



# Council Agenda

# AGENDA

## NOTICE OF MEETING

Notice is hereby given that an ordinary meeting of Council will be held in the

**Council Chamber – Glenelg Town Hall  
Moseley Square, Glenelg**

**Tuesday 14 September 2021 at 7.00pm**

**Roberto Bria**  
**CHIEF EXECUTIVE OFFICER**



## Ordinary Council Meeting Agenda

### 1. OPENING

*The Mayor will declare the meeting open at 7:00pm.*

### 2. KAURNA ACKNOWLEDGEMENT

*We acknowledge Kaurna people as the traditional owners and custodians of this land.*

*We respect their spiritual relationship with country that has developed over thousands of years, and the cultural heritage and beliefs that remain important to Kaurna People today.*

### 3. SERVICE TO COUNTRY ACKNOWLEDGEMENT

*The City of Holdfast Bay would like to acknowledge all personnel who have served in the Australian forces and services, including volunteers, for our country.*

### 4. PRAYER

*Heavenly Father, we pray for your presence and guidance at our Council Meeting. Grant us your wisdom and protect our integrity as we carry out the powers and responsibilities entrusted to us on behalf of the community that we serve.*

### 5. APOLOGIES

5.1 Apologies Received

5.2 Absent – Councillor P Chabrel (Leave of Absence)

### 6. ITEMS PRESENTED TO COUNCIL

### 7. DECLARATION OF INTEREST

*If a Council Member has an interest (within the terms of the Local Government Act 1999) in a matter before the Council they are asked to disclose the interest to the Council and provide full and accurate details of the relevant interest. Members are reminded to declare their interest before each item.*

### 8. CONFIRMATION OF MINUTES

#### Motion

**That the minutes of the Ordinary Meeting of Council held on 24 August 2021 be taken as read and confirmed.**

Moved Councillor \_\_\_\_\_, Seconded Councillor \_\_\_\_\_

**Carried**

### 9. PUBLIC PRESENTATIONS

9.1 **Petitions - Nil**

9.2 **Presentations** - Nil

9.3 **Deputations** - Nil

**10. QUESTIONS BY MEMBERS**

10.1 **Without Notice**

10.2 **On Notice**

10.2.1 Rubbish and Microplastics on Brighton Beach(Report No: 314/21)

10.2.2 Responsible Dog Ownership and Compliance Management along the Coast Park (Report No: 315/21)

**11. MEMBER'S ACTIVITY REPORTS** - Nil

**12. MOTIONS ON NOTICE** - Nil

**13. ADJOURNED MATTERS** - Nil

**14. REPORTS OF MANAGEMENT COMMITTEES, SUBSIDIARIES AND THE DEVELOPMENT ASSESSMENT PANEL**

14.1 Minutes - Audit Committee 25 August 2021 (Report No: 302/21)

14.2 Information Report – Southern Region Waste Resource Authority Board Meeting – 23 August 2021 (Report No: 301/21)

14.3 Minutes – Jetty Road Mainstreet Committee – 1 September 2021 (Report No: 309/21)

**15. REPORTS BY OFFICERS**

15.1 Items in Brief (Report No: 297/21)

15.2 Sister City Agreements (Report No: 290/21)

15.3 Council Policy Review (Report No: 291/21)

15.4 Statutes Amendment (Local Government Review) Act 2021 – Current Consultations (Report No: 298/21)

15.5 Building Western Adelaide Strategy 2021-2024 (Report No: 307/21)

15.6 Approval of the Draft Dog and Cat Management Plan (Report No: 308/21)

15.7 New Lease Agreements – Community Centres (Report No: 311/21)

**16. RESOLUTIONS SUBJECT TO FORMAL MOTIONS**

*Presented for the information of Members is a listing of resolutions subject to formal resolutions, for Council and all Standing Committees, to adjourn or lay on the table items of Council business, for the current term of Council.*

**17. URGENT BUSINESS – Subject to the Leave of the Meeting**

**18. ITEMS IN CONFIDENCE**

## 18.1 Minutes – Audit Committee – 25 August 2021 (Report No: 303/21)

*Pursuant to Section 90(2) of the Local Government Act 1999 the Report attached to this agenda and the accompanying documentation is delivered to the Council Members upon the basis that the Council consider the Report and the documents in confidence under Part 3 of the Act, specifically on the basis that Council will receive, discuss or consider:*

- d. commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and would, on balance, be contrary to the public interest.**

## 18.2 Event Activation (Report No: 310/21)

*Pursuant to Section 83(5) of the Local Government Act 1999 the Report attached to this agenda and the accompanying documentation is delivered to the Council Members upon the basis that the Council consider the Report and the documents in confidence under Part 3 of the Act, specifically on the basis that Council will receive, discuss or consider:*

- d. commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and would, on balance, be contrary to the public interest.**

## 18.3 Proposed Event Activation (Report: 313/21)

*Pursuant to Section 83(5) of the Local Government Act 1999 the Report attached to this agenda and the accompanying documentation is delivered to the Council Members upon the basis that the Council consider the Report and the documents in confidence under Part 3 of the Act, specifically on the basis that Council will receive, discuss or consider:*

- d. commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and would, on balance, be contrary to the public interest.**

**19. CLOSURE**

**ROBERTO BRIA**  
**CHIEF EXECUTIVE OFFICER**

Item No: **10.2.1**

Subject: **QUESTION ON NOTICE – RUBBISH AND MICROPLASTICS ON BRIGHTON BEACH**

Date: 14 September 2021

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## **QUESTION**

Councillor Lindop asked the following question:

***“Is Council Administration aware of public and residents’ concerns regarding a very visual apparent increase in rubbish, and in particular micro-plastics at Brighton Beach?”***

***Can Council Administration please investigate this matter further? Is it coming from the pumped slurry sand? Is there a way to filter the microplastics to stop this contamination?***

***Has the Environment Protection Agency been brought in? Or are the Coast Protection Board aware or able to help with this issue? ”***

## **Background**

There have been a lot of comments and concern from residents about the amount of “microplastics” found at Brighton Beach.

Some of this rubbish comes through the Edward St drain, however, there has been a significant increase of microplastics found along the beach. This is occurring between Beach Rd and the edge of the slurry coming from the pumped sand from Glenelg.

## **ANSWER – General Manager Assets and Delivery**

Council Administration has been in contact with the Coast Protection Board (CPB) in regard to the plastics on the beach. The Environmental Protection Agency visited the sand pumping operation during the week of 30th August 2021 in response to complaints.

The cause of the pollutants is people littering either at the beach, in the water or within the catchment and the stormwater carrying the pollutants to the beach.

CPB through screening and Council through street sweeping, beach combing, catchment management and GPT installation and maintenance reduces the pollution on the beach.

CPB has advised that the sand pumping operation screens out items sized larger than 20 mm and has removed thousands of pieces of plastic and other rubbish from the coast through its screening process.

Some of the items in the photos appears to be larger than this, which means that the sand pumping screening would have removed it. The Coast Protection Board will investigate whether a smaller screen size can be used but it will not be a complete solution.

The coastal storms this year mobilised a large amount of sand from the beach into nearshore waters including the pollutants that the sand contains. It is possible that some of the pollutants in the sand are being brought back onto the beaches through tidal movements.

Council's stormwater pipes are a carrier of road pollution including microplastics which ultimately discharge into the marine environment. Winter 2021 was a wetter than average winter with more pollutants on roads being carried into Councils stormwater network prior to being collected by Councils frequent and targeted street sweeping program. There are several stormwater outlets around Brighton beach, some with Gross Pollutant Traps (GPTs). The GPTs are designed to trap pollutants in small to medium rainfall events only and allow bypass in less frequent larger storms.

Council Administration have arranged an additional beach cleaning commencing 9 September to collect the larger plastics and litter on the beach. The annual beach cleaning program will commence in October. The GPTs are due for their post winter clean in the next few weeks and are generally cleaned 3-4 times per year.

Item No: **10.2.2**

Subject: **QUESTION ON NOTICE – RESPONSIBLE DOG OWNERSHIP AND COMPLIANCE MANAGEMENT ALONG THE COAST PARK**

Date: 14 September 2021

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## **QUESTION**

Councillor Lindop asked the following question:

*“Can Council Administration please provide information in regard to the City of Holdfast Bay Community Safety Team and the patrols they do, in particular along the Esplanade and Coast Path in the whole of the City?”*

*Do the Council Community Safety Team check for people walking dogs “off leash” on the footpath?*

*Has Council Community Safety Team issued any fines or warnings in the past 6 months to anyone walking their dogs and who has not picked up after their dog/s or were not carrying a bag to pick up after their dog/s?*

*Has Council Community Safety Team performed a “dogs on leash” or “pick up after your dogs” “blitz” in the past 12 months??”*

## **Background**

There has been a lot of comments and concern from residents about dog faeces along the coast path in particular from Brighton to Seacliff.

The other complaint is dogs “off leash” along the footpath and if you want to walk your dog off leash, the beach is an option for you.

The issue is many people choose to walk along the coast path, instead of the beach due to the fact that this is supposed to be a location where dogs are on lead.

Some people even choose to take their dog on the footpath/coast path because they have a nervous dog, or a dog that they think can be aggressive, so prefer to walk where the dogs are on lead.

## **ANSWER – General Manager Assets and Delivery**

Community Safety Officers undertake patrols every morning, beginning at 7am, 7 days a week. Throughout the day the Community Safety Officers carry out 2-3 additional patrols along the coast. The frequency of additional patrols is subject to the number of call outs and investigations citywide. A dedicated Beach Patrol Officer focuses on specific areas of the beach each day for a 6 month period over spring and summer.

The Community Safety Officers, as part of the daily patrols, are checking for dogs off leash on footpaths and report high levels of community compliance.

During beach patrols, the Community Safety Officers approach dog owners and check they have a dog poo bag and provide education around responsible dog ownership in cleaning up after their dog. Administration are currently assessing the need for patrolling earlier, in low light, where offenses may be occurring.

The Community Safety Officers have conducted a minor 'blitz' with 1-2 officers in particular areas of the coast across a condensed period. In addition to Community Safety Officers being present, VMS signage indicating a 'blitz' in the area coupled with digital media education campaigns have resulted in improved compliance. However, this year the Community Safety Officers are planning a more comprehensive 'blitz' with all 4 officers and beach patrol officer in the morning patrolling during peak morning during school holidays - replacing morning school patrols.

Importantly since these measures have been implemented the number of expiations issued to dog owners has increased from 7 in 2019-20 to 82 in 2020-21. Another positive result is that Customer Service has estimated an approximate 40% decrease in dog related complaints.

Administration will continue to explore a number of other strategies to mitigate the impacts of non – compliance on the broader community.



Item No: **14.1**

Subject: **MINUTES – AUDIT COMMITTEE – 25 AUGUST 2021**

Date: 14 September 2021

Written By: Personal Assistant, Strategy & Corporate

General Manager: Strategy & Corporate, Ms P Jackson

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## **SUMMARY**

The public minutes of the meeting of the Audit Committee held 25 August 2021 are presented to Council for information and endorsement.

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## **RECOMMENDATION**

1. **That Council notes the public minutes of the meeting Audit Committee of 25 August 2021 namely:**
    - (a) **That the Audit Committee advises Council it has received and considered a Standing Items Report addressing:**
      - **Monthly Financial Statements**
      - **Risk Management and Internal Control**
      - **Audit – External/Internal/Cyber Security**
      - **Disaster Recovery Plans**
      - **Public Interest Disclosures – previously Whistle Blowing**
      - **Economy and Efficiency Audits**
      - **Audit Committee Meeting Schedule**
    - (b) **That the Audit Committee:**
      - (i) **supports the draft Internal Audit Policy and Internal Audit Procedure to be submitted to Council for approval; and**
      - (ii) **notes the steps taken to address the recommendations in the Report.**
    - (c) **That the Audit Committee endorsed the 2021-22 Internal Audit Plan for adoption by Council.**
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**COMMUNITY PLAN**

A Place that Provides Value for Money

**COUNCIL POLICY**

Not Applicable.

**STATUTORY PROVISIONS**

*Local Government Act 1999*, Sections 41 and 126

**BACKGROUND**

The Audit Committee is established under Section 41 of the *Local Government Act 1999*, and Section 126 of the *Local Government Act 1999* defines the functions of the Audit Committee to include:

- reviewing annual financial statements to ensure that they present fairly the state of affairs of the council;
- proposing, and providing information relevant to, a review of the council's strategic management plans or annual business plan;
- proposing, and reviewing, the exercise of powers under section 130 A;
- if the council has exempted a subsidiary from the requirement to have an audit committee, the functions that would, apart from the exemption, have been performed by the subsidiary's audit committee;
- liaising with the council's auditor; and
- reviewing the adequacy of the accounting, internal control, reporting and other financial management systems and practices of the council on a regular basis.

**REPORT**

Public minutes of the meeting of the Audit Committee held on 25 August 2021 are attached for Members' information.

**BUDGET**

Not applicable

# Attachment 1



**Minutes of the meeting of the Audit Committee of the City of Holdfast Bay held via Electronic Means in a Virtual Meeting Room on Wednesday 25 August 2021 at 6:00pm.**

**PRESENT VIA VISUAL AND AUDIO PRESENCE**

**Members**

Presiding Member – Councillor J Smedley  
Mr D Powell  
Mr S Tu  
Ms P Davies

**Staff**

Chief Executive Officer – Mr R Bria  
General Manager Strategy and Corporate – Ms P Jackson  
General Manager Alwyndor – Ms B Davidson-Park  
Manager Finance – Mr J Newton  
Financial Manager – Ms L Humphrey  
Finance Manager, Alwyndor Management Committee – Mr D Capurro

**Guests**

Internal Audit Director, Galpins - Tim Muhlhausler

**1. OPENING**

The Chairman declared the meeting open at 6.04pm.

**2. APOLOGIES**

- 2.1 Apologies Received - Councillor R Snewin
- 2.2 Absent - Nil

**3. DECLARATION OF INTEREST**

Members were reminded to declare their interest before each item.

**4. CONFIRMATION OF MINUTES**

**Motion**

**That the minutes of the Audit Committee held on 30 June 2021 be taken as read and confirmed.**

Moved Mr Powell, Seconded Ms Davies

**Carried**

## 5. ACTION ITEMS

The Action Items were tabled and discussed.

## 6. REPORTS BY OFFICERS

### 6.1 Standing Items – August 2021 (Report No: 270/21)

The Audit Committee was provided with a report on standing items at the meeting.

#### Motion

1. **That the Audit Committee advises Council it has received and considered a Standing Items Report addressing:**

- **Monthly Financial Statements**
- **Risk Management and Internal control**
- **Audit – External/Internal/Cyber Security**
- **Disaster Recovery Plans**
- **Public Interest Disclosures – previously Whistle-Blowing**
- **Economy and Efficiency Audits**
- **Audit Committee Meeting Schedule**

#### RETAIN IN CONFIDENCE - Section 91(7) Order

2. **That having considered Agenda Item 7.1 Standing Items – June 2021 in confidence under Section 90(2) and (3)(e) of the Local Government Act 1999, the Audit Committee, pursuant to Section 91(7) of that Act orders that Attachment 3 be retained in confidence for a period of 24 months and that this order be reviewed every 12 months.**

Moved by Mr Tu, Seconded Ms Davies

Carried

Mr Muhlhausler left virtual meeting at 6.35pm.

### 6.2 Internal Audit Policy and Procedure (Report No: 164/21)

In June 2021, Council's Internal Auditor, Galpins, submitted an *Internal Audit Report – Recommendations Follow Up* which assessed the control environment in place to ensure the implementation of previous audit recommendations (the Report). The Report, including management responses, was provided as part of the Standing Items Report.

The Report identified one matter of high risk and three moderate risk issues. In response to the recommendations made in the Report, a policy and procedure was drafted and internal roles and responsibilities were clarified.

**Motion****That the Audit Committee:**

1. **supports the draft Internal Audit Policy and Internal Audit Procedure to be submitted to Council for approval; and**
2. **notes the steps taken to address the recommendations in the Report.**

Moved Mr Powell, Seconded Mr Tu

**Carried****6.3 Risk Report (Report No: 276/21)**

The City of Holdfast Bay (Council) needs to ensure that it has appropriate risk management in place. In accordance with Council's Risk Management Framework, Governance manages the Strategic and Operational Risk Registers.

As required under the Risk Management Framework, all strategic risks regardless of rating are reported to the Audit Committee, as are all Extreme and High operational risks.

Since the last Audit Committee meeting, progress comments were reviewed and updated in the Strategic Risk Register. The Operational Risk Register was reviewed against the updated Consequence Table, resulting in a shift in Council's risk profile.

A more detailed review of both Registers will be undertaken in late September/early October.

**Motion****That the Audit Committee notes this report.**

Moved Mr Powell, Seconded Ms Davies

**Carried****6.4 Internal Audit Plan 2021-22 (Report No: 277/21)**

In collaboration with Council's Internal Auditor, Galpins, an Internal Audit Plan for 2021-22 (the Plan) was developed and was provided for the Audit Committee's endorsement. The Plan was developed using a risk-based approach, focussing on risks with a high or medium residual risk rating.

**Motion****That the Audit Committee endorses the 2021-22 Internal Audit Plan as outlined in this Report.**

Moved Mr Tu, Seconded Ms Davies

**Carried**

6.5 **Statutes Amendment (Local Government Review) Act 2021 and Regulations** (Report No: 278/21)

The *Statutes Amendment (Local Government Review) Act 2021* (the Review Act) is an Act to amend the *Local Government Act 1999*, the *Local Government (Elections) Act 1999*, the *City of Adelaide Act 1998* and to make small amendments to various other Acts related to the system of local government in South Australia.

The Review Act was assented to by the Governor on 17 June 2021. The Local Government Association (LGA) has been working closely with the Office of Local Government on a commencement timeline, which includes a first round of proclamations in August 2021, with a number of those provisions due to commence on proclamation. These sections are largely matters where council won't need to take specific action to update documents, policies or provide training. Reforms relating to Local Government Elections are also expected to be proclaimed in August, with a proposed commencement of November 2021. Timing of the commencement of the balance of sections in the Review Act is less clear, although proclamation is expected prior to the end of the calendar year. The LGA has undertaken to provide training and resources for Councils to assist in implementation.

On 23 July 2021, the LGA advised that the Office for Local Government is seeking feedback on a number of draft Regulations which will support the commencement of changes to the *Local Government Act 1999* and *Local Government (Elections) Act 1999* in August 2021. No comments are recommended on this round of Regulations, as they are not expected to impose additional policy or significant operational burdens on Council.

Provisions relating to the role and functions of the Audit Committee are subject to the drafting of further Regulations and are not expected to commence until November 2023.

**Motion**

**That the Audit Committee notes this report.**

Moved Mr Powell, Seconded Ms Davies

**Carried**

**7. URGENT BUSINESS – SUBJECT TO THE LEAVE OF THE MEETING - Nil**

**8. CONFIDENTIAL ITEMS****8.1 Loan Receivables (Report: 269/21)****Motion - Exclusion of the Public – Section 90(3)(d) Order**

- 1** That pursuant to Section 90(2) of the *Local Government Act 1999* Audit Committee hereby orders that the public be excluded from attendance at this meeting with the exception of the Staff in attendance at the meeting in order to consider Report No: 269/21 Loan Receivables in confidence.
- 2.** That in accordance with Section 90(3) of the *Local Government Act 1999* Audit Committee is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 269/21 Loan Receivables on the following grounds:
  - d.** pursuant to Section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, as this would prejudice the commercial position who supplied the information.

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.

- 3.** The Audit Committee is satisfied, the principle that the meeting be conducted in a place open to the public, has been outweighed by the need to keep the information or discussion confidential.

Moved Ms Davies, Seconded Mr Tu

**Carried**

**RETAIN IN CONFIDENCE - Section 91(7) Order**

That having considered Agenda Item 9.1 Loan Receivables (Report No: 269/21) in confidence under Section 90(2) and (3)(d) of the *Local Government Act 1999*, the Audit Committee, pursuant to Section 91(7) of that Act orders that the report, be retained in confidence for a period of six months and the Chief Executive Officer is authorised to release the documents when the Audited Financial Statements are presented to Council.

Moved Ms Davies, Seconded Mr Tu

**Carried**



**9. DATE AND TIME OF NEXT MEETING**

The next meeting of the Audit Committee will be held on Wednesday 20 October 2021 in the Mawson Room, Civic Centre, 24 Jetty Road, Brighton.

**10. CLOSURE**

The Meeting closed at 7.05 pm.

**CONFIRMED      20 OCTOBER 2021**

**PRESIDING MEMBER**

Item No: **14.2**

Subject: **INFORMATION REPORT – SOUTHERN REGION WASTE RESOURCE AUTHORITY BOARD MEETING – 23 AUGUST 2021**

Date: 14 September 2021

Written By: Chief Executive Officer

Chief Executive Officer: Mr R Bria

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### **SUMMARY**

The information reports of the Southern Region Waste Resource Authority (SRWRA) Board meeting held on 23 August 2021 are attached and provided for information.

