Laurence), who is a tenant in the property, strongly desires to retain the address 7 Laurence, is experiencing high levels of personal stress over the situation. The owner of the property, tenants brother in law, has yet to provide comment.

Resident in 1C (7 Laurence- the property on the corner) strongly desires to maintain the 1C Vinall St address designated by Council. A small neighbourhood dispute is growing over the situation.

Resident in 1B (7 Laurence), the property developer, has yet to provide comment.

4. Summary of Residents and Emergency Services Responses

Very strong desire was expressed in all but one of the residents involved in the engagement activity to retain the street name 'Vinall' (91.6% of the group).

Extremely strong desire in one of the residents involved in the engagement activity to retain the street name 'Laurence' (8.3% of the group).

Equally strong comments expressed by residents on the Holdfast Bay and Marion sides of Vinall that it is 'not our problem' and 'make the others change their side'.

Metropolitan Fire Service, South Australian Police and SA Ambulance Service all expressed great concern over close proximity of replicated numbers in the same street. They also made similar comments that the present numbering situation poses a risk to public safety regarding delays in critical time situations. All three emergency services encourage rectification of the issue with renumbering of the properties presented as the most acceptable solution

Australia post presently experiences problems delivering post and expressed a preference for renaming 7 Laurence St properties with 1D, 1E and 1F.

5. Collated Residents Comments

Residents comment collated into prioritised dominant themes. Repeated comments marked with a numeric reference as to how many times the general comment is repeated.

Mail issues

- Resident has problems with mail delivery x 6
- Once had resident go on holiday and had 4 month delay in receiving mail
- Post office is slow to respond to requests to pick up and redeliver mis-directions.
- Once came home to find a brand new queen sized bed on doorstep (misdelivered)
- Wine boxes often misdellivered
- Lots of redirections causing issues
- Paying \$75 a year for a post box

Against change

- Prefer to keep things how it is x 5
- Been here since 1967
- 3 address changes already

For Prefix/suffix

- Preference for changing the end of Vinall to West Vinall St x 4
- Replace the word 'Street' with an alternative eg Vinall Lane, Vinall Ave. x 2
- OK with the prefix/suffix idea
- Preference for 'West Vinall' St prefix but wants to keep current name and number
- Already refers to their address as West end of Vinall so would prefer to use the 'compass'
- Change the west end of Vinall back to what it was before (Glenora)

Against Prefix/suffix

- The East/West, prefix suffix idea will cause more confusion x 3

Authority/Service provider issues

- Problems with Telstra, ETSA or AGL x 2
- Electoral Office is confused over the issue too
- Problems with the address on the deeds

More signage

- Put in signage directing where the house numbers may be found x 2

Not concerned

- Not too stressed about problem x 2

Resident sees the confusion but experiences no issues personally *Not our problem*

- We were here first x 2
- The established residents should get priority
- The Vinall family are Holdfast Bay notary/benefactor so it's the Marion side that should be sorted, not the Holdfast side

Taxi/visitor directional problems

- Taxis forever going to the wrong house x 2
- Visitors often get confused

Preference for Vinall address over 7 Laurence St

- Preference for 7 Laurence to become 1D, 1E & 1F Vinall x 2
- Resident believes strongly their address should be Vinall St not Laurence Neighbours '7 Laurence St' address causing a lot of confusion

- Resident has spoken with police and claims they strongly support his preference for Vinall Street address

Preference for 7 Laurence St over Vinall

- Laurence street has a personal meaning to her
- Preference to remain Laurence street
- Does not want Vinall address
- There are many similar precedents to see across the City which supports residents desire to remain Laurence St
- Talking to her lawyers about the problem
- Daughter with illness living in the house and situation causing daughter great stress
- Will take Council to court over the issue if need be
- Resident is experiencing high levels of personal stress with the situation

Business' in street

- Lots of people use the JP services

Postcodes

- Postcodes are the same in Dover Gardens and Brighton which adds to the problem

Understand Emergency Services view

- Understand the possible issues with emergency services

6. Collated Emergency Services Comments

Metropolitan Fire Service

- Concerned about close proximity of replicated numbers in the same street
- Understands difficulty in suburb delineation not reflected in street network
- Satellite mapping technology leaves room for error in critical time situations
- Recommends that while councils are deliberating the issue suburb/street naming could be implemented
- Have placed warning messages in the computer dispatch system

South Australian Police

- House numbering confusion will have an impact on police in an emergency response
- When police are tasked to an address they search for house numbers - regardless of suburb name
- Proximity of duplicate numbers could waste valuable time
- Computer aided dispatch gives a general location circled on a map, not a detailed pin point.
- Close proximity could cause confusion and delay.
- Recommend a renumbering of properties on Vinall or a renaming of a section of the street

SA Ambulance Service

- Believes duplicated number ranges in same street poses a significant risk to public safety and strongly encourages rectification of the issue
- Renumbering of the properties would seem the most acceptable solution
- Neither supports or rejects suburb road naming proposals
- Sa Ambulance Service relies on caller information

Australia Post

- Preference for renaming 7 Laurence St properties with 1D, 1E and 1F.