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### **RECOMMENDATION**

1. **That the Information Reports of the Southern Region Waste Resource Authority Board meeting held on 23 August 2021 be noted.**

### **RETAIN IN CONFIDENCE – Section 91(7) Order**

2. **That having considered Attachment 2 to Report No: 301/21 Information Report – Southern Region Waste Resource Authority Board Meeting – 23 August 2021 in confidence under Section 90(2) and 3(b) and 3(d) of the *Local Government Act 1999*, the Council, pursuant to Section 91(7) of the Act orders that Attachment 2 be retained in confidence for a period of 24 months and that this order be reviewed every 12 months.**
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### **COMMUNITY PLAN**

Economy: Supporting and growing local business  
Economy: Harnessing emerging technology  
Environment: Building an environmentally resilient city  
Environment: Using resource efficiently  
Environment: Fostering an environmentally connected community  
Culture: Being financially accountable

### **COUNCIL POLICY**

Not Applicable.

**STATUTORY PROVISIONS**

Not Applicable.

**BACKGROUND**

Southern Region Waste Resource Authority (SRWRA) is a regional subsidiary established by the Cities of Onkaparinga, Marion and Holdfast Bay (the "Constituent Councils"), pursuant to Section 43 of the *Local Government Act, 1999*. The functions of SRWRA include providing and operating waste management services on behalf of the constituent Councils.

In accordance with Section 2.5.2 of the SRWRA Charter - 2015, there shall be at least six ordinary meetings of the Board held in each financial year. Furthermore, Section 2.5.22 states that prior to the conclusion of each meeting of the Board, the Board must identify which agenda items considered by the Board at that meeting will be the subject of an information report to the Constituent Councils.

In accordance with the above, identified agenda items from the Board Meeting held on 23 August 2021 are attached for Members information as Attachments 1 and 2 (Constituent Council Information Report –Public and Confidential).

*Refer Attachments 1 & 2*

**BUDGET**

Not Applicable

**LIFE CYCLE COSTS**

Not Applicable

# Attachment 1



# Constituent Council Information Report

- PUBLIC -

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**Board Meeting Date:** 23 August 2021

**Report By:** Chief Executive Officer

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## Report

In accordance with Section 2.5.22 of the *Southern Region Waste Resource Authority Regional Subsidiary Charter - 2015*, the SRWRA Board identified the following Agenda Items to be the subject of a Public Information Report to the Constituent Councils:

Agenda Item	Report
2.1	<b>Adoption of 2020 – 2021 Financial Statements</b> <b>Summary</b> - The 2020 – 2021 Financial Statements have been audited by SRWRA’s external Auditors. They were presented to the SRWRA Audit Committee for consideration and were recommended for adoption by the Board. The SRWRA Board adopted the 2020 – 2021 Financial Statements as presented.
2.2	<b>Investment Analysis</b> <b>Summary</b> - Section 140 of the LG Act requires SRWRA to review the performance of its investments on an annual basis. SRWRA invests any surplus funds during the year above the immediate requirements to pay suppliers, employees, and other costs. Investment options set in SRWRA’s Investment and Borrowings Policy support maximising return on investments.
2.6	<b>Annual General Meeting</b> <b>Summary</b> - The Annual General Meeting must be held prior to November at a place and time determined by a resolution of the SRWRA Board in accordance with the SRWRA Charter ( <i>ref Clause 2.6.1</i> ). SRWRA Board determined that the Annual General Meeting will be held on Monday 20 September 2021 at 5pm prior to the September Board Meeting.
3.2	<b>Mass Balancing Reporting and EPA Levy Report</b> <b>Summary</b> - Mass Balance Reporting began on 1 July 2021 with reporting to the EPA on track for lodgement by the end of August. Approval of Operational Uses is in progress with the EPA to ensure a smooth transition into the new levy rules on 1 December 2021.

### 3.4 Risk Register Review Report

**Summary** – The Audit Committee recommended, at the 16 March 2021 meeting, the CEO obtain consultant assistance and advice in reviewing the Risk Register. SRWRA sought assistance from Local Government Association of SA – Mutual Liability Scheme (LGAMLS) to undertake a review of the risk management system, including an assessment of the template used for the Risk Register. A Scope of Works has been established and presented to the Board.

### 3.6 Risk Management Report

**Summary** –

Skytrust –

Incidents - SRWRA recorded 52 incidents from 01 July 2020 to 30 June 2021 with no incidents currently under investigation. There were 2 Medical Treatment Injuries resulting in small Workcover claims, 1 Lost Time Injury and 5 First Aid only injuries. Other incidents were minor property damage, near miss and minor environmental incidents such as hydraulic spills. These figures include all stakeholders on site such as sideliner installers and SMRF construction labour.

Hazards - All identified hazards have been addressed through a “Fixed in Field” protocol.

EPA Licence Related Register shows 4 complaints received between 01 April and 30 June 2021. All complaints were odour related and have been addressed by Management.

WHS & IM Plan. The 2021 Plan programs are progressing.

Tailored Implementation Program (TIP) –SRWRA will apply for a TIP grant in the 2021 – 2022 financial year.

General Management - The easing of COVID 19 restrictions has meant SRWRA is able to transition to some face to face Administration and Operational meetings, where appropriate, whilst still practicing social distancing.

Human Resources

- SRWRA currently has no Workcover Claims in progress.
- The vacant Corporate Services Manager and Weighbridge Operator positions have been filled.

Public Interest Disclosure – no disclosures or issues have been reported.

### 3.7 Operations Report

**Summary** –

Update on Western Sideliner Project

The western sideliner project is complete with the Zone 3 & 4 Construction Quality Assurance and Control Report finalised and forwarded to the EPA for final approval.

Landfill Management

Landfill works have focussed on managing safety at the face and on haul roads throughout a wetter than average winter. Construction of wind breaks and upkeep of drainage across the landfill floor assists with truck access and tipping. Safety focus has been on using the correct tool for the job and actively looking for areas of improvement in tool selection.

Document Approval

The Landfill Environmental Management Plan (LEMP), version H, was approved by the EPA at the end of June 2021.

The EPA Licence (No. 16264) has been renewed for 5 years (until July 2026).

Item No: **14.3**

Subject: **MINUTES – JETTY ROAD MAINSTREET COMMITTEE – 1 SEPTEMBER 2021**

Date: 14 September 2021

Written By: General Manager, Community & Business

General Manager: Community & Business, Ms M Lock

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### **SUMMARY**

The Minutes of the Jetty Road Mainstreet Committee meeting held on 1 September 2021 is attached and presented for Council’s information.

Jetty Road Mainstreet Committee Agenda, Reports and Minutes are all available on Council’s website and the meetings are open to the public.

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### **RECOMMENDATION**

**That Council notes the minutes of the Jetty Road Mainstreet Committee of 1 September 2021.**

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### **COMMUNITY PLAN**

Placemaking: Creating lively and safe places  
Community: Providing welcoming and accessible facilities  
Economy: Supporting and growing local business  
Economy: Making it easier to do business  
Economy: Boosting our visitor economy  
Culture: Being financially accountable  
Culture: Supporting excellent, efficient operations  
Culture: Being financially accountable

### **COUNCIL POLICY**

Not applicable.

### **STATUTORY PROVISIONS**

Not applicable.

## **BACKGROUND**

The Jetty Road Mainstreet Committee (JRMC) has been established to undertake work to benefit the traders on Jetty Road Glenelg, using the separate rate raised for this purpose. Council has endorsed the Committee's Terms of Reference and given the Committee delegated authority to manage the business of the Committee.

Jetty Road Mainstreet Committee Agendas, Reports, and Minutes are all available on Council's website and the meetings are open to the public.

## **REPORT**

Minutes of the meetings of JRMC held on 1 September 2021 is attached for member's information.

## **BUDGET**

Not applicable.

## **LIFE CYCLE COSTS**

Not applicable.



# Attachment 1



## **CITY OF HOLDFAST BAY**

### **Minutes of the meeting of the Jetty Road Mainstreet Committee of the City of Holdfast Bay held in the Mayor's Parlour Glenelg Town Hall on Wednesday 1 September 2021 at 6:00pm**

#### **PRESENT**

##### **Elected Members:**

Mayor A Wilson  
Councillor W Miller

##### **Community Representatives:**

Maios Group, Mr C Maios  
Cibo Espresso, Mr T Beatrice  
Daisy and Hen, Ms G Britton  
Good Physio, Mr T Chai  
Beach Burrito, Mr A Warren (via virtual connection)  
The Jetty Bar, Mr D Elmes  
Ikos Holdings Trust, Mr A Fotopoulos

##### **Staff:**

General Manager, Community & Business, Ms M Lock  
General Manager, Strategy & Corporate, Ms P Jackson  
Manager, City Activation, Ms R Forrest  
Jetty Road Assistant, Mr W Papatolis

#### **1. OPENING**

The Chairman, Mr C Maios, declared the meeting open at 6.18pm.

#### **2. APOLOGIES**

2.1 Apologies Received: Ms G Martin, Mr G Watson, Councillor Abley

2.2 Absent:

#### **3. DECLARATION OF INTEREST**

Members were reminded to declare any interest before each item.

**4. CONFIRMATION OF MINUTES****Motion**

**That the minutes of the Jetty Road Mainstreet Committee held on 4 August 2021 be taken as read and confirmed.**

Moved Councillor Miller, Seconded T Beatrice

**Carried**

**5. QUESTIONS BY MEMBERS**

**5.1 Without Notice:**

**5.2 With Notice: Nil**

**6. MOTIONS ON NOTICE: Nil****7. PRESENTATION:****7.1 Music and Art Event – Partridge Street Car Park**

Mr Mike Papatolis, Owner Fourth Restaurant and Bar presented proposed plans for a car park festival scheduled to be held 3-5 December 2021.

A Fotopoulos joined the meeting at 6.39pm

**7.2 Jetty Road Masterplan – Stage 1 Chapel Street and Hindmarsh Lane Progress**

Ms Pam Jackson, General Manager, Strategy & Corporate provided an update and progress report of the Chapel Street and Hindmarsh Lane upgrade.

**7.3 The Local Battle of the Bands**

Representatives from HoldUp Youth Committee provided an update on the upcoming event 27 - 28 November 21.

**8. REPORTS/ITEMS OF BUSINESS**

**8.1 Monthly Finance Report**

(Report no: 292/21)

The Jetty Road Mainstreet Committee July 2021 variance report is prepared by the Jetty Road Development Coordinator is presented for information of the members of the Jetty Road Mainstreet Committee.

**Motion**

**That the Jetty Road Mainstreet Committee note this report.**

Moved T Beatrice, Seconded Councillor T Chai

**Carried**

8.2 Jetty Road Events Update (Report No: 293/21)

JRMC in partnership with the City of Holdfast Bay are responsible for implementing and managing a variety of major events to support economic stimulus in the precinct in accordance with the annual marketing and business plan. This report provides an overview of upcoming events and an update on events held.

**Motion**

**That the Jetty Road Mainstreet Committee note this report.**

Moved A Fotopoulos, Seconded G Britton

**Carried**

8.3 Marketing Update (Report No: 294/21)

The report provides an update on the marketing initiatives undertaken by the Jetty Road Mainstreet Committee 2020/21 Marketing Plan and initiatives aligned to the delivery of the Jetty Road Glenelg Retail Strategy 2018-2022

**Motion**

**That the Jetty Road Mainstreet Committee note this report.**

Moved T Chai, Seconded T Beatrice

**Carried**

8.4 Jetty Road Outdoor Dining Fees (Report No: 295/21)

The JRMC have identified that the outdoor dining fees for the Glenelg tourism precinct seem to be higher than comparable locations across South Australia. Within Jetty Road, Glenelg, outdoor dining fees differ significantly depending on where the business is situated within the precinct. If more outdoor dining is offered, it will enhance the overall ambience, attraction and appeal of the street. It is acknowledged that in some areas of the street outdoor dining is not possible due to the limitations of available infrastructure.

This report includes some illustrative examples of the fee differences between the City of Holdfast Bay and a comparable location within metropolitan Adelaide, however this is not meant to be an in-depth analysis of outdoor dining fees. The JRMC could request that Council review the Jetty Road Glenelg outdoor dining fee structure.

**Motion**

**That the Jetty Road Mainstreet Committee note this report.**

Moved T Beatrice, Seconded A Fotopoulos

**Carried**

8.5 Jetty Road Glenelg Business Survey (Report No: 296/21)

The Jetty Road Mainstreet Committee (JRMC) aims to measure improvements and changes in the precinct and identify areas of focus to improve the business environment via the distribution of an annual Jetty Road Glenelg Business Survey. A draft survey was distributed to the JRMC on 23 July for feedback and the survey was released on 10 August. The survey aligns to priority area 4. Working Better Together in the Jetty Road Glenelg Retail Strategy 2018-2022.

**Motion**

**That the Jetty Road Mainstreet Committee note this report.**

Moved G Britton, Seconded Councillor Miller

**Carried**

**9. URGENT BUSINESS – Subject to the Leave of the Meeting**

**9.1 REPORTS/ITEMS OF BUSINESS:**

**10. DATE AND TIME OF NEXT MEETING**

The next meeting of the Jetty Road Mainstreet Committee will be held on Wednesday 6 October at the Glenelg Town Hall.

**11. CLOSURE**

The meeting closed at 8.02 pm

**CONFIRMED:** Wednesday 6 October 2021

**CHAIRMAN**

Item No: **15.1**

Subject: **ITEMS IN BRIEF**

Date: 14 September 2021

Written By: Personal Assistant

General Manager: Strategy & Corporate, Ms P Jackson

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## **SUMMARY**

These items are presented for the information of Members.

After noting the report any items of interest can be discussed and, if required, further motions proposed.

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## **RECOMMENDATION**

**That the following items be noted and items of interest discussed:**

- 1. Glenelg Oval Masterplan implementation update**
  - 2. Greening our Community Grants**
  - 3. Commercial/Shopfront Grant for the City of Holdfast Bay**
  - 4. Letter of Support for Redevelopment of 'Quarry Hill' from Minister for Planning and Local Government**
  - 5. Internal Review of Council Decision Report**
- 

## **COMMUNITY PLAN**

Culture: Supporting excellent, efficient operations

## **COUNCIL POLICY**

Not applicable

## **STATUTORY PROVISIONS**

Not applicable

## REPORT

### 1. **Glenelg Oval Masterplan implementation update**

The Glenelg Oval masterplan was approved by Council in 2017 and since that time we have been delivering the masterplan in a staged approach as funding has become available.

Stage 1 of the masterplan was the redevelopment of the Holdfast Tennis Club facilities, which was completed in January 2021. Stage 2 is nearing completion and involves the construction of new uni-sex player change rooms, umpire rooms and a DDA compliant public toilet. The change room building will be used by the Glenelg Football Club and Glenelg District Cricket Club and will be ready for the upcoming cricket season.

Through the recent round of Local Government Infrastructure Partnership Program (LGIPP), Council received \$1.4m in grant funding which has been matched by Council over three financial years. Now that funding is secured, Stages 3 and 4 of the masterplan can commence. These stages incorporate the following items with a focus on community recreation, open space upgrades and enhancements to sporting facilities:

- detailed design and associated approvals;
- relocation of new cricket club training nets and caretakers shed, and associated earthworks;
- relocation of new football scoreboard;
- new playspace in north eastern corner of oval and associated earthworks;
- redevelopment of Margaret Messenger Reserve including irrigation, refurbish public toilets, landscaping;
- indented car parking along western side of Williams Ave;
- Demolition of former St Johns / CAHFS / visitors change room building and make good surface and entrance to school; and
- Project management and professional fees.

Importantly, the delivery of stages 3 and 4 will provide improved community access to Glenelg Oval and enhance the overall amenity and accessibility of the precinct to the community. Precinct stakeholders are being consulted with to gain input into specific design issues and to minimise disruption to their playing seasons, and school terms.

Stage 3 and 4 project milestones have been established through the LGIPP grant program with the first priority being the review and update of plans, detailed design and construction of indented parking along Williams Ave and demolition of former St Johns / CAHFS / visitors change room building and remediate the surface and entrance to Glenelg Primary School

## 2. Greening our Community Grants

With assistance of Councillor Miller, three applicants have been assessed and approved for funding via this grant program:

- Brighton Lacrosse Club, \$828 for a Waste Management project;
- St Peters Woodlands School, \$5,000 for their Nature Play Guardians project; and
- Brighton Secondary School, \$5,000 for an innovative Plastic Recycling project.

## 3. Commercial/Shopfront Grant for the City of Holdfast Bay

A letter to Hon Vickie Chapman from the CEO was forwarded on 22 July 2021 requesting to include Holdfast Bay businesses as part of the SA Government Commercial/Shopfront Grant funding.

*Refer Attachment 1*

This matter falls within the portfolio responsibilities of the Hon Steven Marshall MP, Premier of South Australia. Accordingly, the Premier's response to the CEO is attached for Elected Members information.

*Refer Attachment 2*

## 4. Letter of Support for Redevelopment of 'Quarry Hill' from Minister for Planning and Local Government

Seacliff Developments Pty Ltd sought agreement from State Planning Commission (the Commission) for redevelopment of 'Quarry Hill' on Scholefield Road, Kingston Park and Ocean Boulevard, Seacliff Park as it is located in both City of Holdfast Bay and Marion Local Government Areas.

It has been approved to appoint the commission as the relevant planning authority.

*Refer Attachment 3*

## 5. Internal Review of Council Decision Report

Under Section 270(8) of the *Local Government Act 1999* (the Act), the Council must consider details of Section 270 Internal Reviews of Council decision received by Council in accordance with the Act.

Administration can confirm there was one (1) application for Section 270 internal reviews from 1 July 2020 to 30 June 2021, with details as follow:

Internal Review Subject	Outcome
Development Plans access	Decision varied



# Attachment 1





[holdfast.sa.gov.au](http://holdfast.sa.gov.au)

Brighton Civic Centre 24 Jetty Road, Brighton SA 5048

PO Box 19 Brighton SA 5048

P 08 8229 9999 F 08 8298 4561

Glenelg Customer Service Centre and Library

2 Colley Terrace, Glenelg SA 5045

15 July 2021

Hon Vickie Chapman MP  
Minister for Planning and Local Government  
Parliament Office House  
Parliament House  
North Terrace  
Adelaide SA 5000

**VIA EMAIL:** [attorneygeneral@sa.gov.au](mailto:attorneygeneral@sa.gov.au)

Dear Hon Vickie Chapman,

**Request to include Holdfast Bay businesses as part of the SA Government Commercial/Shopfront Grant funding**

The State Government recently announced a second round of grant funding totalling \$500,000 to improve and upgrade the outdoor operations of Adelaide CBD businesses aimed at increasing foot traffic to popular shopping strips and attracting more patronage and boosting business turnover.

While many suburban shopping and retail strips are experiencing an uplift as a result of COVID-19, as a premier tourism destination, the City of Holdfast Bay is suffering a significant decline in year on year spending. While local spending has increased, it falls well short of what traders would normally expect.

The visitor economy has grown significantly in South Australia over the last five years however due to COVID-19, tourism is one of the hardest hit sectors. Tourism is a key economic driver for our city's economy, which also has significant positive flow-on effects for the local community. In 2019, 1.3 million people made day trips to our city and another 140,000 people made overnight visits. Tourism expenditure in Holdfast Bay has grown over the last five years from \$215 million in 2015 to \$258 million in 2019, supporting an estimated 1,800 jobs, which is 14% of total employment.

With no international or interstate visitors or major events being held in 2020 and a patchy and slow start to 2021, visitation and expenditure is estimated to reduce by 70%. Target of 1.6 million visitors and \$335 million in tourism expenditure will simply not be met.

The City of Holdfast Bay is committed to working with our community on the best ways to stimulate our local economy and has recently developed a Tourism Recovery Plan 2023, as well as focusing on key initiatives outlined in the Economic Activation Plan 2018-2023 to support sustainably business and growth. In 2020/21 Council also committed \$250,000 of additional expenditure to a COVID Recovery Fund and established an Economic Recovery Taskforce made up of local business leaders, which resulted in a range of initiatives aimed at attracting people to the city and encouraging local spending.

The City of Holdfast Bay has also been providing support to local businesses via Shopfront Grants since 2017 allocating \$300,000 to the program. There has been an increased demand in businesses seeking funding from this grant initiative, particularly in responses to changes in the way businesses operate as a result of COVID-19. For example, many businesses in the hospitality industry are seeking to make outdoor areas more amenable to the harsh weather elements experienced in Holdfast Bay while restrictions are in place that limit the utility of internal space.

Businesses and property owners have embraced the grant program over the four year period investing an estimated \$875,498 in shopfront improvements to match Council's investment.

In order to capitalise on the willingness of businesses to invest and to equitably support businesses who are being unduly affected by visitor restrictions, we request that consideration be given to extending the South Australian Government's Commercial/Shopfront grant initiative to Holdfast Bay shopping precincts.

Yours sincerely



Roberto Bria  
**CHIEF EXECUTIVE OFFICER**

# Attachment 2





THE HON STEVEN MARSHALL MP

PREMIER OF SOUTH AUSTRALIA

B1103538

Mr Roberto Bria  
Chief Executive Officer  
City of Holdfast Bay  
PO Box 19  
BRIGHTON SA 5048  
Email: c/o [lgallacher@holdfast.sa.gov.au](mailto:lgallacher@holdfast.sa.gov.au)

Dear Roberto,

I write thank you for your recent letter to the Hon Vickie Chapman MP, Minister for Planning and Local Government, requesting support for a Commercial/Shopfront grant program for the City of Holdfast Bay. As you are aware, the matters raised in your correspondence fall within my portfolio of responsibilities as Premier of South Australia. Accordingly, I am pleased to provide this response to you.

I do appreciate your comments and concerns that South Australia's retail sector has not yet recovered to where businesses would expect. However, retail spending data does indicate a steady recovery of expenditure across metropolitan and regional South Australia.

On the other hand, spending in the City of Adelaide has stagnated, partly due to limited interstate and international visitation, and also as a result of South Australia's recent lockdown and the opportunity for many workers to continue working from home.

In order to support tourism and hospitality businesses and drive intrastate visitation, my Government has supported the Great State Voucher program, delivered through the South Australian Tourism Commission (SATC).

The Great State Voucher program has been successful in driving the Visitor Economy across the CBD and suburban/regional areas, with the aim being to encourage spending in hotels, cafes, restaurants and shopping. This additional consumer spending has helped many businesses across the State and has been our preferred method of immediate stimulus.

As you may be aware, SATC has announced a further round of Great State Vouchers that have so far contributed almost \$65 million into our State's economy and significantly boosting our tourism and hospitality businesses this year.

My Government has also been supportive of the City of Holdfast Bay through a number of grant programs in recent years, including:

- \$1.4 million to establish the Glenelg Oval Masterplan (2020-21)
- \$100,000 Open Space and Places for People grant to revitalise the former Buffalo site (2020-21)
- \$55,000 Grassroots Facilities Program for Dover Square Tennis Club (2020-21)
- \$500,000 Open Space and Places for People grant for Wigley Reserve (2019-20), and
- \$487,000 Grassroots Facilities program for the Glenelg Oval upgrade (2019-20).

We will also continue to encourage the uptake of COVID-19 vaccinations that will in turn allow us to restore our growing visitor economy. We all want our tourism, hospitality and retail businesses to recover and thrive as soon as possible.

Once again, thank you for taking the time to write on this important matter.

Yours sincerely,



Hon Steven Marshall MP  
**PREMIER OF SOUTH AUSTRALIA**

31 / 8 / 2021

cc: Hon Vickie Chapman MP, Minister for Planning and Local Government

# Attachment 3



**The Hon Vickie Chapman MP**

2021/09445/01

 September 2021

Mr Roberto Bria  
Chief Executive Officer  
City of Holdfast Bay

By email: [mail@holdfast.sa.gov.au](mailto:mail@holdfast.sa.gov.au)



**Government  
of South Australia**

**Deputy Premier**

**Attorney-General**

**Minister for Planning  
and Local Government**

GPO Exchange  
10 Franklin Street  
Adelaide SA 5000

GPO Box 464  
Adelaide SA 5001  
DX 336

Tel 08 8207 1723  
Fax 08 8207 1736

Dear Mr Bria

I write in relation to a request by Seacliff Developments Pty Ltd seeking my agreement to 'call-in' foundation elements of their proposed redevelopment of the former 'Quarry Hill' land at Scholefield Road and Ocean Boulevard, Seacliff Park, under section 94 of the *Planning, Development and Infrastructure Act 2016* (the Act). The project area is located within both the City of Holdfast Bay and the City of Marion's Local Government areas.

It is noted that the scope of the proposed 'call-in' is limited to the plan of division, medical, childcare and shopping centre components, with subsequent development applications for individual residential buildings to remain with each Council.

Section 94(1)(h) and sub-section 2(f) of the Act allows a proposed development to be called in for assessment by the State Planning Commission (the Commission) where the proposed development involves land situated in more than one planning region or the area of more than one council.

Having carefully considered the matter, I have approved the applicant's request to appoint the Commission as the relevant planning authority. The appointment of a single authority will provide consistent and integrated decision making for the key elements which span the two Council areas.

Please note that your Council will be consulted on the applications lodged with the Commission and that Seacliff Developments Pty Ltd has been advised of this decision.

Yours sincerely



**VICKIE CHAPMAN MP**  
**DEPUTY PREMIER**  
**MINISTER FOR PLANNING AND LOCAL GOVERNMENT**

Cc: Mr Anthony Marroncelli, Manager Development Services



Item No: **15.2**

Subject: **SISTER CITY AGREEMENTS**

Date: 14 September 2021

Written By: Team Leader Governance

General Manager: Strategy & Corporate, Ms P Jackson

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## **SUMMARY**

The *Australian Foreign Arrangements (State and Territory) Arrangements Act 2020* (the Act) came into effect on 10 December 2020. The Act fosters a systematic and consistent approach to foreign engagement across all levels of Australian government. Any pre-existing local government foreign arrangements entered into prior to 10 March 2021 were required to be declared to the Department of Foreign Affairs and Trade (DFAT) via the online portal by 10 June 2021.

A search of Council records indicated that previous Councils had entered into a Sister City Agreement with the City of Hayama, Japan in 1997 (renewed in 2007), and a Sister Cities and Trade Agreement with the City of New Orleans, USA in 2001 (the Agreements).

The Agreements were reported to DFAT as required by the legislation, which raised the question of whether Council wants to maintain them. The Agreements do not appear to have been terminated, which means they are still in operation.

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## **RECOMMENDATION**

**That Administration take the necessary steps to cancel the Sister City Agreements with the City of Hayama, Japan dated 15 December 1997 and renewed on 27 May 2007, and the Sister City and Trade Agreement with the City of New Orleans dated 20 April 2001.**

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## **COMMUNITY PLAN**

Placemaking: Building character and celebrating history  
Community: Fostering an engaged and contributing community  
Economy: Supporting and growing local business  
Economy: Boosting our visitor economy

## **COUNCIL POLICY**

Not Applicable.

## **STATUTORY PROVISIONS**

*Australian Foreign Arrangements (State and Territory) Arrangements Act 2020*

## **BACKGROUND**

The *Australian Foreign Arrangements (State and Territory) Arrangements Act 2020* (the Act) came into effect on 10 December 2020.

The Act fosters a systematic and consistent approach to foreign engagement across all levels of Australian governments. The aim is to ensure entities do not adversely affect Australia's foreign relations and are not inconsistent with Australia's foreign policy.

Pursuant to the Act, any pre-existing local government foreign arrangements entered into prior to 10 March 2021 were required to be declared to the Department of Foreign Affairs and Trade (DFAT) via the online portal by 10 June 2021.

Two agreements were identified and reported to DFAT, per the requirements.

The City of Holdfast Bay entered into a Sister City Agreement with the City of Hayama, Japan on 15 December 1997, and then to celebrate the 10<sup>th</sup> anniversary of the arrangement entered into a Renewal of Friendship Agreement on 27 May 2007.

*Refer Attachment 1*

A Sister City Agreement and Trade Agreement was also entered into with the City of New Orleans, USA on 20 April 2001.

*Refer Attachment 2*

## **REPORT**

The reporting requirements have raised the question as to whether Council wishes to maintain these agreements. As they do not appear to have been formally terminated, they are technically in operation.

In the past there were some activities associated with these agreements, including student exchanges, citizen tours, events and business delegations. However, Council does not appear to have had any active programs relating to the agreements for some time.

***Agreements with the City of Hayama***

The original agreement with the City of Hayama pledges to enter into a relationship of Sister Cities and to make contributions towards world peace and prosperity by developing mutual understanding, friendship and goodwill between communities. These goals are to be achieved through extensive programs of educational, cultural, sporting, economic and social exchange. The Renewal of Friendship Agreement restated the relationship and a mutual wish that the relationship continue to be strong and long lasting.

The City of Hayama has a number of similarities to the City of Holdfast Bay. Hayama has a population of around 33,000 and an area of approximately 17 square kilometres. It is also a coastal city with well-loved beaches and a marina, which provides a base for commuters to Tokyo and Yokohama. It is an affluent area governed by a Council of 14 members.

The last correspondence with the City of Hayama appears to have been in 2017, which was the 20th anniversary of the signing of the original agreement. Overtures were made by both parties regarding commemoration of the relationship but according to the correspondence, neither city was in a position to do so at the time.

***Agreement with the City of New Orleans***

The agreement with the City of New Orleans aims to encourage development and expanding economic activity and cultural interchange. The agreement commits both city governments to being initiators and facilitators in promoting business relationships and trade, business, investment and other economic links.

The City of New Orleans is also coastal and is a significant tourist destination but it is substantially bigger than the City of Holdfast Bay with a population of over 380,000 (over 1.2 million if the greater metropolitan area is included). New Orleans includes a port and houses the operations or headquarters of a number of large US companies, nevertheless tourism is the largest economic sector contributing approximately 40% of the city's tax revenues. Given its geography, is at high risk of potential climate change impacts.

The last correspondence with the City of New Orleans is recorded in 2005, when the then Mayor sent condolences to the City and residents following Hurricane Katrina. The City of New Orleans website does not list the City of Holdfast Bay amongst the fifteen Sister City agreements it lists.

Sister City agreements have a long history and became formalised processes after World War II. The original intention of such programs was to build global unity, promote peace and build ties across the world. Relationships were intended to be enduring and focus on culture-based exchanges in order to outlast political ties.

As these agreements have not been cancelled or rescinded, there are a number of options for Council to consider:

1. Maintain the agreements as they are, do not take any further action at this time;
2. Maintain the agreements as they are and seek to re-establish connections and programs to support them; or
3. Formally cancel either or both agreements.

Option 2 has resourcing implications which would need to be evaluated. The other two options do not have any resourcing implications at this time. Given the lapse of time, and change in circumstances, it is recommended that both agreements be formally cancelled.

### **BUDGET**

If Council resolved to proceed with re-activating the Agreements budget considerations would need to follow as part of the 2022/23 budget process.

### **LIFE CYCLE COSTS**

Not applicable at this time.

# Attachment 1





# A SISTER CITY AGREEMENT



**W**HEREAS the CITY OF HOLDFAST BAY, South Australia, Australia and the TOWN OF HAYAMA, Kanagawa, Japan, have pledged to enter into a relationship as **SISTER CITIES**.  
**I**T is the goal of both MUNICIPALITIES to make a contribution towards World Peace and Prosperity by developing Mutual Understanding, Friendship and Goodwill between their communities.

**B**OTH MUNICIPALITIES desire to achieve this goal through extensive programs of Educational, Cultural, Sporting, Economic and Social Exchange.  
**I**T is their Mutual Wish that this Relationship will be Strong and Longlasting.

*The Signatures of the two MUNICIPALITIES are now formally affixed to this Document  
December 15, 1997.*

*Representing the people of  
The City of Holdfast Bay  
signed by:*

Brian Nadilo  
Mayor  
City of Holdfast Bay

*Representing the people of  
Town of Hayama  
signed by:*

Hiromitsu Moriya  
Mayor  
Town of Hayama

# Renewal of Friendship Agreement

*I*n the year of the 10th Anniversary of the signing of the Sister City Agreement, the City of Holdfast Bay, South Australia, Australia and the Town of Hayama, Kanagawa, Japan pledge to continue their relationship as Sister Cities.

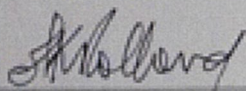
It is the goal of both Municipalities to continue to make a contribution towards world peace and prosperity by continuing to develop mutual understanding, friendship and goodwill between our communities.

Both Municipalities desire to achieve this goal through continued programs of educational, cultural, sporting and social exchanges.

It is our mutual wish that this relationship will continue to be strong and long lasting.

*Representing the people of  
the City of Holdfast Bay*

*Signed by*

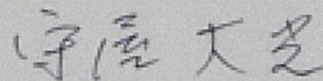


*Ken Bollond  
Mayor of Holdfast Bay  
27 May 2007*



*Representing the people of  
the Town of Hayama*

*Signed by*



*Hiromitsu Moriya  
Mayor of Hayama  
27 May 2007*



# Attachment 2





**FILE**

**SISTER CITIES AND TRADE  
AGREEMENTS**

**BETWEEN**

**THE CITY OF NEW ORLEANS  
UNITED STATES OF AMERICA**

**AND**

**THE CITY OF HOLDFAST BAY  
AUSTRALIA**

This document is an agreement entered into by the cities of New Orleans and Holdfast Bay to encourage the development and formation and corporate relationships mutually beneficial to both cities. The aim of this agreement is to provide a basis for establishing a dynamic relationship with specific action programmes aimed at expanding economic business and cultural interchange between these two cities.

### **TRADE RELATIONSHIP DEFINED**

Corporate relationships are valuable means of cooperation in that they facilitate direct contact between a wide universe of economic and professional sectors from each city. Considerable benefits will be derived from a cooperative relationship between two willing partner cities, each with a significant global and regional significance.

The City of New Orleans and the City of Holdfast Bay have entered into this Trade Agreement for the express purpose among other reasons, of encouraging the formation of corporate relationships between these two cities. This agreement sets forth the elements of the dynamic cooperation which is anticipated between the business communities, cultural communities and governments of New Orleans and Holdfast Bay.

This form of dynamic cooperation constitutes "TRADE RELATIONSHIP" into which these two cities enter to support their respective corporate business and cultural sectors. The relevant organisations of each city agree to work together and establish lines of constructive communication. The relevant city representatives agree to facilitate and support this process.

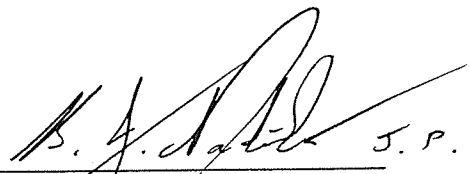
### **ACTION PLANNING**


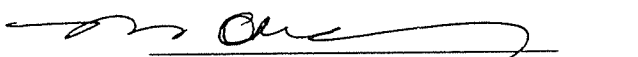
The respective city governments hereby endorse the cooperation between their business communities and accept the role of initiators and facilitators to bring about the success of this endeavour. The corporate relationship between these two Cities will support specific programs designed to further certain strategic aims. During the initial phase the following areas will be focused upon:

- ◆ The promotion of business relationships between the respective business communities along functional lines (ie, tourism to tourism) and across sectors (ie, banking to industry);
- ◆ The exchange of linkages relating to trade, business, investment and cultural opportunities in the respective city economies;

act as a central clearing house and surrogate for all the requests and needs that will emanate from its partner city. This will initially provide one address in each city to which the other partner city will be able to direct this inquiries and proposals. The Mayor will assign the requests to the organisation or individual best suited to respond. They will further coordinate the appropriate support structures to give statute and form to this collaborative effort.

EXECUTED this 20<sup>th</sup> day of April in New Orleans, Louisiana by the undersigned on behalf of the respective cities. 2001

  
BRIAN J MADILO  
Mayor  
City of Holdfast Bay

  
  
MARC H MORIAL  
Mayor  
City of New Orleans

Item No: **15.3**

Subject: **COUNCIL POLICY REVIEW**

Date: 14 September 2021

Written By: Team Leader Governance

General Manager: Strategy & Corporate, Ms P Jackson

---

### **SUMMARY**

Two Council policies have been reviewed and are now presented to Council for adoption:

1. Encroachments Policy - Section 202 and 221 *Local Government Act 1999*
2. Liquor Licensing Policy

A tracked changes copy marked with proposed changes and a final version is attached for each policy.

As these policies do not require substantive changes or public consultation, they are presented as a collective for administrative efficiency.

---

### **RECOMMENDATION**

**That Council approve and endorse the following policies, as amended:**

- **the Encroachments Policy – Section 202 and 221 *Local Government Act 1999*; and**
  - **the Liquor Licensing Policy.**
- 

### **COMMUNITY PLAN**

Culture: Providing customer-centred services  
Culture: Enabling high performance  
Culture: Being financially accountable  
Culture: Supporting excellent, efficient operations.

### **COUNCIL POLICY**

Refer to attachments

## STATUTORY PROVISIONS

*Development Act 1993*

*Liquor Licensing Act 1997*

*Local Government Act 1999*

*Planning, Development and Infrastructure Act 2016*

## BACKGROUND

Section 59 of the *Local Government Act 1999* requires councils to keep council policies under review to ensure they are appropriate and effective.

Policies are an important part of the good governance of the City of Holdfast Bay. They protect the organisation and provide our community with confidence that we will undertake operations in a consistent, fair and equitable way.

## REPORT

The Encroachments and Liquor Licensing policies became due for review and are now presented to Council for endorsement of proposed changes. The amendments are detailed below (and also shown through tracked changes on the 'proposed changes' version), however none of the proposed changes are substantive nor change the meaning or intent of the policy:

### 1. Encroachments Policy- Section 202 and 201 *Local Government Act 1999*

- This Policy was presented to Council for review on 8 December 2020 (Report No. 410/20 - Council Policy Review). Council requested that the Encroachments Policy be brought back to Council following clarification in regards to air space and encroachments (C081220/2164).
- The Encroachments Policy has been amended to make it clear that the Policy includes protuberances into the air space over Council owned land.

*Refer Attachments 1 and 2*

### 2. Liquor Licensing Policy

- The revised Liquor Licensing Policy primarily incorporates changes to referencing in response to State legislative amendments.
- Two sections have also been removed where Council no longer is afforded those powers because of amendments to the Liquor Licensing Act.

*Refer Attachments 3 and 4*

There is no legislative requirement to undertake community consultation on these policies. Additionally, as these changes are not material, consultation is not deemed necessary.

The next review period for each policy is identified on the front of the policy. Policies may be reviewed at an earlier date if deemed necessary due to legislative or other changes.

**BUDGET**

Not applicable.

**LIFE CYCLE COSTS**

Not applicable.

# Attachment 1



<b>ECM DSID Number:</b>	
First Issued / Approved:	09/05/2017
Last Reviewed:	C
Next Review:	<u>13/08/2024</u>
Responsible Officer:	<u>Manager Development Services</u>
Date Placed on Webpage/ Intranet:	

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**1. PREAMBLE**

This policy provides a set of principles to be used when Council considers whether it will permit activity to occur on land over which it has responsibility.

**1.1 Background**

The use of public footpaths and the like for urban activities including for the purposes of outdoor dining, cafes or retailing has become increasingly popular in the City of Holdfast Bay. There are also circumstances where structures built primarily on private land need to encroach on public land, protruding into the air space located above otherwise public land, but not necessarily occupying physical space at ground level. In recognition of these events, Council has adopted a policy according to which it will assess and consider the use of public land for these activities. Councils have the authority under Sections 202 and 221 of the *Local Government Act 1999* to seek a permit and associated fee for any structure located over, under or across public land.

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**1.2 Purpose**

This Policy provides criteria for managing the different types of encroachments over public land to ensure that they contribute positively but do not impinge on public use, safety or amenity. In doing so, this Policy seeks to provide a fair and balanced approach to the use of public space.

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**1.3 Scope**

The Policy covers any structure erected or installed in, on, across, under or over Council land, including the air space above land in the ownership of Council. This includes structures that straddle the title boundary, whether in the form of a cantilevered protuberance or as a grounded structure, from private land on to public land (including roads and Community Land).

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The Policy provides the basis for the Council's assessment and decision making on encroachments as land owner. The Policy sets out both the criteria to guide the assessment and the processes for applying for a permit.

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**1.4 Definitions**



## ENCROACHMENTS – SECTION 202 & 221 LOCAL GOVERNMENT ACT 1999

*Encroachment* – means any structure erected or installed in, on, across, under or over Council land. This includes structures that straddle the title boundary, whether in the form of a cantilevered protuberance or as a grounded structure, from private land on to public land (including roads and Community Land).

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Structure – includes any fence, wall, fixture or fitting, whether temporary or permanent, moveable or immovable.

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### 1.5 Strategic Reference

Placemaking: Creating vibrant and safe places  
Culture: Supporting excellent, efficient operations

## 2. PRINCIPLES

The following principles shall apply to assessments:

### 2.1 Cornices, sunscreens, hoods and other such protuberances that occupy air space above Council owned land

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- Encroach no more than 1500mm into public space and not extend along more than 10 metres of site frontage;
- Have a minimum height of 3 metres above the level of the footpath and a minimum clearance of 600mm from the kerb or a minimum height of 5.0 metres above the level of a vehicular carriageway;
- Do not narrow the width of a footpath or public space;
- Do not preclude street tree planting in a location previously designated for such a purpose;
- Are not considered to pose a hazard, particularly to pedestrians or other users of public space, for example is not below head height and/ or not at risk of detaching from the building;
- Are replacing an existing encroachment of the same dimensions;
- Do not interrupt pedestrian movement or public space;
- Are constructed so as to prevent water dripping or discharging onto Council land; and
- Do not cause any interference to public services.