Appendix 1 - Residents Comments

Holdfast Bay Residents

1A

- Preference for 7 Laurence to become 1D,E & F
- Lots of problems with mail
- East and West will still create confusion
- Idea of Vinall Ave, Close or Lane
- Prefer to keep the name Vinall
- Been here since 1967
- 3 address changes already
- Post office is slow to respond to requests to pick up and redeliver mis-directions.

1B

- Is OK with the prefix/suffix idea
- Refers to their address as West end of Vinall St so would prefer to use the 'compass'
- Idea to replace the word 'Street' with an alternative eg Vinall Lane, Vinall Cottages etc...

1C

- Mail problems
- Prefer to keep things how it is
- Idea to put in signage directing where the house numbers may be found

2C

- We were here first
- Preference for 'West Vinall' St prefix but wants to keep current name and number
- The posty knows where I am

2B

- Leave everything as it is.
- The Vinall family are Holdfast Bay notary/benefactor so it's the Marion side that should be sorted, not the Holdfast side.
- The established residents should get priority
- The East/West idea will cause more confusion
- Our street numbers should be the same

Marion Residents Comments

1

- Taxis forever going to the wrong house
- Once came home to find a brand new queen sized bed on doorstep (misdelivered)
- Wine boxes often misdellivered
- Change the west end of Vinall back to what it was before (Glenora) (1)
- Letters often go to wrong place
- Not to stressed about problems though
- Understand the possible issues with emergency services

1C (corner property, 7 Laurence St)

- Problems with mail
- Once had resident go on holiday and had 4 month delay in receiving mail
- Electoral Office is confused over the issue too

- Prefix/Suffix will cause further confusion
- Preference for changing the end of Vinall to West Vinall St
- 7 Laurence Street address causing a lot of confusion
- Resident believes strongly their address should be Vinall St not Laurence
- Has spoken with police and claims they support his preference for Vinall Street address
- Problems with Telstra and ETSA

1A Vinall (7 Laurence Street)

- Concerns that presently she has no address
- Paying \$75 a year for a post box
- Lots of redirections causing issues
- Doesn't understand how council can allow this to occur
- Problems with the address on the deeds
- Daughter with illness living in the house
- Developer owns 1B and doesn't appear concerned with her problems
- Primary concern is getting her address sorted
- Laurence street has a personal meaning to her
- Preference to remain Laurence street
- Does not want Vinall street address
- Daughter experiences stress with the Vinall street name having to spell it on the phone to people
- Present confusion with the authorities - AGL disconnection
- Talking to her lawyers about the problem
- Will take Council to court over the issue if need be
- There are many similar precedents to see across the City which supports her desire to remain Laurence St
- Postcodes are the same in Dover Gardens and Brighton which adds to the problem
- Resident is experiencing high levels of personal stress with the situation
- Resident has issues with a fence the owner of 1C (7Laurence) has constructed on the corner of the property and feels this does not meet planning regs
- Resident claims that Marion Council have been rude and dismissive

2A

- Taxis forever going to the wrong house
- I want to stay as I am
- Leave my address alone

2

- Visitors often get confused and to 2A
- Not a large problem
- We always presumed that Vinall St started here (east of Laurence st)
- More practical to change the short section (west end)
- Lots of people use the JP services
- Vinall is a well known street

10 Laurence St

- Resident sees the confusion but experiences no issues personally
- Suggested additional signage to sort the situation

City of Marion

Section 270 Review

Property Address - 1a Vinall Street, Dover Gardens

Appendix G

**CITY OF MARION
GENERAL COUNCIL MEETING
11 August 2009**

**REPORT RELATING TO:
Excellence in Governance**

Originating Officer: Valli Morphet, Community Engagement Officer
Mark Gibson, Team Leader Rating Service

Director: Kathy Jarrett, Acting Director Governance

Subject: Street Renaming, Vinall St Dover Gardens

Reference No: GC110809R03

File No: 9.24.1.53

STRATEGIC OBJECTIVES:

EG4.1 Ensuring that Council's engagement, consultation and communication strategies are resourced, and have the means of accessing all stakeholders

EG4.2 Ensuring Council's structure(s) provide for appropriate levels of representation as well as effective decision making

REPORT OBJECTIVE AND EXECUTIVE SUMMARY:

The purpose of this report is to update Council on a collaborative investigation that the Cities of Holdfast Bay and Marion have been undertaking in regards to Vinall Street (which straddles the Cities of Holdfast Bay and Marion) numbering issues and provide a recommendation to resolve the situation.

This report recommends the change in the name of a section of Vinall Street, Dover Gardens to 'West Vinall Street' to resolve the current numerical complications and create a safer environment for residents. The recommendation has been informed by community consultation and input from the State's emergency service providers. The renaming process will be undertaken concurrently and cooperatively between the Councils, with Vinall Street straddling the boundary of Dover Gardens and Brighton either side of the Cities of Holdfast Bay and Marion.