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### 2.2 Awnings, verandahs, pergolas and freestanding shade structures

- Have a minimum height of 3 metres and not more than 3.7 metres above the level of the footpath measured to the underside of the awning, verandah or pergola, except in the case of retractable awnings which, when fully lowered, shall be at a height above the level of the footpath to provide a clearance of not less than 2.5 metres measured to the lowest part of the awning and a clearance of not less than 3 metres when fully retracted;
- Have a minimum setback of 600mm from the kerb face;
- Not restrict pedestrian access to less than 1.8m (or greater if in a high pedestrian area) on any side other than that adjacent to the kerb; and
- Be constructed so as to prevent water from dripping or discharging onto a footpath.

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## ENCROACHMENTS – SECTION 202 & 221 LOCAL GOVERNMENT ACT 1999

### 2.3 Signs

- ~~Be~~ at a height above the level of the footpath of not less than 2.5 metres for permanent and rigid material advertisements and 2.3 metres for temporary advertisements made of a flexible or yielding material measured to the lowest part of the sign; and
- ~~Be~~ located such that no part is set back less than 600mm from the kerb face.

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### 2.4 Sundry and Minor

- Applied finishes (i.e. painted lines or stencilled areas) shall extend no further than 50mm onto the surface of the public space.

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### 2.5 Infrastructure

- cables, communications and other services
- access pits and hatches
- electricity service connections
- mechanical and plant equipment
- pipes and services
- flagpoles.

### 2.6 Non-Minor

- balconies
- freestanding signs
- underground car parking
- fully or predominantly enclosed parts of any building which encroach over public space (e.g. increased leasable floor area, at below or above ground level) and
- enclosed balconies and any structures that exclude access to areas of public space.

### 2.7 Development Approval

Encroachments generally involve building work, which constitutes 'development' under the *Development Act 1993* or *Planning, Development and Infrastructure Act 2016*. As a result, a proposed encroachment will generally require both an Encroachment Permit (under the *Local Government Act 1999*) and a Development Approval (under the *Development Act 1993* or *Planning, Development and Infrastructure Act 2016*) before construction can commence.

'In principle' support for an Encroachment Permit is a requirement prior to a development application proceeding to assessment. If a development application is received that includes an encroachment, and that encroachment does not have 'in principle' support, then the development assessment cannot proceed until a decision on the Encroachment Permit is made. If an Encroachment Permit is refused, the development application must be:

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## ENCROACHMENTS – SECTION 202 & 221 LOCAL GOVERNMENT ACT 1999

- ~~Modified to meet the requirements of the Policy;~~
- ~~Withdrawn; or~~
- ~~Refused on the basis that it does not have approval of the Council in its role as landlord for the elements that encroach.~~

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~~Once an encroachment has both an Encroachment Permit and a Development Approval, these will be issued and construction can commence. Applicants should contact Council's Development Services Unit to discuss the requirements for lodging a development application.~~

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### 2.8 Fees

Fees associated with an Encroachment Permit are detailed and set in the Council's ~~S~~chedule of Fees and Charges. The fees will vary according to the type of encroachment and be set according to the following principles:

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- ~~Reflecting the extent and impact of the encroachment on public space;~~
- ~~Reflecting the potential for public benefit to be gained from the encroachment; and~~
- ~~Reflecting the potential for private benefit and/or commercial gain, unless of a major public benefit.~~

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### 2.9 Permit Renewal and Cancellation

2.9.1 An Encroachment Permit is valid for 12 months upon approval, and may be cancelled or amended if:

- ~~The owner/occupier fails to comply with the permit conditions (including payment of fees); or~~
- ~~There are changed conditions affecting the encroachment, such as increased risk to health and safety; or~~
- ~~Other valid reasons require cancellation, such as streetscape upgrades or refurbishment.~~

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2.9.2 Council will issue annual renewal notices to permit holders. It is the responsibility of the permit holder to ensure the permit is renewed annually, including the payment of fees and the currency of public liability insurance.

2.9.3 If a permit lapses or is cancelled (for example due to non-payment of fees), Council will require the land owner to renew the permit or remove the encroachment and reinstate the public realm and any adjacent structure to Council's satisfaction.

2.9.4 Council ~~may at its discretion,~~ review the health and safety of the encroachment, ~~whether the encroachment complies with any conditions,~~ and/or request a copy of the owner/occupiers public liability Certificate of Currency at any time. ~~Council will advise recipients of an Encroachment Permit review in writing if it proposes to undertake any review.~~

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### 2.10 Public Liability Insurance

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## ENCROACHMENTS – SECTION 202 & 221 LOCAL GOVERNMENT ACT 1999

- 2.10.1 Permit holders must take out and keep current a public liability insurance policy noting specifically the interest of the Council as an insured party.
- 2.10.2 The policy must insure for the amount of at least twenty million dollars (\$20,000,000), unless otherwise negotiated by Council, and must cover injury, loss or damage to persons or property arising out of the activity carried out under any Permit or the granting of the Permit by the Council.
- 2.10.3 A certificate of Currency for the policy must accompany the application for the annual renewal of an Encroachment Permit or be presented to Council upon request.

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### 3. REFERENCES

#### Legislation

- [Development Act 1993](#)
- [Local Government Act 1999](#)
- [Planning, Development and Infrastructure Act 2016](#)

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#### Other References

- [Hoarding Permits and Builder Damage Policy](#)
- [Outdoor Dining Policy](#)
- [Verge Management Policy](#)

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# Attachment 2



ECM DSID Number:	
First Issued / Approved:	09/05/2017
Last Reviewed:	C
Next Review:	13/08/2024
Responsible Officer:	Manager Development Services
Date Placed on Webpage/ Intranet:	

**1. PREAMBLE**

This policy provides a set of principles to be used when Council considers whether it will permit activity to occur on land over which it has responsibility.

**1.1 Background**

The use of public footpaths and the like for urban activities including for the purposes of outdoor dining, cafes or retailing has become increasingly popular in the City of Holdfast Bay. There are also circumstances where structures built primarily on private land need to encroach on public land, protruding into the air space located above otherwise public land, but not necessarily occupying physical space at ground level. In recognition of these events, Council has adopted a policy according to which it will assess and consider the use of public land for these activities. Councils have the authority under Sections 202 and 221 of the *Local Government Act 1999* to seek a permit and associated fee for any structure located over, under or across public land.

**1.2 Purpose**

This Policy provides criteria for managing the different types of encroachments over public land to ensure that they contribute positively but do not impinge on public use, safety or amenity. In doing so, this Policy seeks to provide a fair and balanced approach to the use of public space.

**1.3 Scope**

The Policy covers any structure erected or installed in, on, across, under or over Council land, including the air space above land in the ownership of Council. This includes structures that straddle the title boundary, whether in the form of a cantilevered protuberance or as a grounded structure, from private land on to public land (including roads and Community Land).

The Policy provides the basis for the Council’s assessment and decision making on encroachments as land owner. The Policy sets out both the criteria to guide the assessment and the processes for applying for a permit.

# ENCROACHMENTS – SECTION 202 & 221 LOCAL GOVERNMENT ACT 1999

## 1.4 Definitions

*Encroachment* – means any structure erected or installed in, on, across, under or over Council land. This includes structures that straddle the title boundary, whether in the form of a cantilevered protuberance or as a grounded structure, from private land on to public land (including roads and Community Land).

*Structure* – includes any fence, wall, fixture or fitting, whether temporary or permanent, moveable or immovable.

## 1.5 Strategic Reference

Placemaking: Creating vibrant and safe places

Culture: Supporting excellent, efficient operations

## 2. PRINCIPLES

The following principles shall apply to assessments:

### 2.1 Cornices, sunscreens, hoods and other such protuberances that occupy air space above Council owned land

- Encroach no more than 1500mm into public space and not extend along more than 10 metres of site frontage;
- Have a minimum height of 3 metres above the level of the footpath and a minimum clearance of 600mm from the kerb or a minimum height of 5.0 metres above the level of a vehicular carriageway;
- Do not narrow the width of a footpath or public space;
- Do not preclude street tree planting in a location previously designated for such a purpose;
- Are not considered to pose a hazard, particularly to pedestrians or other users of public space, for example is not below head height and/ or not at risk of detaching from the building;
- Are replacing an existing encroachment of the same dimensions;
- Do not interrupt pedestrian movement or public space;
- Are constructed so as to prevent water dripping or discharging onto Council land; and
- Do not cause any interference to public services.

### 2.2 Awnings, verandahs, pergolas and freestanding shade structures

- Have a minimum height of 3 metres and not more than 3.7 metres above the level of the footpath measured to the underside of the awning, verandah or pergola, except in the case of retractable awnings which, when fully lowered, shall be at a height above the level of the footpath to provide a clearance of not less than 2.5 metres measured to the lowest part of the awning and a clearance of not less than 3 metres when fully retracted;
- Have a minimum setback of 600mm from the kerb face;
- Not restrict pedestrian access to less than 1.8m (or greater if in a high pedestrian area) on any side other than that adjacent to the kerb; and

## ENCROACHMENTS – SECTION 202 & 221 LOCAL GOVERNMENT ACT 1999

- Be constructed so as to prevent water from dripping or discharging onto a footpath.

### 2.3 Signs

- Be at a height above the level of the footpath of not less than 2.5 metres for permanent and rigid material advertisements and 2.3 metres for temporary advertisements made of a flexible or yielding material measured to the lowest part of the sign; and
- Be located such that no part is set back less than 600mm from the kerb face.

### 2.4 Sundry and Minor

- Applied finishes (i.e. painted lines or stencilled areas) shall extend no further than 50mm onto the surface of the public space.

### 2.5 Infrastructure

- cables, communications and other services
- access pits and hatches
- electricity service connections
- mechanical and plant equipment
- pipes and services
- flagpoles.

### 2.6 Non-Minor

- balconies
- freestanding signs
- underground car parking
- fully or predominantly enclosed parts of any building which encroach over public space (e.g. increased leasable floor area, at below or above ground level) and
- enclosed balconies and any structures that exclude access to areas of public space.

### 2.7 Development Approval

Encroachments generally involve building work, which constitutes ‘development’ under the *Development Act 1993* or *Planning, Development and Infrastructure Act 2016*. As a result, a proposed encroachment will generally require both an Encroachment Permit (under the *Local Government Act 1999*) and a Development Approval (under the *Development Act 1993* or *Planning, Development and Infrastructure Act 2016*) before construction can commence.

‘In principle’ support for an Encroachment Permit is a requirement prior to a development application proceeding to assessment. If a development application is received that includes an encroachment, and that encroachment does not have ‘in principle’ support, then the development assessment cannot proceed until a



## ENCROACHMENTS – SECTION 202 & 221 LOCAL GOVERNMENT ACT 1999

decision on the Encroachment Permit is made. If an Encroachment Permit is refused, the development application must be:

- Modified to meet the requirements of the Policy;
- Withdrawn; or
- Refused on the basis that it does not have approval of the Council in its role as landlord for the elements that encroach.

Once an encroachment has both an Encroachment Permit and a Development Approval, these will be issued and construction can commence. Applicants should contact Council's Development Services Unit to discuss the requirements for lodging a development application.

### 2.8 Fees

Fees associated with an Encroachment Permit are detailed and set in the Council's Schedule of Fees and Charges. The fees will vary according to the type of encroachment and be set according to the following principles:

- Reflecting the extent and impact of the encroachment on public space;
- Reflecting the potential for public benefit to be gained from the encroachment; and
- Reflecting the potential for private benefit and/or commercial gain, unless of a major public benefit.

### 2.9 Permit Renewal and Cancellation

2.9.1 An Encroachment Permit is valid for 12 months upon approval, and may be cancelled or amended if:

- The owner/occupier fails to comply with the permit conditions (including payment of fees); or
- There are changed conditions affecting the encroachment, such as increased risk to health and safety; or
- Other valid reasons require cancellation, such as streetscape upgrades or refurbishment.

2.9.2 Council will issue annual renewal notices to permit holders. It is the responsibility of the permit holder to ensure the permit is renewed annually, including the payment of fees and the currency of public liability insurance.

2.9.3 If a permit lapses or is cancelled (for example due to non-payment of fees), Council will require the land owner to renew the permit or remove the encroachment and reinstate the public realm and any adjacent structure to Council's satisfaction.

2.9.4 Council may at its discretion, review the health and safety of the encroachment, whether the encroachment complies with any conditions, and/or request a copy of the owner/occupiers public liability Certificate of Currency at any time. Council will advise recipients of an

## ENCROACHMENTS – SECTION 202 & 221 LOCAL GOVERNMENT ACT 1999

Encroachment Permit review in writing if it proposes to undertake any review.

### 2.10 Public Liability Insurance

2.10.1 Permit holders must take out and keep current a public liability insurance policy noting specifically the interest of the Council as an insured party.

2.10.2 The policy must insure for the amount of at least twenty million dollars (\$20,000,000), unless otherwise negotiated by Council, and must cover injury, loss or damage to persons or property arising out of the activity carried out under any Permit or the granting of the Permit by the Council.

2.10.3 A certificate of Currency for the policy must accompany the application for the annual renewal of an Encroachment Permit or be presented to Council upon request.

## 3. REFERENCES

### Legislation

- *Development Act 1993*
- *Local Government Act 1999*
- *Planning, Development and Infrastructure Act 2016*

### Other References

- Hoarding Permits and Builder Damage Policy
- Outdoor Dining Policy
- Verge Management Policy

# Attachment 3



<a href="#">ECM DSID Number:</a>	
First Issued / Approved:	11/03/2011
Last Reviewed:	
Next Review:	<a href="#">13/08/2023</a>
<a href="#">Responsible Officer:</a>	<a href="#">Manager Development Services</a>
<a href="#">Date Placed on Webpage/ Intranet:</a>	

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- Deleted: FOL/17/1006
- Deleted: 27/02/2018
- Deleted: C270218/1056
- Deleted: 30/06/2020

**1. PREAMBLE**

This policy outlines Council’s responsibilities and powers in relation to matters of Liquor Licensing within the City of Holdfast Bay.

**1.1 Background**

The City of Holdfast Bay is one of South Australia’s premier seaside destinations and tourist areas accommodating interstate, regional and overseas travellers. Due to this, a significant number of licensed premises exist within the council boundaries; ranging from small-scale sporting clubs and hairdressing salons through to restaurants, cafes, hotels and distilleries. As licensed premises desire to adapt to social and economic change (like all businesses), the prescriptive nature of Liquor Licensing and Development Legislation require councils to implement guidelines to ensure that the parameters of any/all new licences and/or existing licence variation are compatible within a legislative and policy context, while consistently meeting the expectations of community.

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**1.2 Purpose**

This policy sets out the terms of reference and provides a framework for the exercise of Council’s powers, assessment mechanisms and intervention rights pursuant the *Liquor Licensing Act 1997*. This policy seeks to encourage responsible attitudes and practices towards the consumption and use of liquor within Holdfast Bay, and should be read in conjunction with the [Planning and Design Code 2019](#), [Commercial Leasing and Licensing Policy](#), [Outdoor Dining Policy](#) and the City of Holdfast Bay By-Laws for a comprehensive interpretation of requirements.

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**1.3 Scope**

This policy applies to the operation of all liquor licences and licensed premises (as defined and approved by the *Liquor Licensing Act 1997*) within the City of Holdfast Bay.

**1.4 Definitions**

[Act means the \*Liquor Licensing Act 1997\*](#)

## LIQUOR LICENSING POLICY

*Council* means a Council within the meaning of the *Local Government Act 1999*;

*Council Land/Public Place* means all roads, footpaths, buildings, land, reserves, structures, community centres etc. owned and or maintained by a Council pursuant section 4 of the *Local Government Act 1999*;

*Entertainment* means entertainment and/or live entertainment within the meaning of the *Liquor Licensing Act 1997*;

*Entertainment Consent* means entertainment consent within the meaning of the *Liquor Licensing Act 1997*;

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*Extended Trading Authorisation (ETA)* means a conditional authorisation imposed on a licence by the 'Licensing Authority' to extend the standard approved hours of liquor service pursuant section 128(5) of the *Liquor Licensing Act 1997*;

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*Licensed Premises* means a licensed premise(s) within the meaning of the *Liquor Licensing Act 1997*;

*Licensing Authority* means Consumer and Business Services (CBS), the Liquor and Gambling Commissioner ("Commissioner"), the Licensing Court of South Australia; and/or a delegate thereof;

*Liquor* means liquor within the meaning of the *Liquor Licensing Act 1997*;

*Liquor Licence* means a liquor licence within the meaning of the *Liquor Licensing Act 1997*;

*Local Authority* means Council;

*Outdoor Dining Area (ODA)* means the area where outdoor dining is permitted under either section 221 or 222 of the *Local Government Act 1999* (in accordance with section 1.4 of the *City of Holdfast Bay's Outdoor Dining Policy*);

Section 69 Extension of Trading Areas (or extended trading areas) means an authorisation to consume liquor in an Outdoor Dining Area in accordance with section 69 of the *Liquor Licensing Act 1997*;

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*Standard Approved Hours* means the standard hours legislatively approved for sale and/or supply of liquor for each respective licence category within the *Liquor Licensing Act 1997* without an ETA;

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### 1.5 Strategic Reference

Placemaking: Creating lively and safe places  
Economy: Supporting and growing local business  
Economy: Making it easier to do business  
Economy: Boosting our visitor economy

## LIQUOR LICENSING POLICY

### 2. PRINCIPLES

2.1 ~~When invited to do so by the Commisioner,~~ Council will assess the individual merits of each application against relevant legislation, development requirements, Building Code of Australia, Council policy guidelines, and the intentions and objects of the Act to ensure:

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**Deleted:** In accordance with section 2.1 of this policy,

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2.1.1 that the existing 'use rights' of the subject land/property are deemed suitable for the establishment of a licensed premises;

2.1.2 that the sought standard approved hours are deemed suitable for both the licensed premises and its location;

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2.1.3 that any sought extended trading authorisation is deemed appropriate for both the licensed premises and its location;

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2.1.4 that the operational hours of any sought section 69 approved Outdoor Dining Area are deemed suitable for a both the licensed premises and its location;

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2.1.5 that any sought entertainment consent is deemed appropriate for both the licensed premises and its location;

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2.2 As the City of Holdfast Bay is a highly residential area, in accordance with sections 2.1 and 2.2.2 of this policy, with the exception of extenuating circumstances, council will generally only support Standard Approved Hours prescribed by the Act for each individual licence category. Should an applicant seek licensed hours exceeding the Standard Approved Hours, prescribed by the Act, further development approval and/or Council resolution may be required;

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2.3 In accordance with section 77(3) of the Act council may exercise its right of intervention into licence proceedings held before the Licensing Authority for applications requiring Development Approval. To exercise this right council must provide sufficient evidence to the Licensing Authority that the application will contravene development and/or planning requirements.

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2.4 In accordance with sections 77 and 78 of the Act, council reserves the right to provide the Licensing Authority with a written submission when a proposed licence, operation of a licence, or conduct of a licensee is deemed to be of detriment to the amenity of the local area. To exercise this right council must provide sufficient evidence to the Licensing Authority that a licensed premises will have significant detrimental impact on the community.

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2.5 In accordance with section 69 of the Act and sections 2.1 - 2.5 of Council's Outdoor Dining Policy, an application may be lodged with the Local Authority by a Licensee

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## LIQUOR LICENSING POLICY

to authorise the provision of liquor within an allocated area of council land adjacent to a licensed premise;

2.6 For the purpose of section 2.5 of this policy:

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2.6.1 In accordance with section 2.10.2 of Council's Outdoor Dining Policy, no liquor is to be served, supplied and/or consumed within a section 69 extended trading areas between the hours of 12:00 am and 8:00 am on any day;

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2.6.2 In accordance with sections 2.6 and 2.7 of Council's Outdoor Dining Policy, should an outdoor dining permit lapses or becomes cancelled, revoked or suspended, the Local Authority will notify the Licensing Authority thus revoking any section 69 authorisation to consume liquor in the area adjacent to the licensed premises;

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2.6.3 When liquor is to be consumed in an approved outdoor area Council reserves the right to impose a maximum capacity for each individual area based on:

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- a. 1 person per 1m<sup>2</sup> for seated areas;
- b. 1 person per 0.75m<sup>2</sup> where approval for standing consumption is sought;

2.7 Pursuant to section 105 of the Act, entertainment in licensed premises should contribute positively to and not detract from the amenity of the area. As such, in accordance with sections 2.1.5 unless good cause is demonstrated, in all cases where entertainment is sought to be provided, Council will seek the imposition of the following conditions:

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- a. All doors and windows within the premises are to be closed (but not locked) during the trading hours when entertainment is provided;
- b. No [live] entertainment is to be provided on or in any balcony or outdoor/external area;
- c. No loudspeakers are to be placed on the fascia of the premises, balcony or any other adjacent outdoor area or footpath;

2.8 In accordance with section 106 of the Act and for the purpose of section 2.4 of this policy, council may exercise its power to submit a complaint to the Licensing Authority on the grounds that entertainment, live entertainment and/or general noise emanating from a licensed premise excessive and is deemed to be unduly offensive, annoying, disturbing, or inconvenient to at least ten (10) persons who reside, work or worship in the immediate vicinity of a licensed premises;

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## LIQUOR LICENSING POLICY

~~2.9~~ In accordance with the City of Holdfast Bay's public land alcohol management (through the enforcement of By-Laws), council reserves the right to approve, refuse and/or restrict licence hours, conditions, and/or entertainment consent of any limited liquor licence application to assist in the management of public land/places, and to ensure the reasonable peace of residents;

**Deleted:** 2.10 .In accordance with section 40 of the Act, council (both as landlord and local authority) requires that all Limited Liquor Licence applications are to be submitted to council for assessment;

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2.10 In accordance with the provisions set out in section 131 of the Act council reserves the right to implement a temporary dry area for the purpose of prohibiting the consumption and/or possession of liquor in any public place for a period of up to and including 48 hours.

### 3. REFERENCES

#### Legislation

- ~~Liquor Licensing Act 1997~~
- ~~Local Government Act 1999~~
- ~~Planning, Development and Infrastructure Act 2016~~

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**Deleted:** .

**Deleted:** <#>Local Government Act 1999.¶

#### Other References

- ~~City Wide Outdoor Urban Design Guidelines~~
- ~~Commercial Leasing and Licensing Policy~~
- ~~Outdoor Dining Policy~~

**Deleted:** City of Holdfast Bay Outdoor Dining Policy

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# Attachment 4



ECM DSID Number:	
First Issued / Approved:	11/03/2011
Last Reviewed:	
Next Review:	13/08/2023
Responsible Officer:	Manager Development Services
Date Placed on Webpage/ Intranet:	

## 1. PREAMBLE

This policy outlines Council’s responsibilities and powers in relation to matters of Liquor Licensing within the City of Holdfast Bay.

### 1.1 Background

The City of Holdfast Bay is one of South Australia’s premier seaside destinations and tourist areas accommodating interstate, regional and overseas travellers. Due to this, a significant number of licensed premises exist within the council boundaries; ranging from small-scale sporting clubs and hairdressing salons through to restaurants, cafes, hotels and distilleries. As licensed premises desire to adapt to social and economic change (like all businesses), the prescriptive nature of Liquor Licensing and Development Legislation require councils to implement guidelines to ensure that the parameters of any/all new licences and/or existing licence variation are compatible within a legislative and policy context, while consistently meeting the expectations of community.

### 1.2 Purpose

This policy sets out the terms of reference and provides a framework for the exercise of Council’s powers, assessment mechanisms and intervention rights pursuant the *Liquor Licensing Act 1997*. This policy seeks to encourage responsible attitudes and practices towards the consumption and use of liquor within Holdfast Bay, and should be read in conjunction with the Planning and Design Code 2019, Commercial Leasing and Licensing Policy, Outdoor Dining Policy and the City of Holdfast Bay By-Laws for a comprehensive interpretation of requirements.

### 1.3 Scope

This policy applies to the operation of all liquor licences and licensed premises (as defined and approved by the *Liquor Licensing Act 1997*) within the City of Holdfast Bay.

### 1.4 Definitions

*Act* means the *Liquor Licensing Act 1997*

# LIQUOR LICENSING POLICY

*Council* means a Council within the meaning of the *Local Government Act 1999*;

*Council Land/Public Place* means all roads, footpaths, buildings, land, reserves, structures, community centres etc. owned and or maintained by a Council pursuant section 4 of the *Local Government Act 1999*;

*Entertainment* means entertainment and/or live entertainment within the meaning of the *Liquor Licensing Act 1997*;

*Entertainment Consent* means entertainment consent within the meaning of the *Liquor Licensing Act 1997*;

*Extended Trading Authorisation (ETA)* means a conditional authorisation imposed on a licence by the 'Licensing Authority' to extend the standard approved hours of liquor service pursuant section 128(5) of the *Liquor Licensing Act 1997*;

*Licensed Premises* means a licensed premise(s) within the meaning of the *Liquor Licensing Act 1997*;

*Licensing Authority* means Consumer and Business Services (CBS), the Liquor and Gambling Commissioner ("Commissioner"), the Licensing Court of South Australia; and/or a delegate thereof;

*Liquor* means liquor within the meaning of the *Liquor Licensing Act 1997*;

*Liquor Licence* means a liquor licence within the meaning of the *Liquor Licensing Act 1997*;

*Local Authority* means Council;

*Outdoor Dining Area (ODA)* means the area where outdoor dining is permitted under either section 221 or 222 of the *Local Government Act 1999* (in accordance with section 1.4 of the *City of Holdfast Bay's Outdoor Dining Policy*);

*Section 69 Extension of Trading Areas (or extended trading areas)* means an authorisation to consume liquor in an Outdoor Dining Area in accordance with section 69 of the *Liquor Licensing Act 1997*;

*Standard Approved Hours* means the standard hours legislatively approved for sale and/or supply of liquor for each respective licence category within the *Liquor Licensing Act 1997* without an ETA;

## 1.5 Strategic Reference

Placemaking: Creating lively and safe places

Economy: Supporting and growing local business

Economy: Making it easier to do business

Economy: Boosting our visitor economy

### 2. PRINCIPLES

- 2.1 When invited to do so by the Commissioner, Council will assess the individual merits of each application against relevant legislation, development requirements, Building Code of Australia, Council policy guidelines, and the intentions and objects of the Act to ensure:
- 2.1.1 that the existing 'use rights' of the subject land/property are deemed suitable for the establishment of a licensed premises;
  - 2.1.2 that the sought standard approved hours are deemed suitable for both the licensed premises and its location;
  - 2.1.3 that any sought extended trading authorisation is deemed appropriate for both the licensed premises and its location;
  - 2.1.4 that the operational hours of any sought section 69 approved Outdoor Dining Area are deemed suitable for a both the licensed premises and its location;
  - 2.1.5 that any sought entertainment consent is deemed appropriate for both the licensed premises and its location;
- 2.2 As the City of Holdfast Bay is a highly residential area, in accordance with sections 2.1 and 2.2.2 of this policy, with the exception of extenuating circumstances, council will generally only support Standard Approved Hours prescribed by the Act for each individual licence category. Should an applicant seek licensed hours exceeding the Standard Approved Hours prescribed by the Act, further development approval and/or Council resolution may be required;
- 2.3 In accordance with section 77(3) of the Act council may exercise its right of intervention into licence proceedings held before the Licensing Authority for applications requiring Development Approval. To exercise this right council must provide sufficient evidence to the Licensing Authority that the application will contravene development and/or planning requirements.
- 2.4 In accordance with sections 77 and 78 of the Act, council reserves the right to provide the Licensing Authority with a written submission when a proposed licence, operation of a licence, or conduct of a licensee is deemed to be of detriment to the amenity of the local area. To exercise this right council must provide sufficient evidence to the Licensing Authority that a licensed premises will have significant detrimental impact on the community.
- 2.5 In accordance with section 69 of the Act and sections 2.1 - 2.5 of Council's Outdoor Dining Policy, an application may be lodged with the Local Authority by a Licensee to authorise the provision of liquor within an allocated area of council land adjacent to a licensed premise;

## LIQUOR LICENSING POLICY

- 2.6 For the purpose of section 2.5 of this policy:
- 2.6.1 In accordance with section 2.10.2 of Council's Outdoor Dining Policy, no liquor is to be served, supplied and/or consumed within a section 69 extended trading areas between the hours of 12:00 am and 8:00 am on any day;
  - 2.6.2 In accordance with sections 2.6 and 2.7 of Council's Outdoor Dining Policy, should an outdoor dining permit lapses or becomes cancelled, revoked or suspended, the Local Authority will notify the Licensing Authority thus revoking any section 69 authorisation to consume liquor in the area adjacent to the licensed premises;
  - 2.6.3 When liquor is to be consumed in an approved outdoor area Council reserves the right to impose a maximum capacity for each individual area based on:
    - a. 1 person per 1m<sup>2</sup> for seated areas;
    - b. 1 person per 0.75m<sup>2</sup> where approval for standing consumption is sought;
- 2.7 Pursuant to section 105 of the Act, entertainment in licensed premises should contribute positively to and not detract from the amenity of the area. As such, in accordance with sections 2.1.5 unless good cause is demonstrated, in all cases where entertainment is sought to be provided, Council will seek the imposition of the following conditions:
- a. All doors and windows within the premises are to be closed (but not locked) during the trading hours when entertainment is provided;
  - b. No [live] entertainment is to be provided on or in any balcony or outdoor/external area;
  - c. No loudspeakers are to be placed on the fascia of the premises, balcony or any other adjacent outdoor area or footpath;
- 2.8 In accordance with section 106 of the Act and for the purpose of section 2.4 of this policy, council may exercise its power to submit a complaint to the Licensing Authority on the grounds that entertainment, live entertainment and/or general noise emanating from a licensed premise excessive and is deemed to be unduly offensive, annoying, disturbing, or inconvenient to at least ten (10) persons who reside, work or worship in the immediate vicinity of a licensed premises;

## LIQUOR LICENSING POLICY

- 2.9 In accordance with the City of Holdfast Bay's public land alcohol management (through the enforcement of By-Laws), council reserves the right to approve, refuse and/or restrict licence hours, conditions, and/or entertainment consent of any limited liquor licence application to assist in the management of public land/places, and to ensure the reasonable peace of residents;
- 2.10 In accordance with the provisions set out in section 131 of the Act council reserves the right to implement a temporary dry area for the purpose of prohibiting the consumption and/or possession of liquor in any public place for a period of up to and including 48 hours.

### 3. REFERENCES

#### Legislation

- *Liquor Licensing Act 1997*
- *Local Government Act 1999*
- *Planning, Development and Infrastructure Act 2016*

#### Other References

- *City Wide Outdoor Urban Design Guidelines*
- *Commercial Leasing and Licensing Policy*
- *Outdoor Dining Policy*

Item No: **15.4**

Subject: **STATUTES AMENDMENT (LOCAL GOVERNMENT REVIEW) ACT 2021 – CURRENT CONSULTATIONS**

Date: 14 September 2021

Written By: Manager Strategy & Governance

General Manager: Strategy & Corporate, Ms P Jackson

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## **SUMMARY**

The *Statutes Amendment (Local Government Review) Act 2021* (the Review Act) was assented to by the Governor on 17 June 2021, however it has yet to commence.

The Local Government Association (LGA) has been working closely with the Office of Local Government on a commencement timeline and has requested feedback from Councils regarding the commencement timeframe for the Member Behaviour Framework and casual vacancy elections countback methods.

---

## **RECOMMENDATION**

### **That Council:**

- 1. notes this briefing on the Member Behaviour Provisions of the *Statutes Amendment (Local Government Review) Act 2021*; and**
  - 2. endorses the proposed response to the Local Government Association (Attachment 3) and authorises the Chief Executive Officer to send the response on Council's behalf with any minor amendments as required.**
- 

## **COMMUNITY PLAN**

Culture: Enabling high performance  
Culture: Supporting excellent, efficient operations

## **COUNCIL POLICY**

A number of policies will require review in due course

## **STATUTORY PROVISIONS**

*Local Government Act 1999* and Regulations  
*Local Government (Elections) Act 1999*  
*Statutes Amendment (Local Government Review) Act 2021*

## **BACKGROUND**

The Local Government Review Bill 2020 (the Bill) was introduced in the House of Assembly by the Minister for Transport, Infrastructure and Local Government on 17 June 2020. After many amendments through the Parliamentary process, the Bill was passed by the Legislative Council on 8 June 2021 and assented to by the Governor of Australia on 17th June 2021. The *Statutes Amendment (Local Government Review) Act 2021* (the Review Act) is yet to commence.

The Local Government Association (LGA) has been working closely with the Office of Local Government on a commencement timeline and has requested feedback from Councils regarding the commencement timeframe for the Member Behaviour Framework and casual vacancy elections countback methods.

## **REPORT**

### ***Behaviour Management Framework***

One of the key focus areas in the local government reforms which have led to the Review Act was articulated in the Second Reading Speech for the *Statutes Amendment (Local Government Review) Bill 2020* as “strong council member capacity and better conduct, helping our council members to perform their duties to the best of their ability and ensuring that the right measures are in place to deal with conduct issues when they arise.”

To this end, the Review Act sets out a substantial overhaul of the provisions relating to Elected Member conduct. The current code of conduct for elected members will be repealed and replaced by ‘Behavioural Standards’ to be published by the Minister for Local Government and councils will be required to develop supporting policies.

While these provisions were a key pillar of the reforms, the State Government does not appear to have a fixed view about when the provisions should commence and has asked the sector for their views about potential commencement timeframes.

The LGA is managing the consultation and has released an options paper describing the two options being considered, as well as the arguments for and against commencing quickly. Comments from councils are due back to the LGA by 21 September 2021.

*Refer Attachment 1*



A workshop was held on 10 August 2021 at which a general overview of the Review Act was provided and Council discussed the relative pros and cons of commencement timeframes relating to a number of provisions.

While it is noted that there are potential benefits to commencing the provisions relating to member behaviour ahead of the 2022 Local Government Election, on balance, it is considered more prudent to work to a post-Election implementation schedule. Due to the substantial amount of work that will be required to implement the reforms and the need to ensure the provisions are well thought out and adequately consulted on, a November 2022 commencement date is preferable.

A third option is proposed for consideration, in which there is a 'staged' system of commencement. Councils that require early implementation could volunteer or be directed to follow the 'commence quickly timeline', while others could follow the 'post-Election timeline'. While not a commonly adopted approach to legislative implementation, it could be technically feasible and is not dissimilar in practice to the three-year rolling review of annual business plans by ESCOSA which will give some councils more time to prepare for the implementation of reforms.

### ***Casual Vacancy Elections Countback Systems***

The *Statutes Amendment (Local Government Review) Act 2021* has inserted a new section into the *Local Government (Elections) Act 1990* which allows a casual vacancy to be filled without an election, if an elected member vacates the position in the first 12 months after a periodic election. Instead, the replacement council member will be determined in accordance with the Regulations, which are yet to be drafted.

The State Government is proposing a 'next highest' method of counting to determine the replacement candidate. This method provides for the next highest candidate to take the position. While this method is simple, it may result in the appointment of candidates who are not supported by the majority of voters.

The LGA is recommending a 'preferred candidate' model, where preferences are counted and the next most preferred candidate is appointed. While a more complex method, it does ensure that voters preferences are taken into account and it is consistent with other electoral procedures. It is proposed this position be supported.

The LGA has provided a briefing paper which is provided as Attachment 2.

*Refer Attachment 2*

Based on the discussions at that workshop and taking into account the content of the LGA papers, a response to the LGA has been drafted and is recommended for Council's consideration.

*Refer Attachment 3*

**BUDGET**

There is no budget impact from the recommendations provided in this report, however, there will be operational costs that will be incurred in relation to training and implementation of the provisions. These are currently expected to be met within existing operational budgets.

**LIFE CYCLE COSTS**

There are no life cycle costs arising from the recommendations in this report.

# Attachment 1



## Commencement of Member Behaviour Framework

The local government sector has been asked for feedback on the optimal commencement dates for the new behaviour management framework for council members (in this paper, referred to as ‘the Framework’) which is set out in new sections 75E, 75F and Chapter 13, Part A1—Member Behaviour of the *Local Government Act 1999* (inserted by s 38 and 126 of the *Statutes Amendment (Local Government Review) Act 2021*).

The first option is to put in place all elements of the Framework as quickly as possible. If so, the Framework could commence in June or July 2022. The second option is for the Framework to commence after the November 2022 local government periodic elections.

This paper set out the steps and the likely timeframe required to achieve implementation of both options.

### Background

The *Statutes Amendment (Local Government Review) Act 2021* will make significant changes to the way council member behaviour issues are addressed. The current code of conduct for elected members will be repealed and replaced by ‘Behavioural Standards’ published by the Minister for Local Government. The date for commencement of this section is yet to be determined. The LGA will make submissions on the commencement date based on feedback from member councils.

Before the new sections commence, councils must make a range of decisions including the development and adoption of behavioural management and support policies to meet the requirements of the new sections (these are referred to in the table below). Public consultation is required before a council can adopt them.

The LGA is preparing a range of training sessions (for both council members and employees) and model documents, to support councils’ transition to the new legislative scheme.

### Required Steps

Required step	Primary Responsibility	Commence quickly timeline	Commence Post-election timeline
LGA consults sector on template council ‘Behavioural Support Policy’ <sup>1</sup> and template council ‘Behavioural Management Policy’ <sup>2</sup> .	Sector	September 2021	September 2021
Minister publishes Behavioural Standards <sup>3</sup> .	Minister	October 2021	October 2021
Minister appoints Behavioural Standards Panel <sup>4</sup> , who can start determining their policies and procedures but who cannot yet hear matters.	Minister Behavioural Standards Panel	November 2021	July 2022

<sup>1</sup> s 75F *Local Government Act 1999* (s 38 *Statutes Amendment (Local Government Review) Act 2021*)

<sup>2</sup> s 262B *Local Government Act 1999* (s 126 *Statutes Amendment (Local Government Review) Act 2021*)

<sup>3</sup> s 75E *Local Government Act 1999* (s 38 *Statutes Amendment (Local Government Review) Act 2021*)

<sup>4</sup> Chapter 13, Part A1, Division 2—Behavioural Standards Panel, *Local Government Act 1999* (s 126 *Statutes Amendment (Local Government Review) Act 2021*)

Required step	Primary Responsibility	Commence quickly timeline	Commence Post-election timeline
LGA provides template policies and training programs.	LGA	From November 2021	From November 2021
Councils meet to deliberate on their 'Behavioural Support Policy' and 'Behavioural Management Policy'.	Council	Final months of 2021 (draft policy approved for consultation by end January 2022)	Post-election: December 2022-March 2023 (must be completed before May 2023).
Councils consult public on proposed 'Behavioural Support Policy' and 'Behavioural Management Policy'.	Council	February 2022	February–March 2023
Taking into account consultation with local communities, councils adopt 'Behavioural Support Policy' and 'Behavioural Management Policy'.	Council	March-April 2022	April 2023
Sections of the Act relating to the Framework commence.	Minister/LGA	July 2022	May 2023
Behavioural Standards Panel available to hear matters.	Behavioural Standards Panel	July 2022	May 2023

## Arguments for and against commencing quickly

### *Arguments for commencing quickly*

- Council member behaviour is an ongoing problem, resulting in sector-wide reputational damage.
- Some councils have critical issues that cannot be effectively solved under the existing laws. These issues present continuing risks of harm to council members and employees.
- This risk of harm exposes the sector to financial costs including legal fees and compensation payments made by the local government workers compensation and indemnity schemes.
- The new scheme increases the likelihood that members will conduct themselves in accordance with community expectations.
- Behavioural Standards Panel members can be appointed and commence development of operating procedures to enable prompt consideration of matters once the provisions commence.

### *Arguments against commencing quickly:*

- Councils have a substantial body of work that must be undertaken before the sections can commence.
- There are a very large number of tasks required to implement the changes to the Local Government Act arising from passage of the *Statutes Amendment (Local Government Review) Act 2021*. The Framework is only one of several substantial projects.
- 2022 will already be a busy year of council governance (and other relevant) officers. Expected federal, state, and local government elections will all increase workloads.

- If the Framework commences quickly, the current council will need to develop the policies required by the legislation and related procedures for implementation. This process will need to be conducted again after the new council is elected.
- The Behavioural Standards Panel will not be available to hear matters, make determinations and impose penalties until mid 2023.

## Summary

Both timeframes are available, however with the 'commence quickly' timeline, council will need to compress the required body of work into a shorter period. Some council deliberations will need to be repeated once a new council is elected.

On the other hand, council member behaviour is a serious systemic issue for the sector. These issues are difficult to resolve under the current laws. Behavioural issues and the inability to resolve breakdowns in Member relationships provide a major distraction from ordinary business, at many councils.

The LGA intends to make a submission on commencement dates for the Framework, based upon the views of member councils. Councils are requested to provide views by **21 September 2021**.

Submissions and question should be addressed to Andrew Lamb, Local Government Reform Partner on 8224 2081 and [andrew.lamb@lga.sa.gov.au](mailto:andrew.lamb@lga.sa.gov.au)

# Attachment 2



## Local Government Casual Vacancy Elections -Countback systems

The local government sector has been asked for feedback on two different 'countback' systems that could be used in the case of a casual vacancy occurring within 12 months of a council periodic election. The two options are described below, and councils are asked to provide feedback on their preferred alternative.

### **Background**

New section 6(2)(c) of the *Local Government (Elections) Act 1999* (inserted by s 151 of the *Statutes Amendment (Local Government Review) Act 2021*) provides that a casual vacancy election will not need to be held, in most cases, if the elected member vacates the position in the first 12 months after a periodic election.