RECOMMENDATION:

1. That pursuant to Section 219(1) of the Local Government Act 1999 Council endorse the renaming a section of Vinall Street, Brighton between Laurence Street and Bennett Street within its jurisdiction to 'West Vinall Street'.
2. That Council consult all affected residents of the decision to rename a section of Vinall Street, Brighton to 'West Vinall Street' and offer the opportunity to seek information and apply for assistance to facilitate the changeover process.

3. That Council advise the local State and Federal Members of Parliament of the decision to rename a section of Vinall Street, Brighton to 'West Vinall Street' and advise of the opportunity given to affected residents to apply for assistance to facilitate the changeover process.
4. That pursuant to Section 219(3)(a)&(b) of the Local Government Act 1999 Council notify the Registrar General, the Surveyor-General and the Valuer General of the change in the name of a section of Vinall Street, Brighton to 'West Vinall Street'.
5. That pursuant to Section 219(4) of the Local Government Act 1999 Council publish a public notice of the resolution to change the name of a section of Vinall Street, Brighton to 'West Vinall Street' in the Guardian Messenger.
6. In consultation and cooperation with the City of Holdfast Bay, Council plan and install the appropriate infrastructure and street identifiers (including street signs and kerb painting) to reflect the renaming of a section of Vinall Street, Brighton to 'West Vinall Street'.
7. That Council notify the various State emergency service providers, Australia Post, and the street directory publishers of the decision to rename a section of Vinall Street, Brighton to 'West Vinall Street'.

DUE DATES:

Recommendation 1	11 August 2009
Recommendation 2	August 2009
Recommendation 3	August 2009
Recommendation 4	August 2009
Recommendation 5	August 2009
Recommendation 6	August / September 2009
Recommendation 7	August 2009

BACKGROUND:

Vinall Street runs in an east west direction one allotment south of Sturt Road, straddling the boundary of Dover Gardens and Brighton either side of the Cities of Holdfast Bay and Marion. As a result of sub-divisions, the street numbering of Vinall Street Brighton and Vinall Street Dover Gardens has become complicated. Currently, property numbers run sequentially from 1 onwards in an easterly direction from Laurence Street. However, west of Laurence Street, Vinall Street properties are numbered 1A, 1B, 1C, 2A, 2B and 2C.

Additional infill development is adding to the numerical complication. The result is that residents experience regular problems with postal delivery, and taxis often experience difficulties locating properties. Other implications include the possible delayed arrival of emergency services. To address this issue, the possibility of renaming the western end of Vinall Street between Laurence Street and Bennett Street in accordance with the Local Government Act 1999 was explored jointly by the Cities of Holdfast Bay and Marion.

DISCUSSION:

Key Issues

Section 219 of the Local Government Act 1999 provides councils with the power to assign a name, or change the name, of a road or public place.

Following the identification of numbering complications at Vinall Street, initial engagement was undertaken via telephone discussions with residents who may be affected by a name change in order to gauge their initial feedback. Although the majority of residents are experiencing issues due to complicated street numbering, the primary response from the majority of residents indicated they were against a street name change.

In contrast to resident's concerns, the State's emergency service providers (SAPOL, MFS, SA Ambulance) have expressed written concern about finding Vinall Street residents in times of urgent need. Australia Post has also provided written advice seeking a renumbering or change of street name. Specifically, Metropolitan Fire Service, South Australian Police and SA Ambulance Service all expressed concern over close proximity of replicated numbers in the same street. They also made similar comments that the present numbering situation poses a risk to public safety regarding delays in critical time situations. All three emergency services encourage rectification of the issue.

Responses from the State's emergency service providers are provided as Appendix 1 to this report.

After gathering the above information, a joint door knock of affected residents was undertaken to further consult on a possible street name change. The face-to-face meetings provided the opportunity to reassure residents that, irrespective of the decision taken, the respective councils would provide support to facilitate the change-over period. During this process, residents were:

- Provided with feedback from the initial engagement activity;
- Informed about the letters received by Council from the SA Ambulance Service, the Metropolitan Fire Service, SAPOL and Australia Post, and the concerns raised within them; and
- Given an opportunity to raise their concerns and ideas to resolve the situation.

Council also discussed with residents their response to the options of:

- Renaming the western end of Vinall Street;
- Renumbering the length of Vinall Street; or
- Adding a prefix or suffix to the street name (eg West/East Vinall St) and retain their present street numbering.

The feedback from the interviews reaffirmed the original feedback that a majority of residents are experiencing issues due to complicated street numbering, however there was a consistent response from the majority of residents against a possible street name change.