Instead, the replacement council member will be determined in accordance with the Regulations (yet to be drafted). This paper discusses two alternative countback methods being considered as the basis of the intended Regulations.

The 'Next Highest' method has been proposed by the State Government. It is simple and easy to determine. The LGA Secretariat's advice is inclined towards the 'Preferred candidate' preferential system in use for local government casual vacancy elections in Tasmania and Victoria.

### **'Next Highest' method**

In the 'Next Highest' method, the Electoral Commission will examine who had the next highest number of votes, at the moment when the winning candidate was elected.

#### *Benefits*

- Simple and easy to determine the winning candidate without the need to recount ballots.
- Voting papers need to be stored until the results in the periodic election are declared by the Returning Officer (plus an additional 72 hours to allow for potential challenges), but not for a longer period or to be accessed for any recount.

#### *Negatives:*

- Could lead to the election of Members who were not supported by a majority of voters.

### **'Preferred candidate' method**

The 'Preferred Candidate' method is an extension of the preferential system of voting upon which SA local government elections are based. This system is premised on the desire to elect a candidate who is preferred by the majority of voters, even though that candidate did not necessarily receive a majority of first preference votes.

Using this method, when an elected member resigns or passes away in the first 12 months after a periodic election, the ballots are re-examined. Those votes that previously went to the departing member, are re-distributed according to the preferences indicated by the voters.



This method avoids circumstances where one candidate receives a high number of first preference votes but is not supported by a majority of voters. This system is used in Tasmania<sup>1</sup> and Victoria<sup>2</sup>.

*Benefits:*

- The successful candidate determined using this method will be preferred by the majority of voters.
- The votes of those people who originally voted for the departing member will still be counted in determining the replacement candidate.

*Negatives:*

- Voting papers would need to be stored for a longer period of time to be available for any recount and this may have a cost (albeit a much smaller cost than the cost of running a supplementary election)
- Recounting votes via this method is more complicated. ECSA will need to ensure they have access to staff with the requisite skills in the event of any recount.

**Example**

In the periodic election three candidates ran for one position. Candidate A and C have similar views and gave their preferences to each other. The votes were as follows: Candidate A 45%, Candidate B 30% and Candidate C 25%.

No candidate had more than 50% of the vote, so no one was elected after primary votes were counted. Candidate C had the lowest number of votes and so was eliminated and their preferences were distributed. Most of their second preferences flow to Candidate A. Candidate A now had more than 50% of the votes and was declared elected. At that point, Candidate B had the next highest number of votes.

Six months later, Candidate A resigns from council for health reasons. A countback of the votes cast at the periodic election is required. The table below describes the application of each countback method.

<i>'Next Highest' Method</i>	<i>'Preferred Candidate' Method</i>
<p>Elected Member (Candidate A resigns).</p> <p>The candidate with the next highest vote tally was Candidate B, who received 30% of the primary vote.</p> <p>Candidate B is declared elected, even though a majority of voters (70%) put candidate B last.</p>	<p>Elected Member (Candidate A resigns).</p> <p>The ballots are recounted. Any votes that previously went to Candidate A are distributed according to the voter's preferences.</p> <p>Almost all of Candidate A's preferences go to Candidate C.</p> <p>At this point, Candidate C has their original 25% of first preferences plus preferences from most of the 45% of votes distributed from Candidate A.</p> <p>As almost 70% of voters <i>preferred</i> Candidate C (in the absence of Candidate A), Candidate C is elected.</p>

<sup>1</sup> Section 107 of the *Tasmanian Local Government Act 1993*

<sup>2</sup> Section 225 of the *Local Government Act (Vic) 2020*

## **Summary**

The views of the LGA are informed by the 2021 Rockhampton Mayoral election involving Chris “Pineapples” Hooper. Mr Hooper’s circumstances were similar to Candidate B, above<sup>3</sup>. He received the second highest number of first preference votes for Mayor. When the Mayor resigned, Mr Hooper would have become Mayor of Rockhampton, had the Queensland Government not rushed through emergency legislation to require a by-election following the resignation of a candidate, rather than allowing the ‘runner up’ to be declared elected. This legislation was supported by both sides of Parliament and LGA Queensland.

Those sections of the legislation and regulations, relating to local government election are expected to commence in November 2021, one year before the next periodic elections.

## **Feedback sought**

The LGA intends to make a submission to the Office of Local Government regarding the proposed Regulations based upon the views of member councils. To assist in the preparation of that submission Councils are requested to provide views by **21 September 2021** regarding the preferred countback option to be used in the event of a casual vacancy occurring within 12 months of a periodic election.

Submissions and questions should be addressed to Andrew Lamb, Local Government Reform Partner on 8224 208 and [andrew.lamb@lga.sa.gov.au](mailto:andrew.lamb@lga.sa.gov.au)

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<sup>3</sup> Note that in South Australia, a countback system will not be used for Mayoral by-elections.

# Attachment 3





[holdfast.sa.gov.au](http://holdfast.sa.gov.au)

Brighton Civic Centre 24 Jetty Road, Brighton SA 5048

PO Box 19 Brighton SA 5048

P 08 8229 9999 F 08 8298 4561

Glenelg Customer Service Centre and Library

2 Colley Terrace, Glenelg SA 5045

14 September 2021

Andrew Lamb  
Local Government Reform Partner  
Local Government Association of South Australia  
GPO Box 2693  
Adelaide SA 5001

Via email: [andrew.lamb@lga.sa.gov.au](mailto:andrew.lamb@lga.sa.gov.au)

Dear Mr Lamb

In response to the Local Government Association's (LGA) recent call for feedback on the commencement of the Member Behaviour Framework and casual vacancy elections countback methods, I am pleased to provide this reply on behalf of Council.

### ***Behaviour Management Framework***

Council has considered the arguments for and against the two implementation timeframes discussed in the LGA's options paper. While it is noted that there are potential benefits to commencing the provisions relating to member behaviour ahead of the 2022 Local Government Election (the Election), on balance, it is considered more prudent to work to a post-Election implementation schedule.

Council acknowledges that there will be a substantial amount of work that will be required to implement the reforms in terms of policy amendments and training, which will need to be repeated to some degree post the Election.

While Council sympathises with other councils who are experiencing issues that are difficult to manage under the current legislative regime, given the extent of these reforms, it is critical that the changes are well thought out and adequately consulted on.

For these reasons, the City of Holdfast Bay supports the post-Election commencement timeline.

That said, a third option may be feasible which could address the immediate imperatives of some councils while giving others adequate time to manage their resource requirements. It would be useful for the Office of Local Government and the LGA to explore the possibility of a staged or 'tranching' approach, which would have the same operational effects as the three-year rolling review of annual business plans by ESCOSA. Councils who require early adoption

could voluntarily (or as directed by the Minister) follow the 'commence quickly timeline', while other councils could follow the 'post-Election timeline'.

It is acknowledged that this third option may be logistically more complex however it is not without precedent. Transitional arrangements can be put in place where two policy regimes may be operational at once and relevant bodies select which regime applies for a period of time.

### ***Casual Vacancy Countback Methods***

Council supports the LGA's position regarding the preferred candidate countback model. As well as ensuring that the most preferred candidate is appointed, it is consistent with voting practices in general elections in South Australia and therefore should be adopted for casual vacancies.

Council thanks the LGA for their ongoing advocacy in representing our sector's interests in relation to the reforms.

Yours sincerely

Roberto Bria  
**Chief Executive Officer**

Item No: **15.5**

Subject: **BUILDING WESTERN ADELAIDE STRATEGY 2021-2024**

Date: 14 September 2021

Written By: Business Development Partner

General Manager: Community & Business, Ms M Lock

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## **SUMMARY**

The Building Western Adelaide Alliance is an economic partnership between the four western metropolitan Councils of City of Holdfast Bay, City of West Torrens, City of Charles Sturt and City of Port Adelaide Enfield. This report presents the Draft 2021-2024 Building Western Adelaide Economic Strategy that will outline the key areas of collaboration over the next three years.

---

## **RECOMMENDATION**

### **That Council:**

- 1. notes the Building Western Adelaide Strategy 2021-2024; and**
  - 2. endorses the Draft Building Western Adelaide Strategy 2021-2024.**
- 

## **COMMUNITY PLAN**

Economy: Supporting and growing local business  
Economy: Making it easier to do business  
Economy: Harnessing emerging technology  
Economy: Boosting our visitor economy  
Environment: Building an environmentally resilient city  
Culture: Being financially accountable  
Culture: Supporting excellent, efficient operations

## **COUNCIL POLICY**

Not Applicable.

## **STATUTORY PROVISIONS**

Not Applicable.

## **BACKGROUND**

The Building Western Adelaide Alliance was formed after the Chief Executive Officers of the four western metropolitan councils (Cities of Holdfast Bay, West Torrens, Charles Sturt and Port Adelaide Enfield) agreed in February 2015 to explore the potential of a Western Alliance for economic development matters.

As a result of this, the Building Western Adelaide Strategy was endorsed and a Memorandum of understanding (MOU) was signed by the four councils in November 2015.

The intent of the Building Western Adelaide Strategy was to create a coordinated high-level approach to regional economic development activities, working on projects that cross over the region and being an advocate for State and Commonwealth Government funding. This project complements the individual economic activities undertaken by each Council.

The total economic output for South Australia is \$223.51 billion. Western Adelaide provides 24.6% of the State's economic output, which equates to \$54.98 billion.

At the time of preparing this Report, Western Adelaide has over \$20 billion in major projects underway or in the pipeline over the next 10 years. These projects will deliver over 32,000 direct jobs and almost 50,000 supply chain jobs.

### **Building Western Adelaide Achievements**

Whilst each of the four councils has undertaken their own economic development activities, the Building Western Adelaide Strategy has seen the following regional activities undertaken since 2015:

- Put Western Adelaide on the map and strengthened the recognition of its position as the engine room of the State's economy leading to access to additional funding and increasing its influence of key government, community, and business stakeholders.
- Development of the Western Adelaide Regional Tourism Plan.
- Creation of the award-winning regional tourism website, Adelaide Beaches <http://www.adelaidebeaches.com>.
- Undertaken Defence Industry engagement and supply chain development to capitalise on the \$90 billion contracts in the region.
- Promotion of the Adelaide Airport to strengthen recognition of the Western Region.
- Engagement with South Australian Tourism Commission (SATC) to promote the Western Region and the cruise ship opportunities (prior to Covid-19).
- Adoption of a regional approach to small business support including the roll-out of the Digital Solutions Program by Adelaide Business Hub and the Entrepreneurship Facilitator, Adelaide - West initiative.
- The strengthening of business engagement and support through Western Business Leaders and other business networks such as North West Business Alliance.
- Delivery of a comprehensive range of networking and professional development opportunities (50 events with 2,300 attendees).

- Development of the Health, Ageing Well & Disability Sector Framework and the 40 associated initiatives including the Creating a Local Market Place Conference – Innovation in Health & Wellbeing with 175 attendees.

This regional approach has connected businesses across the region to individual Council projects, avoided duplication, assisting businesses to grow and prosper.

### **Western Regional COVID-19 Response**

At the onset of the global pandemic, the Western Adelaide Alliance met to formulate a rapid regional and coordinated response to assist businesses. The immediate response included the establishment of a business support helpline that was co-funded by the four Councils and facilitated by the Adelaide Business Hub. A series of Business Recovery Webinars were also facilitated to help businesses to respond and adapt to the restrictions and changes.

To identify the immediate needs and inform the assistance and support that was needed for businesses, a Western Business Leaders Taskforce and Visitor Sector Round Table were facilitated. The actions identified have helped to shape the Council and Regional Action Plans.

Through the consultation and within the context of responding to the COVID-19 outbreak, the following priorities have been established:

- bringing energy and confidence to the recovery;
- building a regional vision for our economy and community;
- supporting buy and shop local campaigns;
- providing ongoing advice and support to impacted businesses to help them recover; and
- facilitating repositioning - business will be very different, support new business models, ventures and approaches.

### **REPORT**

The Building Western Adelaide 2021-2024 Regional Projects and subsequent actions have been developed across five strategic focus areas that include:

- Leveraging defence projects – Western Adelaide businesses are connected to Defence contract opportunities and have the capability to participate.
- Promote “Living in the west” – Western Adelaide is an in demand residential location.
- Grow the west’s health, ageing and disability sectors – Support the development of the Western Adelaide marketplace to deliver great care outcomes for consumers and the community.
- Support and grow western businesses – creating a business environment that supports growth, innovation, and export.
- Visitor Economy and events attraction – Western Adelaide is a must visit destination for all visitors, with the intent of increasing sustainable tourism jobs in the region.



Each of these key focus areas are supported by actions that create a road map for high level strategic economic activity that will help to activate the region and continue the collaboration between the Western Adelaide Council's.

Economic development and business crosses council boundaries. The regional approach taken by the four western metropolitan councils not only shows business in the region that Councils are uniting, but it also helps to grow a strong economic region through a coordinated approach to business support and attraction.

The Building Western Adelaide Alliance is starting to make a difference in the region. With continued work and a small amount of funding, this collaboration and partnership between the four western metropolitan Councils has the potential to leave a positive legacy for businesses in the region.

The Building Western Adelaide Strategy 2021-2024 has been developed in consultation with Council officers and feedback from the Western Business Leaders Group and includes input from local businesses. The CEOs from the four western metropolitan Councils have also been presented with the key strategy areas developed in this strategy.

*Refer Attachment 1*

### **Community Benefits**

This Building Western Adelaide initiative and Western Region Alliance approach has a number of positive benefits for businesses across the region. A healthy local economy with a range of job options goes a long way to creating healthy community and creating positive social impacts and increases opportunities to create local supply chains.

### **BUDGET**

The 2020/21 budget has an allocation of \$2,500 assigned to joint initiatives.

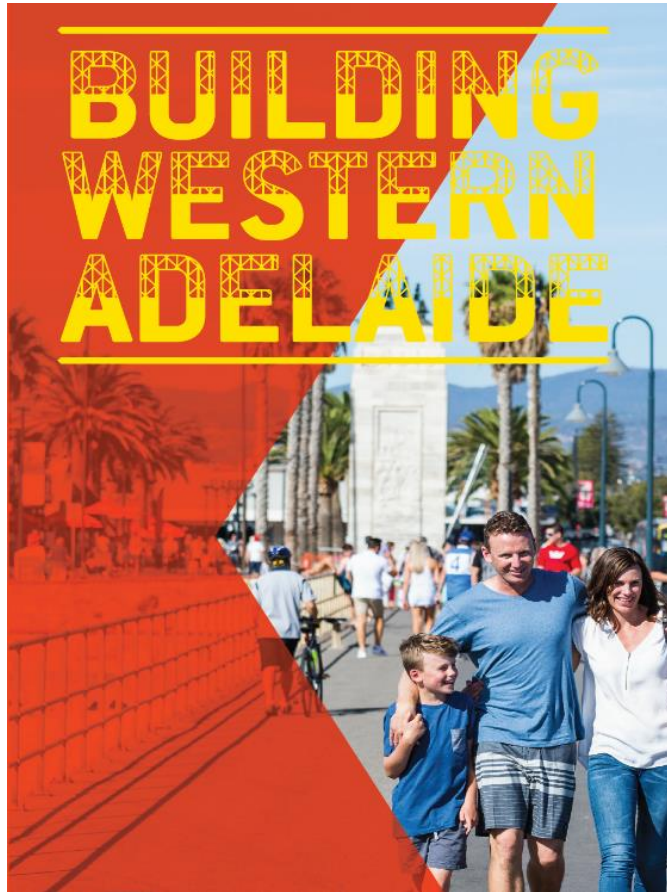
Where the proposed Building Western Adelaide Strategy identifies projects that require additional funding during the life of the Plan, these projects will be submitted to each partnering Council on a project by project basis for endorsement and funding as part of the respective budget cycle.

### **LIFE CYCLE COSTS**

It is proposed that each Council in the alliance allocates a small operational budget to support activities suggested in this report and regional economic growth. The proposed funding would be \$2,500 per annum over the three-year period of the Strategy.

# Attachment 1





# Building Western Adelaide Strategy 2021 - 2024



The Building Western Adelaide Alliance was formed after the CEO's of the four western metropolitan councils, Cities of Charles Sturt, Holdfast Bay, Port Adelaide Enfield and West Torrens agreed in February 2015 to explore the potential of a Western Alliance to drive economic development in the western region.

As a result of this, the Building Western Adelaide Strategy was endorsed and a Memorandum of Understanding (MoU) signed by the four Council in November 2015.

The intent of the Building Western Adelaide Strategy was to:

- create a coordinated approach to regional economic development activities
- collaborate on projects that cross over the region
- play an advocacy role with State and Commonwealth Government to secure funding and support for projects

### **Western Adelaide is the Engine Room of the State's Economy**

At the start of the Building Western Adelaide approach in 2015, the region had a population of 322,320 with 25,053 businesses.

Known as the Engine Room of the State's Economy. Western Adelaide has seen jobs grow 16.1% from 144,071 to 167,293, in the period 2011 to 2016. This represents 23,222 new jobs and 76% of all new jobs created in South Australia.

The total economic output for South Australia is \$223.51 billion. Western Adelaide providing 24.6 % of the State's economic output which equates to \$54.98 billion.

At the time of preparing this Plan, Western Adelaide has over \$20 billion in major projects underway or in the pipeline over the next 10 years. The projects will deliver over 32,000 direct jobs and almost 50,000 supply chain jobs. A list of the Major Infrastructure and Development Projects in Western Adelaide is included in *Attachment 1*.

### **What We've Achieved**

Whilst each of the four councils has undertaken their own economic development activities, the Building Western Adelaide Strategy has seen the following regional activities undertaken:

- Put Western Adelaide on the map and strengthened the recognition of its position as the engine room of the State's economy leading to access to additional funding and increasing its influence of key government, community and business stakeholders.
- Development of the Western Adelaide Regional Tourism Plan
- Creation of the award winning regional tourism website, Adelaide Beaches
- Undertaken Defence Industry engagement and supply chain development to capitalise on the \$90 billion contracts in the region
- Promotion of the Adelaide Airport to strengthen recognition of the Western Region
- Engagement with South Australia Tourism Commission (SATC) to promote the Western Region and also the cruise ship opportunities
- Adoption of a regional approach to small business support including the roll-out of the Digital Solutions Program by Adelaide Business Hub and the Entrepreneurship Facilitator, Adelaide - West initiative.

- The strengthening of business engagement and support through Western Business Leaders and other business networks such as North West Business Alliance.
- Delivery of a comprehensive range of networking and professional development opportunities (50 events with 2,300 attendees)
- Development of the Health, Ageing Well & Disability Sector Framework and the 40 associated initiatives including the Creating a Local Market Place Conference – Innovation in Health & Wellbeing with 175 attendees.

This regional approach has connected businesses across the region to individual Council projects, avoided duplication, assisting businesses to grow and prosper.

The collaboration of the of the four councils through the Western Adelaide Alliance and their partnerships with the Western Business Leaders Executive has enabled Western Adelaide to lead the state and demonstrate continued growth.

### The Impact of the COVID-19 Outbreak

To gain a better understanding of the impact of the pandemic on Western Regional businesses, a Taskforce and Visitor Sector Roundtable were facilitated to inform short term action plans.

### Western Business Leaders COVID-19 Taskforce

The Western Business Leaders (WBL) COVID-19 Taskforce was established by the WBL Executive and the Western Alliance of Councils in response to the COVID-19 outbreak and the significant impact on many of our local businesses. Whilst some sectors including Accommodation, Beverage & Food Services, Retail, Construction Services, Arts and Recreation Services have been severely impacted, the impact has been felt across our economy.

The objectives of the Taskforce included:

- To develop the Region’s understanding of how business at a local and sector level were being impacted
- To identify short term actions that could be implemented to support business during the crisis period, aid economic recovery and share good news stories.

In all there were 13 business representatives on the Taskforce representing our key sectors across the Region and Economic Development representatives from each of the four councils. The Taskforce met in April and May 2020.

### Taskforce Findings

The Taskforce representatives highlighted the key challenges confronting their business, sector and precinct across six themes.

Taskforce Key Messages	Alliance Short Term Focus
<p><b>1. Financial</b> Cash flow difficulties resulting from reduction in trade. Challenge of getting through the coming months but also longer-term capacity to pay off debts. Negotiations with creditors eg landlord, bank etc.</p>	<p><b>Advice, assistance &amp; capability development</b> – Adelaide Business Hub (ABH) helpline, recovery webinars digital programs, linkages to Council / government programs and support, WBL events / professional development.</p>
<p><b>2. Workforce</b> Mental health, staff exclusions from Job Keeper, upskilling opportunities, extra capacity (underutilised), staff retention, reduced staffing required (short &amp; longer term).</p>	<p><b>Communication &amp; Promotion</b> – WBL newsletter, Council channels to keep businesses up to date and share successes, positive stories (ie bring energy to the recovery) and support / events.</p>

Taskforce Key Messages	Alliance Short Term Focus
<b>3. Local Activation</b> With business closures / restrictions, connections with the customer have been lost. Local activation will assist in reconnecting businesses with their customers, to support local business.	<b>Buy &amp; Shop Local</b> - #shop local, preference for local suppliers in procurement, local supply chain development.
<b>4. Uncertainty / Mixed Messages</b> Mass communication via different channels is overwhelming and confusing. Different rules, different States. Lack of clarity across business, community and consumers. Reinforcing public safety and practices adopted by business.	<b>Local Activation</b> – events to promote precincts & activation, tourism sector round table, promoting VFR (Visit Friends and Relatives).
<b>5. Need to Adapt Business Model</b> Now and as restrictions removed, digital transition. Need to adapt to changing market conditions / opportunities. It won't be business as usual. Some changes will stay.	<b>Connect &amp; Collaborate</b> – WBL networking events, WA initiatives supporting sector development, promotion of local business networks.
<b>6. Isolation &amp; Support</b> Business owners feeling isolated and unsure as to how to access support and advice.	<b>Advocate to keep &amp; make change</b> – Do things in a different and better way, advocate for change. Promote innovation across the Region. Promote Western Adelaide as a destination for business, a great lifestyle.

## Visitor Sector Round Table

A Visitor Sector Round Table session was facilitated by the Western Alliance of Councils to gain a deeper understanding of the issues facing Visitor Sector businesses and how could best be assisted to recover from the pandemic.

The Round Table was held in June 2020 and was attended by 16 industry representatives that were leading a variety of hospitality, accommodation and experience visitor businesses in the Western Adelaide Region.

## Roundtable Findings

The Roundtable representatives highlighted the key challenges and opportunities confronting their business, sector and precinct. The information gathered is included in the six themes and actions below.

Theme	Action
1. Collaboration	Provide networking opportunities Pair up businesses that could work together by developing a contact list by category to be distributed
2. Packaging	Increase visitor dispersal through improved regional linkages and itinerary planning. Create themed itineraries to highlight key experiences in Western Adelaide
3. Training	Work with Tourism Industry Council SA and Adelaide Business Hub on providing training / upskilling opportunities in particular around COVID

Theme	Action
4. Communications and Marketing	Encourage signing up to Western Business Leaders (WBL) Highlight good new stories and business adaptability through the WBL e-newsletter Provide a Digital Media Helpful Tips & Hints Engage with bloggers to experience Western Adelaide visitor sector businesses to promote through Adelaide Beaches website and Instagram Inform and encourage visitor sector businesses to participate in online channels e.g. Australian Tourism Data Warehouse
5. Advocacy	Develop the 2025 Western Adelaide Tourism Destination Action Plan (TDAP) Support the development of metro Local Government visitor sector network on key projects to highlight metro Adelaide and business advocacy programs- collaborate with TiCSA, ACC, Visitor Networks (include as part of the TDAP stakeholder engagement above).
6. Events	Provide South Australian Events COVID-19 Guidelines Explore the opportunity to host boutique events across all four Councils

### Building Western Adelaide Priorities

The Regional priorities need to be seen in the context of the COVID-19 outbreak and its impact on a broad base of our businesses. This impact cannot be easily remedied and whilst the support from the Western Alliance and Councils will be of benefit, recovery for many of our affected businesses will be a long term proposition. Simply assisting businesses to recover the lost ground resulting from the COVID-19 outbreak won't be enough. For our businesses and economy to be sustainable it is essential that our priorities support businesses and our economy to transition and adapt to the changing market conditions and opportunities.

Through recent consultation within the context of responding to the COVID-19 outbreak, the following priorities have been established.

- Bringing **energy and confidence to the recovery**.
- Building a **regional vision** for our economy and community.
- Supporting **buy and shop local** campaigns.
- Providing ongoing **advice and support** to impacted businesses to help them **recover**.
- Facilitating **repositioning** - business will be very different, support new business models, ventures and approaches.

The following table highlights the 2021-24 Western Alliance Regional projects and actions across our five strategic focus areas.

Strategic Focus Area	Intended Outcome	Approach/ Key Actions
<b>Leveraging Defence Projects</b>	<ul style="list-style-type: none"> <li>➤ Western Adelaide businesses are connected to Defence contract opportunities and have the capability to participate.</li> </ul>	<ul style="list-style-type: none"> <li>• Increase Western Businesses knowledge of opportunities.</li> <li>• Support the Industry Capability Network (ICN) and encourage registration.</li> <li>• Identify workforce capability gaps and facilitate the development of relevant training to address.</li> <li>• Promote Western Adelaide as a key location for Defence companies.</li> </ul>
<b>Promote Living in the West</b>	<ul style="list-style-type: none"> <li>➤ Western Adelaide is an in-demand residential location</li> </ul>	<ul style="list-style-type: none"> <li>• Promote lifestyle and liveability of Western Adelaide to attract new residents through development and distribution of a Residential Attraction Prospectus to promote the Western Adelaide region.</li> </ul>
<b>Grow the West's health, ageing and disability sectors</b>	<ul style="list-style-type: none"> <li>➤ Support the development of the Western Adelaide marketplace to deliver great care outcomes for consumers and the community</li> </ul>	<ul style="list-style-type: none"> <li>• Facilitate workforce development and career pathway programs.</li> <li>• Promote participation opportunities to supply chain businesses.</li> <li>• Facilitate collaboration between employers, providers and community.</li> <li>• Support the development of tQEH Health Precinct concept, including mapping of key assets.</li> <li>• Support for Ageing Well International to build export capacity and attract inbound investment.</li> </ul>
<b>Support and Grow Western Businesses</b>	<ul style="list-style-type: none"> <li>➤ A business environment that supports growth, innovation and export.</li> </ul>	<ul style="list-style-type: none"> <li>• Map and promote the Western Adelaide business ecosystem.</li> <li>• Connect startups and entrepreneurs into Government &amp; business programs.</li> <li>• Support high-growth potential SME's to grow, innovate, export and create jobs.</li> <li>• Support local businesses to increase digital capability.</li> </ul>
<b>Visitor Economy and events attraction</b>	<ul style="list-style-type: none"> <li>➤ Western Adelaide is a must-visit destination for all visitors to SA</li> <li>➤ Increase sustainable tourism jobs in the region</li> </ul>	<ul style="list-style-type: none"> <li>• Implement &amp; review Western Region Tourism Destination Action Plan</li> <li>• Lobby for better transport connections.</li> <li>• Work with South Australian Tourism Commission to promote Western Adelaide.</li> <li>• Support and attract events to showcase Western Adelaide.</li> </ul>

The Building Western Adelaide Strategy is a high level strategic document. The more detailed Action Plan is included in *Attachment 2*.



## **Better Together**

The Western Adelaide Alliance has already made a difference in the region. With additional funding and continued efforts Building Western Adelaide has the potential to leave a lasting legacy for the future of business in the region.

It should be noted that each Council in the alliance approaches economic development with a slightly different way and the level of resources available varies. The primary response is to the local stakeholders of each Council.

The combined leadership, advocacy and representation of the Region's CEO's, Managers, Economic Development Officers and the Western Business Ambassadors and Champions will be crucial in attracting funding, investment and infrastructure to continue to grow the economic prosperity of the region.

## **Attachments:**

**Attachment 1:** Major Infrastructure and Development Projects in Western Adelaide

**Attachment 2:** Building Western Adelaide 2021-2024 - Action Plan

## Attachment 1: Major Infrastructure and Development Projects in Western Adelaide

Western Adelaide has approximately over \$20 billion in major projects underway or in the pipeline over the next 10 years. The projects will deliver over 32,000 direct jobs and almost 50,000 supply chain jobs. The projects are outlined in the table below.

*Thresholds: 10 year timeframe, projects over \$5 million*

**Table 1: Key infrastructure, major development and employment projects**

Project	Time frame	Value	Estimated Jobs (direct / supply chain)
<b>Infrastructure</b>			
Military Road & Main St Precinct Upgrade	2021-23	\$12.5 million	19 / 24
Woodville Road Streetscape Upgrade	2021-22	\$9 million	14 / 17
Torrens Road, Ovingham – Level Crossing Upgrade	2019-22	\$231 million	358 / 436
Grand Junction, Hampstead & Briens Roads Intersection Upgrade	2019-21	\$19 million	29 / 36
Submarine Shipyard - Osborne	2019-23	\$1.5 billion	2,322 / 2,831
Stage 2: Further terminal expansion, expanded freight facilities, office park expansion, car park expansion	2020-34	\$1 billion	1,548 / 1,887
Brighton Road, Hove - Level Crossing Upgrade	2019-22	\$171 million	265 / 323
Glenelg Jetty redevelopment - tourism and economic hub	2015 – 30	\$280 million	378 / 893
Jetty Road Glenelg Master Plan	2018-28	\$19.3 million	30 / 36
Brighton Oval upgrade	2019-21	\$13.7 million	20 / 16
Glenelg Oval upgrade	2019-25	\$20 million	16 / 19
Holdfast Stormwater Management Plan	2017-27	\$26 million	40 / 54

Project	Time frame	Value	Estimated Jobs (direct / supply chain)
Torrens to Darlington, North/South Corridor Project	2023-31	\$9 billion	13,922 / 18,725
Henley Beach Road Mainstreet Project	*	\$8 million	12 / 17
Mile End Priceline Stadium Upgrade	*	\$12 million	19 / 25
Thebarton Oval Redevelopment	*	\$18 million	24 / 54
Adelaide Bio Hub, Thebarton	2021-23	\$350 million	468 / 1,057
Thebarton Theatre Redevelopment	*	\$27 million	36 / 82
<i>Sub total</i>		<i>\$12.717 billion</i>	<i>19,520 / 26,532</i>
<b>Major Developments</b>			
Bowden Village Development	2013-25	\$1 billion	2,046 / 3,263
The Square, Woodville West Redevelopment	2012-22	\$130 million	266 / 424
West Development, West Lakes	2015-27	\$1 billion	2,046 / 3,263
Queen Elizabeth Hospital Upgrade	2018 - 21	\$270 million	364 / 861
Retirement Facility, Aura, Findon	2020-21	\$55 million	113 / 179
Aged Care Facility, West Lakes	2019 -21	\$45 million	92 / 147
Retirement Village – Sportsmans Drv, West Lakes	2021 -22	\$8.1 million	17 / 26
Henley High School Redevelopment	2019-21	\$12 million	16 / 38
Seaton High School Redevelopment	2019-21	\$20 million	27 / 64
Woodville High School Redevelopment	2019-21	\$10 million	13 / 32
Ocean View P-12 College Redevelopment	2019-21	\$5 million	7 / 16
Industrial and commercial developments (various projects)	*	\$1.2 billion	1,618 / 3,828
Lightsview Development	2008-21	\$1.05 billion	2,056 / 3,279

Project	Time frame	Value	Estimated Jobs (direct / supply chain)
Port Plaza Shopping Centre Redevelopment	2018-21	\$50 million	58 / 137
Inner North Government Lands redevelopment (Oakden, Gilles Plains & Enfield High School)	2016-26	\$350 million	716 / 1,142
Fort Largs Redevelopment	2016-21	\$90 million	184 / 294
Gilman, Dry Creek & Wingfield Employment Lands	10 yrs*	\$755 million	1,018 / 2,409
Port Direct & Osbourne Employment Lands	2015-25	\$100 million	135 / 319
Techport Employment Lands	2015-25	\$32 million	43 / 102
State Sports Park, Gepps Cross	2019-27	\$150 million	201 / 453
Marina South Development, North Haven	2020-23	\$40 million	53 / 121
Blair Athol Redevelopment – SA Housing Authority	2021	\$50 million	101 / 154
Woodville Gardens – SA Housing Authority	2021-23	\$23.5 million	47 / 72
Dock One - Residential & Accommodation Development	2019 - 22	\$168 million	344 / 548
Fletchers Slip – Residential Development	2019-22	\$160 million	327 / 522
McLaren Parade, Port Adelaide - six storey Hotel	2020-22	\$60 million	80 / 181
Road Transport Terminal, Gillman	2019-21	\$12 million	19 / 23
Retail Store and Offices – Gepps Cross	2019-21	\$12 million	16 / 38
Minda Retirement Village & redevelopment, North Brighton	2014-2022	\$200 million	409 / 653
Langham Hotel Adelphi Tce, Glenelg	2020-21	\$110 million	148 / 351
Taplin Apartments, Brighton Rd/Jetty Rd, Glenelg	2020-21	\$15 million	31 / 49

Project	Time frame	Value	Estimated Jobs (direct / supply chain)
Taplin Hotel, Jetty Rd/Colley Tce, Glenelg	2021-22	\$27 million	70 / 80
Brighton High School Redevelopment	2019-21	\$13.8 million	19 / 44
Underdale High School Redevelopment	2019-21	\$20 million	27 / 64
Ebor Ave, Mile End - Four storey development	2021-22	\$6.5 million	13 / 20
Apartments, 177-179 Henley Beach Rd, Mile End	2021-22	\$11 million	23 / 36
Apartments, 192 Anzac Highway, Glandore	2021-22	\$10 million	20 / 33
Multi- use Building, 12-22 Richmond Rd, Keswick	2021-22	\$18.5 million	25 / 59
	<i>Sub total</i>	<i>\$7.290 billion</i>	<i>12,808 / 23,324</i>
	<b>Total</b>	<b>\$20.007 billion</b>	<b>32,328<sup>iv</sup> / 49,856<sup>iv</sup></b>

\* subject to funding being provided, start date unknown.

**Attachment 2: Building Western Adelaide 2021-2024 - Action Plan**

Strategy	Actions	Council Roles	Sectors & Role	Budget (Council / BWA)	Measures of Success
<b>1. Leverage Defence projects</b>	<ul style="list-style-type: none"> <li>Support Western Adelaide businesses to participate in the supply chain and be defence ready</li> <li>Continue to support ICN and encourage local business registration</li> <li>Promote Western Adelaide as a key location for Defence companies given proximity to outer harbour, airport, employment lands on key transport routes and the CBD</li> <li>Work with Government and key stakeholders to identify workforce gaps and facilitate relevant training to address.</li> </ul>	<p>Lead: PAE</p> <p>2nd: CS</p> <p>3rd: WT</p>	<p><b>Sectors</b></p> <ul style="list-style-type: none"> <li>Defence &amp; Advanced Manufacturing</li> <li>Education</li> <li>Businesses Services</li> <li>Logistics</li> </ul> <p><b>Roles</b></p> <ul style="list-style-type: none"> <li>Advise/link businesses to Defence opportunities/contracts</li> <li>Ambassadors of various programs for business development and upskilling</li> </ul>		<p>Number of attendees at Defence events</p> <p>Number of WA businesses registered on ICN.</p> <p>Number of local job &amp; training opportunities created</p>
<b>2. Promote Living in the West</b>	<ul style="list-style-type: none"> <li>Develop a ‘residential attraction strategy’, create a prospectus to showcase diverse choice of housing and environment; live between city and beach; Western Adelaide schools, job opportunities for spouses, lifestyle attractions (café society, retail strips, gyms), transport options, etc</li> <li>Research and identify profile of the target audience</li> <li>Create area profiles template and web pages</li> <li>Provide materials to various distribution channels eg Defence HR contact to assist them to promote the region</li> <li>Link Adelaide Beaches and Living West websites.</li> </ul>	<p>Lead: CS</p> <p>2nd: HB,WT &amp; PAE</p>	<p><b>Sectors</b></p> <ul style="list-style-type: none"> <li>All</li> </ul> <p><b>Roles</b></p> <ul style="list-style-type: none"> <li>Promote living and working in the west</li> </ul>		<p>Number of visits to the Living West webpages. (Google Analytics)</p>

Strategy	Actions	Council Roles	Sectors & Role	Budget (Council / BWA)	Measures of Success
<p>3. Grow the West's health, ageing and disability sectors</p>	<ul style="list-style-type: none"> <li>Support the development of tQEH Health Precinct concept, including mapping key assets. Consider links to other regional health assets including: SAHMRI, Thebarton Bio Science Precinct.</li> <li>Attract high-tech healthcare businesses and service providers to locate in the region by preparing an investment prospectus and identifying appropriate targets</li> <li>Celebrate and promote product and service innovation via the Creating a Local Market Place Conference in August 2019</li> <li>Partner with employers to facilitate workforce development through training prioritised for Western Adelaide residents</li> <li>Engage local schools regarding career pathways through career guidance, work experience, traineeships</li> <li>Promote participation opportunities to supply chain businesses</li> <li>Facilitate and navigate collaboration among employers, providers and the community.</li> </ul>	<p>Lead: CS  2nd: HB</p>	<p><b>Sectors</b></p> <ul style="list-style-type: none"> <li>Health</li> <li>Education</li> </ul> <p><b>Roles</b></p> <ul style="list-style-type: none"> <li>Driving business connections</li> <li>Ongoing consultation</li> </ul>		<p>Number of tech &amp; health businesses attracted.</p> <p>Number of workforce and training programs facilitated.</p> <p>Number of positions filled as part of the health workforce project.</p>

Strategy	Actions	Council Roles	Sectors & Role	Budget (Council / BWA)	Measures of Success
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">4. Support and grow Western businesses</p>	<ul style="list-style-type: none"> <li>• Map and promote the Western Adelaide business growth ecosystem; identify and connect with venture capital organisations, facilitate linkages, deal flows &amp; pitches.</li> <li>• Connect local start-ups/entrepreneurs into Federal and State Govt programs and collaborate with Lot Fourteen to develop a hub-&amp;-spoke model into Western Adelaide.</li> <li>• Implement the Small Business Friendly Council Charter across the region</li> <li>• Consider aligning with the SA Industry Participation Policy to include a 15% minimum weighting for local suppliers in tender assessment criteria</li> <li>• Support high growth potential SMEs to build capacity, grow, innovate, export and create jobs</li> <li>• Assist main street businesses to evolve their offerings to focus on customer experience; develop and maintain main street public realms</li> <li>• Green industries/circular economy</li> <li>• Smart Cities - support local businesses to increase digital capability; facilitate public Wi-Fi in key public areas, broadband implementation</li> <li>• Leverage proximity to airport</li> <li>• Maintain and promote a regional events calendar</li> <li>• Investment attraction</li> <li>• Develop various ways to connect local B2B, including for time poor businesses (eg. through blogs)</li> <li>• Create data summaries and provide relevant info to business</li> <li>• Assist SMEs to navigate local government processes</li> <li>• Support take up of Industry 4.0, implementation of new business models, disruptive innovation/design.</li> </ul>	<p>Lead: CS</p> <p>2nd: PAE/ ABH</p> <p>All engaged</p>	<p><b>Champions</b></p> <ul style="list-style-type: none"> <li>• Businesses Services</li> <li>• Education</li> <li>• Small Business</li> </ul> <p><b>Roles</b></p> <ul style="list-style-type: none"> <li>• Ambassadors for working in Western Adelaide</li> <li>• Feedback mechanism to councils regarding barriers to doing business</li> <li>• Regional economic development advisory group</li> </ul>		<p><b>Business growth</b> Number of WA business events and attendees</p> <p><b>Digital capability</b> Number of WA businesses participating in digital training &amp; initiatives.</p> <p><b>Investment attraction</b> Number of opportunities promoted to DTI.</p>



Strategy	Actions	Council Roles	Sectors & Role	Budget (Council / BWA)	Measures of Success
<p>5. Visitor economy and events attraction</p>	<ul style="list-style-type: none"> <li>Implement and periodically review the <i>Western Region Tourism Destination Action Plan 2020</i></li> <li>Leverage the presence of Adelaide Airport to grow visitor numbers ('detourism')</li> <li>Focus on attracting day visitors and visiting friends and relatives (VFR) as key market segments</li> <li>Lobby for north-south public transport along the coast and light rail from CBD to Adelaide Airport</li> <li>Link Airbnb and other major accommodation providers to the Adelaide Beaches website</li> <li>Lobby and assist the SATC to promote Western Adelaide through familiarisations, image content and driving leads directly to tourism operators, and support development of new experiences, infrastructure and investment projects</li> <li>Support events that are relevant to, and showcase, Western Adelaide to attract increased visitor numbers.</li> </ul>	<p>Lead: HB</p> <p>Adelaide Beaches website: All</p> <p>All engaged</p>	<p><b>Sectors</b></p> <ul style="list-style-type: none"> <li>Tourism</li> </ul> <p><b>Roles</b></p> <ul style="list-style-type: none"> <li>Facilitate event sponsorship and promote this opportunity to other businesses</li> <li>Maintain a tourism mindset and promote this opportunity to other businesses</li> </ul>	<p>Maintenance of Adelaide Beaches website - \$2,200 /annum /council (includes councils' human &amp; other resources)</p>	<p>Growth in visitor numbers to Western Adelaide.</p> <p>Growth in tourism employment</p> <p>Growth in the number of people attending events.</p>

## **Additional Information/Considerations**

### **Defence** (*Table Reference 1*)

- Support Western Adelaide businesses to participate in the supply chain and be defence ready:
- Continue building database of Western Adelaide businesses relevant to the Defence supply chain
- Identify gaps in capability and ambition to participate
- Facilitate the development of training programs to address skills gaps, including business management skills
- Link primes with supply chain businesses to enhance understanding of opportunities
- Develop a high-level roadmap of business opportunities.