Options Available

Relevant staff from both the Cities of Holdfast Bay and Marion considered the outcomes of the community consultation and identified the following options:

1. Renumbering the entire length of Vinall Street;
2. Renaming the Western End of Vinall Street (eg change it back to its original name Glenora Street);
3. Adding a prefix to the street name (eg West Vinall Street) and retain their present street numbering; or
4. Changing the western end of Vinall Street to Vinall Lane

Having regard to the general opposition to changing house numbers and for removing reference to 'Vinall' from addresses, it is considered that the most appropriate option is 'Option 3' being that the western end of Vinall Street be renamed 'West Vinall Street', for a combination of reasons including:

- Practicality;
- Retains reference to 'Vinall';
- Minimises negative effect on the least amount of people;
- Assists emergency services location/dispatch;
- Is acceptable to the Geographic Names Unit;
- Provides a ready solution through the installation of street signs and curb markings;
- Upholds the duty of care council has to its residents; and

To facilitate a smooth changeover, staff from both the Cities of Holdfast Bay and Marion note that the councils could:

- Provide street signage at 4 locations clearly stating where West Vinall Street and Vinall Street start and end;
- Paint street names on the kerbs at the junction of West Vinall Street and Vinall Street; and
- Provide reasonable assistance in changing addresses with the relevant authorities.

Where to from here?

There are legislative obligations which need to be met following Council's decision with respect to this matter. Firstly, under Section 219 of the Local Government Act 1999 the council must notify the Registrar-General, the Surveyor-General and the Valuer-General of the assignment of the change of a street name. A Public notice must be given of a resolution assigning or changing a name. Concurrently, Council will consult the community of the outcome and explain in detail the reasons for the decision, providing a support network to assist with further questions and for seeking assistance with the changeover process. Local State and Federal Members of Parliament will also be contacted and provided with a detailed report on the matter.

The final stage of the process will be to install the necessary infrastructure to reflect the street name change, including street signs and markings in prominent locations. The various State emergency providers and Australia Post will be advised of the decision, as will the street directory publishers, including Urban Business Directory and Gregory's, as a means to ensure the new street name is reflected in the new editions of their respective publications.

INTERNAL ANALYSIS:

Legal / Legislative and Risk Management:

The present numbering situation poses a risk to public safety regarding delays for emergency services in critical time situations. Councils, as the authorities responsible for designating property numbers, have a duty of care to residents to ensure that property addresses may be located with absolute minimised risk of time delay.

Financial Implications:

There may be an immediate need to assist residents through the changeover process by providing financial support in reprinting of business related stationary (degree and amount of assistance to be determined following further consultation with affected landowners). It is likely that this cost will be minimal and can be absorbed within the existing budget.

There will also be a need to advertise the name change in the local press, as well as installation of new street signs and identifiers. These operating expenses will be minimal for the City of Marion and will be covered within the existing budget.

CONCLUSION:

In light of concerns expressed by the State's emergency service providers, it is considered prudent to resolve the current street name and numbering complications by the renaming of the western end of Vinall Street to West Vinall Street. Taking this approach also impacts the least number of residents while providing a workable resolution.

Having regard to the community feedback gained through two stages of consultation with affected landowners, it is considered that adding a prefix to the western end of Vinall Street and renaming it 'West Vinall Street' is the best outcome because it retains the present street numbering and maintains reference to 'Vinall'.

The street renaming will result in a change of street address to one Marion resident and five residents of Holdfast Bay.

Appendix 1 – Responses from State Emergency Services

SA Ambulance Service



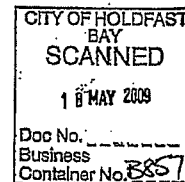
15th May 2009

216 Greenhill Road
Eastwood

GPO Box 3
ADELAIDE SA 5001

Phone 1300 13 62 72
Fax (08) 8271 4844
DX 718 Adelaide

Ms Megan Trezise
Rates Administrator
City of Holdfast Bay
Brighton Civic Centre
24 Jetty Road
BRIGHTON SA 5048.



Dear Megan,

Thank you for seeking our commentary on the house number duplication in Vinall Street in the suburbs of Brighton and Dover Gardens.

As a general rule the SA Ambulance Service Emergency Operations Centre neither supports or rejects proposed road and suburb naming changes, however in this case it is our opinion that having duplicated street number ranges on the same street (albeit in separate suburbs) poses a significant risk to public safety and we would strongly encourage the rectification of the issue.

In considering the rectification solutions proposed, renumbering the properties would seem the most acceptable solution from our perspective.

The less dramatic solution you propose would not be supported as it assumes that any caller for assistance would give SA Ambulance Service sufficient information to make that solution work. From our experience this assumption does not always hold true.

Kind regards,

Kevin Bate
General Manager
Central Patient Services

24 April 2009

City of Holdfast Bay
PO Box 19 Brighton SA 5048

Rates Administrator
Megan Trezise

Re Street numbering between City of Holdfast Bay and City of Marion

Dear Megan

The Metropolitan Fire Service (MFS) is concerned about the close proximity of the dual numbered premises in the same street.

The MFS also understands the added difficulty of the suburb delineation not being associated to a street network.

Although satellite mapping and other technologies are available, the close proximity of the dwellings leaves room for error in time critical situations.

While Council deliberates on this issue a possible assistance during this time could be for clear 'Suburb' naming and Street numbering to be placed at either end of the street.

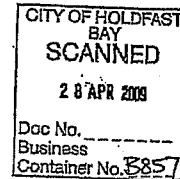
Please note, until resolution, I have placed 'warning' messages on this street in our computer aided dispatch system.

Sincerely



Steve Moir

Communications CRD Systems Manager
Phone: (08) 8204 3852 - Mbl: +61438500479
Fax: (08) 8204 3796
email: moir.steve@samfs.sa.gov.au
Metropolitan Fire Service of South Australia
G.P.O. Box 98, Adelaide, South Australia 5001



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Fax +61 8 8204 3838
www.samfs.sa.gov.au
ABN 26 897 550 904



Government
of South Australia

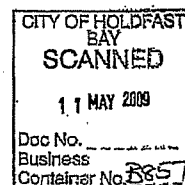


SOUTH AUSTRALIA POLICE
KEEPING SA SAFE

Your Ref:
Our Ref:
Enquiries:
Telephone:
Facsimile:

5 May 2009

Ms. Megan Trezise
Rates Administrator
City of Holdfast bay
PO. Box 19
Brighton SA 5048



Dear Ms. Trezise

I refer to the letter sent by your office regarding the property numbering issue between the City of Holdfast Bay and the City of Marion in Vinall Street, Brighton / Dover Gardens.

The issue of two of properties having the same house numbers will have an impact on police especially in an emergency response. When members are tasked to an address they will inevitably search for house numbers not differentiating between suburbs. From the attached map the two same numbered properties are also very close in proximity which would further complicate any emergency response issue and wasting valuable time. The issue is further complicated by the use of Computer Aided despatch where an address is data entered and the approximate location is provided via a circled area on an electronic UBD map. Again the close proximity of the two properties in question could cause confusion and subsequent delay.

I recommend that at minimum a renumbering of the properties along Vinall Road be conducted or that an appropriate renaming of a section of the street be conducted.

Please don't hesitate to contact me directly if you wish to discuss this issue further.

Yours sincerely


Nils Uellendahl
Sergeant
Planning Officer
Sturt Local Service Area





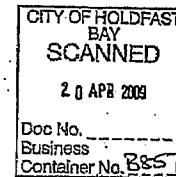
SOMERTON PARK DELIVERY CENTRE

3-5 SEAFORTH AVE
SOMERTON PARK SA 5044

Telephone 08 8309 7430
Facsimile 08 8358 2119
Peter.Bartolo@auspost.com.au

16th April 2009

Megan Trezise
Rates Administrator
City of Holdfast Bay
PO Box 19
BRIGHTON SA 5048



Street numbering issue between City of Holdfast bay and City of Marion.

Dear Megan,

We have considered all viable options for the current duplicated street numbers for Vinal Street and the most effective option for Australia Post would be to re-number 1A, 1B and 1C Vinal Street in Dover Gardens to 1D, 1E and 1F.

This would ensure that mail is delivered to the correct resident regardless of the suburb, which frequently occurs. It also assists with our National Address File which is used for electronically sorting mail in the Adelaide Mail Centre.

Please don't hesitate to contact me direct on 8309 7430 if you require further information.

Yours sincerely

Peter Bartolo
Delivery Manager
Somerton Park Delivery Centre
Telephone: 8309 7430

Street Renaming, Vinall St Dover Gardens
Reference No: GC110809R03
File No: 9.24.1.53

Moved Councillor Verrall, Seconded Councillor Telfer that:

1. That pursuant to Section 219(1) of the Local Government Act 1999 Council endorse the renaming a section of Vinall Street, Brighton between Laurence Street and Bennett Street within its jurisdiction to 'West Vinall Street'.
2. That Council consult all affected residents of the decision to rename a section of Vinall Street, Brighton to 'West Vinall Street' and offer the opportunity to seek information and apply for assistance to facilitate the changeover process.
3. That Council advise the local State and Federal Members of Parliament of the decision to rename a section of Vinall Street, Brighton to 'West Vinall Street' and advise of the opportunity given to affected residents to apply for assistance to facilitate the changeover process.
4. That pursuant to Section 219(3)(a)&(b) of the Local Government Act 1999 Council notify the Registrar General, the Surveyor-General and the Valuer General of the change in the name of a section of Vinall Street, Brighton to 'West Vinall Street'.
5. That pursuant to Section 219(4) of the Local Government Act 1999 Council publish a public notice of the resolution to change the name of a section of Vinall Street, Brighton to 'West Vinall Street' in the Guardian Messenger.
6. In consultation and cooperation with the City of Holdfast Bay, Council plan and install the appropriate infrastructure and street identifiers (including street signs and kerb painting) to reflect the renaming of a section of Vinall Street, Brighton to 'West Vinall Street'.
7. That Council notify the various State emergency service providers, Australia Post, and the street directory publishers of the decision to rename a section of Vinall Street, Brighton to 'West Vinall Street'.

Carried Unanimously

Glandore Community Centre – Community and Neighbourhood Houses and Centres Association Inc – Renewal of Lease
Reference No: GC110809R04
File No: 16.51.1.10

Moved Councillor Tilbrook, Seconded Councillor Victory that:

1. Council acknowledge the renewal of this lease with the Community and Neighbourhood Houses and Centre Association Inc. for a term of two years and 8 months commencing on 1 July 2009 and expiring on 28 February 2012 over portion of the land contained in Certificate of Title Volume 4402 Folio 692, known as Gundy House, Glandore Community Centre, 1/25 Naldera Street, Glandore.
2. Council, pursuant to Section 37(b) of the *Local Government Act 1999* authorises the Mayor and Chief Executive Officer to enter into and execute all documentation necessary to renew this lease.

Carried Unanimously

City of Marion

Section 270 Review

Property Address - 1a Vinall Street, Dover Gardens

Appendix H

SCANNED

Mr Mark Gibson
Principal Rating Officer
MARION Council

Wendy Wilson/ Family
1/7 Laurence Street
Dover Gardens 5048
15/10/09 Ph: 83580704

Reference No. 343020 / Vinall Street, Western end

Dear Sir,

We are dismayed at this token effort to correct 'a situation' in which we have been forced to be involved. This result leaves us unsafe and adrift, really. We cannot cope with this.

* It is every citizen's right to have a secured, individual address.

* An address marks the place where one can be found.

Council and Emergency Services met last year. Emergency Services advised unacceptability of duplicate numbers ie: 1a, 1b, 1c, so close together - The Post Code is identical. They were not consulted by Council, re our conjoined Town houses retaining number 7 Laurence Street, thus effectively removing the 'duplication'. We have since gained their support. The Police have put in cross referencing for our safety and suggested we call the Press.

* Is it appropriate to veto 'our' exception to guidelines, (apparently 4% pa is expected) where advantages prevail? Examples are numerous and details can be provided.

The side fence on Laurence St. was put up by the Developer. The Owner was instructed by the Council to remove part of it as it creates a blind corner. (It is an issue either way.) This instruction has never been acted upon or followed up by Council. *Why is that?
This is a very visible corner. No. 7 can be and will be found: Numbering would assist.
The Council refused to try this, even though it required no change. *Why is that?

* To place an "Affix" such as West, at the end of Vinall does not help US. It is likely to further exacerbate OUR situation. At times people will think that it is Vinall St West Brighton, assume it is a large suburb, long street etc. No one is going to know that there are two sets of 1a, 1b, 1c. They will go to the first one that they see, depending upon entry point.


* No one is going to get their mail or know how long it has been circulating. There are privacy issues with the handling of mail. An elderly, infirm lady could get our mail.

* I have a son away with the Royal Australian Navy, serving our country. In the event of an emergency, it is clear what could happen. It does not meet requirements. The stress is great.

* I wish the record to show that I really do not wish to be 'forced' to air this matter further or take further steps. It does appear to be victimisation and involve disparate agendas.

This letter is intended to open some dialogue - for us, now. We need someone who is capable of an objective overview who may see a reason to revise. Can we start there?

Yours sincerely



Wendy Wilson and The Wilson Family

RECEIVED
CITY OF MARION
INFORMATION MANAGEMENT

21 OCT 2009

File No: 1467-2-12 Doc ID:

2 5 (6) 7 8 10 P

City of Marion

Section 270 Review

Property Address - 1a Vinall Street, Dover Gardens

Appendix I

24 November 2009

Ms W Wilson
1A Vinall Street
DOVER GARDENS
SA 5048



PO Box 21, Oaklands Park
South Australia 5046

245 Sturt Road, Sturt
South Australia

council@marion.sa.gov.au
www.marion.sa.gov.au

Phone +61 (08) 8375 6600
Fax +61 (08) 8375 6699

Dear Ms Wilson

1A Vinall Street & Vinall Street West, Dover Gardens

Thank you for your letter dated 15 October 2009 expressing your concerns over the numbering of the above property and renaming of the western end of Vinall Street to Vinall Street West.

As you are aware, there have been a number of written communications between Council and yourself, as well as the other owners/occupiers of the adjoining properties in this section of Vinall Street and Vinall Street West over the past 18 months. The main aim of these communications has been to reach a satisfactory agreement with all owner/occupiers of this area, which would also be an appropriate solution to Emergency Services and be in accordance with Section 220 of the Local Government Act 1999 and the Australian Urban Addressing Standards.

I refer to our letter written to you on 30 July 2008, where you were informed by Council, that Council believed it would be inappropriate to agree to the above property being identified as a Laurence Street address as requested. The basis for this decision was determined under Council policy pursuant to the above mentioned Legislation and Standards; where in the cases of new residential dwellings, properties are numbered accordingly to the road way they front (or from where the properties main vehicle access point is located). This practice is to ensure ease of identification, which is particularly important for emergency services attendance.

Council then wrote to you on 06 November 2008 following consultation with owner/occupiers and affected parties within the boundaries of the City of Marion. This letter detailed the considered options available following that initial consultation. These options were as follows;

Option Considered	Comment
1. Numbering your dwelling within the sequence 7A, 7B, 7C Laurence Street.	Given that the three dwellings in question are no longer orientated towards Laurence Street, this option is not in accordance with Australian Street numbering standards. Accordingly, this option is not being pursued.
2. Numbering your dwellings – 1A, 1B and 1C Vinall Street, Dover Gardens and making no further changes.	This option is not being pursued by Council given it would result in duplicated numbering of dwellings less than 150 metres apart. (although a different suburb.)
3. Renumbering <i>all</i> dwellings on Vinall Street to provide consecutive numbering.	This option would require a minimum of 58 dwellings to be renumbered and is considered beyond 'reasonable' change. This option is therefore not being pursued.
4. Numbering your dwelling within the sequence 1A, 1B and 1C Vinall Street and renaming the portion of Vinall Street west of Laurence Street.	This option is the preferred option being pursued by Council.



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Council also included within this letter, notification of its intent to partner with the City of Holdfast Bay, in undertaking full community consultation with all the owners and occupiers of Vinall Street on the western side of Laurence Street situated in the boundaries of the City of Holdfast Bay, to consider renaming and numbering their end of the street.

During the period of consultation, all owners and occupiers provided feedback and recommendations to both Councils outlining their preferred choice of solution. The consultation period concluded in July 2009 and an analysis of this feedback and recommendations were undertaken.

Following this analysis, it was determined that the majority of all the owners and occupiers consulted were in favour of the proposal put forward by Council, i.e. to retain the number of your dwelling within the sequence 1A, 1B and 1C Vinall Street and rename the portion of Vinall Street, west of Laurence Street, to Vinall Street West.

Following these recommendations, Council, at its meeting held on 25 August 2009 endorsed the renaming of the Western end of Vinall Street (between Laurence Street and Bennett Street) to that of Vinall Street West.

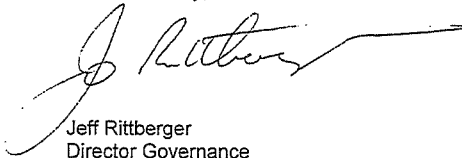
Council believes that it has appropriately complied with due process and procedure and its decision is now final. However the following avenues are available to you should you wish to pursue this matter further;

- The State Ombudsman of South Australia
- S.270 Review

Section 270 of the Local Government Act 1999 requires Council to establish grievance procedures to deal with the processes for the review of decisions made by or on behalf of Council. Attached for your information is a copy of Council's established Review of Decision Policy and Procedure.

If you have any further queries regarding this matter, please do not hesitate to contact me on 8375 6601.

Yours sincerely,



Jeff Rittberger
Director Governance

City of Marion

Section 270 Review

Property Address - 1a Vinall Street, Dover Gardens

Appendix J

Wallmans Lawyers
GPO Box 1018
Adelaide 5001

Mrs Wendy Wilson
PO Box 668
Brighton 5048

Attention Cimon Burke

27th July 2010

Dear Cimon,

Thank you for your attendance yesterday. The extra time you spent was greatly appreciated. I left your offices feeling quite distressed.

You have put forward your knowledge of planning as an advantage. I wonder if you realise how many times you mentioned Australian Standards. In truth, we would not be in this position if those standards were working in this case. The Australian Standards need to be reviewed.

If Councils do not deal with naming and numbering in the actual planning stages, then in addition to other considerations, in cases such as this one it seems that having conveyancing done is a costly waste of time. Nothing is secure.

The Council proves perfectly capable of covering its own back - and being apparently unanswerable for their astonishing behaviour. We need objectivity - from our point of view.

I regret not giving adequate answers to two quite key questions from you. I was upset.

1. Why I have not changed from No. 7 Laurence St. Dover Gardens?

The issue has been ongoing and unresolved for nearly three years. Also the ad hoc, dismissive and aggressive attitude of the Council Planning Dept. was just not rational, but inexplicably defensive and aggressive, then patronising and dismissive. I was told to change from 7 to 1 to 3 to 1!

Everything with regard to house deeds, insurance, banking, business, my son's and daughter's and other personal involvements were transferred to No 7 when we moved here. We have ties with four different States. It is no small matter.

I have an enormous amount of experience with relocation. Sometimes it takes years for everything to settle.

In not allowing myself to be bullied into changing to No.1, I have avoided involvement in the duplication problem which neighbours took care to inform me about! It isn't my fault. I also want my mail to be secure.

Furthermore I have assisted my neighbours by paying for a PO Box and two redirections all this time. I believe that this has been an appropriate and responsible approach. However it cannot continue indefinitely.

The trial which we conducted at Christmas by temporarily removing the redirections resulted in chaos. This was after the Vinall St. West sign had gone up. People go in to the short end of the street to look for No. 1.

It has already been accepted that people often do not differentiate between Dover Gardens and Brighton at the boundary. It requires prior knowledge of the area.

* This is what started the 2006 action. And there was no real duplication then. *

This being established, I cannot understand why anyone would think that adding West after Vinall would help with the duplication of Vinall, or the duplication of the 1a, 1b, 1c. with only a road and a house in between. Particularly when 7 is in a totally sequential pattern. "People" expect to find No. 7 just where it is. With numbering, it is failsafe - secure.

You asked about people - who are these people who have commented and or had or may have in the future, difficulty with our being 1a Vinall? As a Behaviourist, perhaps I should be saying 'general behaviour patterns indicate' rather than using the umbrella of people. However it includes neighbours, postman, taxis, couriers, tradesmen, utility services, extended family, friends and acquaintances and any other people who have cause to come to our home. This also must include the RAN (Navy, my son) and Carers Assist. (my daughter).

2. Do we help other people by retaining No. 7 Laurence Street?

Yes we do. By retaining No. 7, we help everyone involved - including the Council.

* Is this not the basis of a legitimate exception? *

Three duplications would be removed, leaving the original 1a, 1b, 1c, all on the Brighton (Holdfast) side. The other No. 1 is on the Dover Gardens (Marion) side and is a stand alone No.1. which is not a duplication, as such.

The owners at the western end of Vinall St. would not need to undergo any more change.

Mr Hocking, in the corner Townhouse (coincidentally his 1c, has gone up in the last week or so) is elderly and reclusive. Initially he told me that he preferred 7 Laurence St. He said that he would be happy to have a sign on his fence, facing Laurence St. as is the case with 36 Laurence St.

Council vetoed this. As Council does not own the fence, one needs to know the legal position. There are many such cases. Once again, why are we singled out? We are happy to share the costs of such a sign. Mind you, once numbering is up, no sign is needed! At this point Mr Hocking is most interested in keeping his fence as it is. He waited so long before going ahead with it. It was stressful for him. Council initially declared the fence to be not meeting standards. We have no issue with Mr. Hocking's fence. Obviously Council can order what they please.

The owner of No.1. Vinall St. Dover Gardens, our next door neighbour, Mr Barton, has told me that he was promised that he would be able to keep that number. I do not know by whom. Obviously he would oppose change.

The owner of No. 3 Diane ? (Dover Gardens side) was appalled at the possibility of interference with her number. Her comment was that no one would get their mail. She keeps a locked gate and a locked mailbox and is often away. So the result of that is obvious. She would also oppose change.

The reason that I bother to give this background information is that I do not believe that the Marion Council will stop until they force us to have any other solution than the obvious and our desired one. I was told to my face by Ms Funnery (Planning) that "you will never get a Laurence St. address" - and in a most vicious manner at that. It seemed very personal. This is our home. You would be amazed at the number of people who have said - Just move!

There is also the fact that I have followed through by speaking to the Police and Emergency Services who do not uphold Council's position as represented to us ie. Emergency Services will never find you! We are actually cross referenced to 7 Laurence St. for our safety. I had Paula from Emergency Services out here to test with the Global Positioning Device (they do not chase letter boxes) and was found at both addresses. Clearly if No.1 is removed, we will be found at No. 7. It is not safe for elderly Mrs. Arthurson at 1a, on the Brighton side because in an emergency, she may not give the superb. Her address is listed at two sites. Initially, Council said that Emergency Services were the main problem. Last year there was a meeting between Emergency Services and Marion Council. I was clearly led to believe that this meeting would have bearing on the outcome of our issue. It emerged that the issue of our being No. 7 was never raised at this meeting or presented as a solution to the duplication.

You will find that one of the letters in the file from Nils Uellendahl, refers to 'an appropriate renaming'. West as an affix adds to the confusion and cannot be said to be appropriate. He also mentions renumbering. It is quite obvious that Marion does not wish to do renumbering in Vinall St. at this stage. Obviously it would involve a lot of homes and people. However, is it appropriate that we are made to carry the brunt of this? Council is in denial.

At the same time as this situation has been under constant question and review, the Council has had our address already entered in the system as having been permanently changed. This has resulted in the most incredible inconvenience to us. Our AGL Account has been frozen for 18 months and we often cannot be found on computer by utility services and various other services.

I was stunned to find that you thought this to be irrelevant. It is so stressful being manipulated in this way. When we asked Sensis how this came about, they declined to say. What of our Civil Rights?

When a matter is ongoing and not concluded, why would the Council not correct this. They simply do not care. I was told by Council that this sort of thing goes on all of the time. They seem to think nothing of Reviews or the like. It is common they say. How much is it costing the Ratepayers?

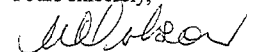
Our responsible action through the Post Office has been propping up this system.

I really fear that we will get no acceptable change. That would mean that when I cancel my PO Box and redirections, we will never know where our mail is. We will always be checking Mrs. Arthurson's mailbox (1a Vinall St. West Brighton) and getting her mail here. She will be leaving messages on our service to come and take our mail out of her box - if she has not already given it back to the Postman. So much handling causes delays and some mail will be lost altogether. Nothing will be secure. This could go on indefinitely.

You are correct in saying that there is only one outcome acceptable to us. We are entitled to have a preference. We have no need to justify it other than that it is functional and helpful.

Once again, thank you and please do contact me if you need more clarification.

Yours sincerely,



Wendy Wilson