### **Support and Grow Western Business** (*Table reference 4*)

#### ***Green industries/circular economy***

- Maintain a watching brief for economic opportunities in the circular economy.
- Develop a prospectus and promote the region as a place for green businesses to be based and grow.
- Identify ways to promote green industries and support job creation in the region
- Identify ways to reduce energy costs (eg via Building Upgrade Finance & bulk purchase of power).

#### ***Leverage proximity to airport for:***

- Local employment opportunities
- Growing exports
- Other opportunities (eg. cold storage)

### ***Investment Attraction***

- Identify underused and vacant land to maximise business and investment attraction and development.
- Create pitchbooks or investment briefs about specific investment opportunities in Western Adelaide and feed this information into DTI's investment group.
- Develop strong relationships with DTI's investment group, primarily by being proactive in providing comprehensive information about investment opportunities and being responsive to requests for information.
- Collate, maintain and promote a list of major infrastructure and development projects in Western Adelaide.

### ***Assist SMEs to navigate local government processes***

- Facilitate sessions with key a) Environmental Health, b) Building and Planning staff across the four Councils to encourage a business friendly and consistent approach across the region to regulation.

### **Visitor Economy & Attract Events** (*Table Reference 5*)

Support events that are relevant to, and showcase, Western Adelaide to attract increased visitor numbers:

- Attract high profile international events including the Australian Women's Golf Tournament, Santos Tour Down Under and Commonwealth Games.
- Work collaboratively to attract mass participation sporting events to use the large number of sporting venues in Western Adelaide.
- Link indigenous reconciliation plans to the development of events and experiences.
- Work with peak events bodies (Events SA, Office of Rec and Sport, SSOs) to attract national events to Western Adelaide (tap into their 3-5 year cycles).



Item No: **15.6**

Subject: **APPROVAL OF THE DRAFT DOG AND CAT MANAGEMENT PLAN**

Date: 14 September 2021

Written By: Manager, Community Safety

General Manager: Community & Business, Ms M Lock

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## **SUMMARY**

Section 26A of *The Dog and Cat Management Act 1995* (the Act) creates a statutory obligation on Council to develop a plan, every 5 years, relating to the management of dogs and cats in the area. The attached draft Dog and Cat Management Plan (the Plan) 2022-2026 is submitted to Council, following public consultation, for endorsement.

Feedback from the consultation has been considered and can be addressed effectively with the proposed strategies within the plan.

In addition, the draft plan was submitted to the Dog and Cat Management Board and has been approved.

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## **RECOMMENDATION**

**That Council endorse the draft Dog and Cat Management Plan to then be finalised and submitted to the Dog and Cat Management Board.**

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## **COMMUNITY PLAN**

Environment: Protecting Biodiversity

Placemaking: Creating lively and safe places

Placemaking: Developing walkable connected neighbourhoods

Community: Building a healthy, active and resilient community

Community: Providing welcoming and accessible facilities

## **COUNCIL POLICY**

Cat Management Policy

Dog Management Policy

## **STATUTORY PROVISIONS**

Dog and Cat Management Act 1995

## **BACKGROUND**

*The Dog and Cat Management Act 1995* (the Act) provides for the management of dogs and cats in the community. Section 26A of the Act creates a statutory obligation on Council to develop a plan, every 5 years, relating to the management of dogs and cats in the area. The plan must also include provisions for parks where dogs may be exercised off-leash and for parks where dogs must be under effective control by means of physical restraint, and may include provisions for parks where dogs are prohibited. The plan must be presented for public consultation and to the Dog and Cat Management Board (the Board) at least 6 months before it takes effect. The Board must approve the finalised plan before it takes effect.

The draft plan was endorsed, by council on 27 April 2021, for public consultation and to be submitted to the dog and cat management board.

## **REPORT**

In South Australia, the Act provides for the management of dogs and cats in the community. The objectives of the Act are to:

- encourage responsible dog and cat ownership;
- reduce public and environmental nuisances caused by dogs and cats; and
- promote the effective management of dogs and cats

Section 26A of the Act creates a statutory obligation on Council to develop a plan relating to the management of dogs and cats in their area. The Plan must cover a 5 year period and be presented for public consultation and to the Board 6 months prior to taking effect for the Board's comment. This report discusses the feedback from the Board and the public, following the community consultation

### **Public Consultation**

The draft plan was submitted for consultation from 3 June to 30 June 2021. Before addressing the key themes, it is important to note that customer service reported an estimated 40% drop in animal management complaints along the beach, since the introduction of more patrols, over the last 2 years. The patrol officers also received overwhelming positive feedback from hundreds of residents, walking their dogs, about this additional monitoring. However, with 11 km of beach to patrol, there are still going non compliances occurring.

*Refer to Attachment 1*

The feedback from the consultation is valuable and will help officers target specific problem areas.

The key themes identified during the consultation are presented below with actions by administration to address community concerns:

## **1. Legislation and Education**

A common theme identified was the need to educate the community about the legislation applicable to animal management. In particular signage, regarding when dogs should be under effective control (especially around wildlife) and the fines applicable for not picking up after your dog.

Currently, signage is being renewed along the foreshore. Furthermore, additional, more prominent signage, was purchased specific for the Hooded Plover area. Officers will also use the digital VMS sign more often, highlighting the legislation.

Addressing the issues around education in general was also expressed by elected members on 27 April 2021, where elected members during the council meeting also addressed education as essential. The plan accommodates for this in the 'education plan'. This plan is being developed with community safety officers and will include all of the feedback in the consultation report.

## **2. Dog and Cat Registrations: Microchipping and Desexing**

There was a general agreement that both dogs and cats should be registered. It was also agreed that dogs should be desexed. There was however commentary around the minimum age a dog should be desexed at, should be older than 6 months for small breeds and 1 year for larger breeds.

This feedback will be relayed back to the Dog and Cat Management Board, as desexing requirements are determined under the Act.

Furthermore, whilst cats do not need to be 'registered' per se, the law requires their microchip information to be entered into DACO, which is essentially the same as registration without the fee. There will be more extensive education around this requirement under the Act.

## **3. Wandering Dogs**

Three comments were associated with wandering dogs. One suggesting that Holdfast Bay have dog free areas, another suggesting a warning for first time offenders, and lastly praise to council for managing wandering dogs' welfare.

A dog free area has now been established at Dover Square Reserve. Administration will review the success of this over the years and look to see if there are additional areas that can be dog free.

Addressing the second comment, Officers generally issue a warning in the first instance for dogs wandering at large. Repeat offenders are issued an expiation ('fine')

#### **4. Responsible Ownership**

Two main themes were commented on, owners not having effective control of their pets and dogs/cat faeces and urination on private/public property.

The additional patrols, over the last couple of years, have proven to be effective in reducing the number of complaints received about dogs not being under effective control and dog faeces on the beach. The information gained from the last 2 years has aided administration refine operations to enable them to identify key days, times and locations for non-compliance. This year, officers will undertake more targeted approach to enforcement to maximise compliance.

With regards to dog and cat faeces on private and public property, it is very difficult observe an offence being committed however, officers have taken enforcement action with dog owners not carry a dog poo bag. With cats, officers have taken enforcement action for a cats wandering onto another property. Furthermore, more education is required regarding responsible ownership.

#### **5. Nuisance Barking**

Two comments focused on the need for a review on the processes to complain to council when the neighbour's dog is barking excessively.

The process has recently been reviewed. Unfortunately, there are certain legal requirements, which can be a source of frustration for residents. The renewed process is designed to minimise any unnecessary frustration whilst still meeting the legislative requirements.

#### **6. Public and Animal Safety**

The majority of comments requested a review of dogs to be on leash, particularly on the beach for the safety of people, with many referencing young children. Comments ranged from dogs always being on a leash to increasing the times when they should be leashed. There was a comment that the City of Port Adelaide Enfield have increased their leash time and that Holdfast Bay should follow suit. Administration have investigated this comment and can confirm that the neighbouring beaches (Onkaparinga, Charles Sturt and Port Adelaide) have the same leash times. However, there is a small patch of beach under the control of West Torrens north of Glenelg which has a small variation allowing dogs to be off leash more often. To change this would result in confusion for visitors and make enforcement very difficult.

Whether a dog is on or off a leash, it still needs to be under effective control and it is unlawful for a dog to harass another person or animal. Learnings from the past 2 years, with the additional beach patrols, will enable officers to target specific areas with enforcement action to improve compliance.

## **7. Environmental Protection**

There was a concern for bird/marine/plant life and again people spoke about ensuring that's cats are not allowed to wander and the how dog faeces negatively impacts the environment.

Enforcement action has recently increased in both these areas. Administration believe that additional education and enforcement will improve compliance.

Last year, the City of Holdfast Bay were the only metro Hooded Plover region with a successful fledging. The additional beach patrols and support from the volunteers, has played a large role in achieving this success.

## **8. Animal Welfare**

There were only two comments provided in this area; one asked for (more) dog parks, the other quoted the five animal freedoms.

The City of Holdfast Bay are fortunate to have 11km of beach for dogs to exercise. These are more likely to be more effective than a dog park with anecdotal evidence that the incidence of dog attacks is lower on the beach compared to dog parks.

## **9. Cat Management**

Participant's main concern were wandering cats and how can council manage this. As currently council's by-laws do not allow cats to wander onto another person's property without permission of the owner. If Council can increase the registration numbers for cats, officers can then trace cats to their owner and take enforcement action.

Increasing responsible cat ownership is essential. Too often, a cat can be fed by many with no one responsible owner. Recently, administration have introduced letter drops educating the community about responsible cat ownership and discouraging them from feeding cats that they do not own. This has been very successful in resolving some wandering cat problems. Other councils have taken an interest in this method instead of trapping cats.

In addition to the plan, the Dog and Cat Management Act will soon be reviewed. The Dog and Cat Management Board have identified that there are currently deficiencies within the legislation with regard to managing cats and a range of amendments will be proposed.

### **Dog and Cat Management Board (the 'Board')**

The Board have reviewed the draft plan and have approved without any recommendations for change. This supports that the actions addressing the management of animals at the City of Holdfast Bay are comprehensive.

*Refer to Attachment 2*



**Summary:**

Animal management is a challenging field and no one plan will resolve all of the issues. Existing strategies have been reviewed and, in conjunction with feedback, existing strategies have been refined. This plan has also considered many other plans from other Councils and adopted the strategies that best serve the City of Holdfast Bay.

Once council have endorsed the draft plan, the finalised version will be submitted to the Board

**BUDGET**

Within budget

**LIFE CYCLE COSTS**

Not applicable

# Attachment 1



ENGAGEMENT SUMMARY REPORT

# Draft Dog and Cat Management Plan 2022-2026

03 JUNE – 30 JUNE 2021

Report Completed for the Manager Community Safety  
Written by the Digital Engagement Partner.  
July 2021

## INTRODUCTION

On 03 June 2021 the community were asked to share their views on the draft Dog and Cat Management Plan 2022-2026. Council is required to undertake mandatory consultation steps when developing policies on orders (Section s.259 of The Local Government Act 1999).

The aim of the plan is to promote responsible pet ownership, increase the welfare of dogs and cats, and protect the community and the environment from nuisance dogs and cats.

The plan seeks to balance the needs of pet owners and the broader community, where people and pets can safely co-exist within the community.

This report provides the engagement methodology and engagement outcomes. All submissions have been collated and written submissions available upon request.

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## BRIEF DESCRIPTION OF ENGAGEMENT METHODOLOGY

This community engagement ran from 03 June to 30 June 2021, a total of 27 days.

The views of the community were collected via:

- Council's website - The council website provided the opportunity to complete an online survey.
- Email submissions, phone calls and letters.
- Hard copy information and feedback forms

And promoted through:

- A registered user update via email to a database of 1800.
- A public notice in the Advertiser
- City of Holdfast Bay Twitter account every week for the duration of the engagement.
- Holdfast News
- Facebook
- Postcard distribution in key dog walking areas
- Brighton Civic Centre, Brighton and Glenelg Libraries.
- Newsfeed on the City of Holdfast Bay corporate and engagement sites.

## ENGAGEMENT FORMAT

Formal feedback forms on line, emails and hardcopies.

### 1. Which areas of the draft Dog and Cat Management Plan do you wish to comment on? (tick all that apply)

- Legislation and education
- Dog and Cat Registrations: Microchipping and desexing
- Wandering dogs
- Responsible ownership
- Nuisance Barking
- Public and Animal Safety
- Environmental protection

- Animal Welfare
- Cat Management

**2. I am a...**

- Dog owner
- Cat owner
- Cat and dog owner
- I do not own a cat or dog
- Prefer not to say

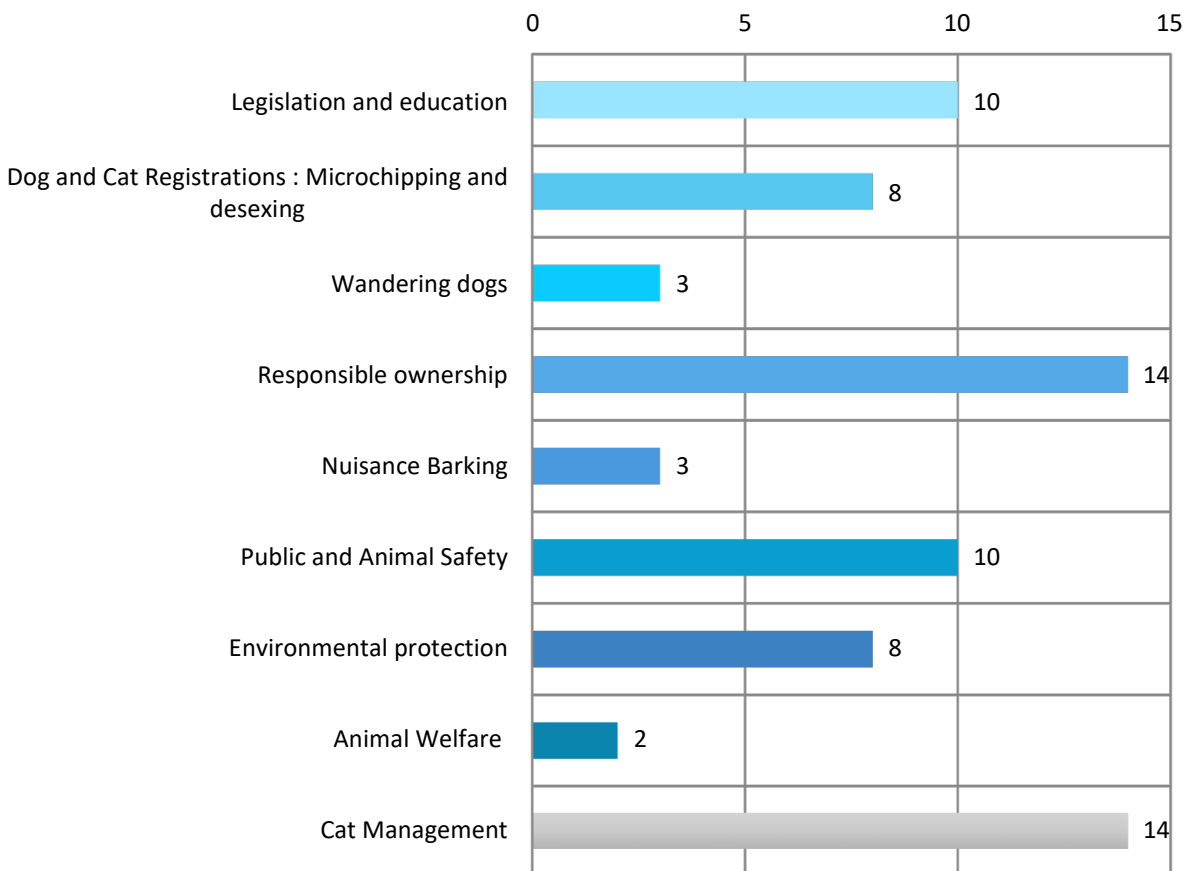
**DATA ANALYSIS**

All data has been independently reviewed by the Digital Engagement Partner.

**OUTCOMES**

Twenty-Eight (28) online submissions and one (1) hard copy form was received. Below are the following results from the 29 submissions. There was an additional late submission from Green Adelaide.

**1. Which areas of the draft Dog and Cat Management Plan do you wish to comment on? (tick all that apply)**



The highest level of interest was Cat management, Responsible Ownership and Public and Animal Safety

## SUMMARY OF COMMON THEMES IN EACH TOPIC AREA

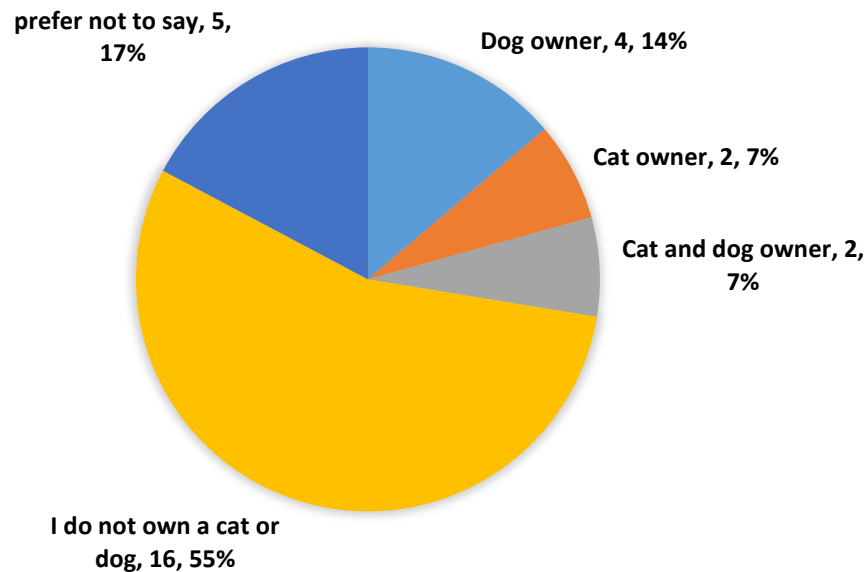
- **Legislation and education:** The main themes were the need for additional signage regarding when dogs should be under effective control (especially around wildlife) and fines for picking up after your dog. Secondary was the need for better/mandatory education.
- **Dog and Cat Registrations: Microchipping and desexing:** There was a general agreement that both dogs and cats should be registered. It was also agreed that dogs should be desexed, with commentary about the minimum age a dog should be desexed. Should be older than 6 months for small breeds and 1 year for larger breeds.
- **Wandering dogs:** Three comments, with one suggesting having dog free areas, another suggesting a warning for first time offenders and praise to council for managing wandering dogs' welfare.
- **Responsible ownership:** Two main themes came through, which were: Owners not having effective control of their pets and dogs/cat faeces and urination on private/public property.
- **Nuisance Barking:** Two (2) comments focused on the need for a review process to provide complaints to council as a neighbour of barking dog.
- **Public and Animal Safety:** The majority of comments requested a review of dogs to be on leads, particularly on the beach for the safety of people but especially around young children. Comments ranged from dogs always being on a leash to increasing the times when they should be leashes.
- **Environmental protection:** There was a concern for bird/marine/plant life and again people spoke about ensuring that's cats are not allowed to wander and the how dog faeces negatively impacts the environment.
- **Animal Welfare:** Only two (2) comments were provided in this area; one (1) asked for (more) dog parks, the other quoted the five animal freedoms.
- **Cat Management:** Participants primary concern was wandering cats.
- **Common themes throughout all nine areas:** Cat curfew at nights, more signage, more patrolling, issues concerning dog/cat urination on private and public areas of use. There was a general consensus that more needed to be done about the enforcement of picking up after a dog and keeping them under effective control.

General feedback reiterated concerns around the amount of dog faeces, a need for a review of dogs off the lead rules and a request for more patrolling. The sentiment analysis showed 52.4% of comments were negative, 9.5% of comments were neutral, 14.3% were mixed and 21.8% were positive.



*See appendix for full list of responses.*

## 2. I am a



- 16 participants (55%) identified as not owning a dog or cat.
- 5 (17%) participants preferred not to say.
- 4 (14%) participants owned a dog.
- 2 (7%) participants own both dogs and cats.
- 2 (7%) participants own a cat.

## SUMMARY

When a community engagement is on a draft management plan, it's expected to receive low to medium interest. Due to the nature of this subject Animal management, this engagement received a medium amount of passive engagement with 249 visits to the site and the document downloaded 179 times.

The main issues brought up though the consultation process were:

- Wandering cats.
- Wanting a stronger/more frequent presence for patrolling and issuing warnings/fines for dog owners doing the wrong thing.
- Effective control of dogs in public areas.
- Issues around dog waste in public areas.

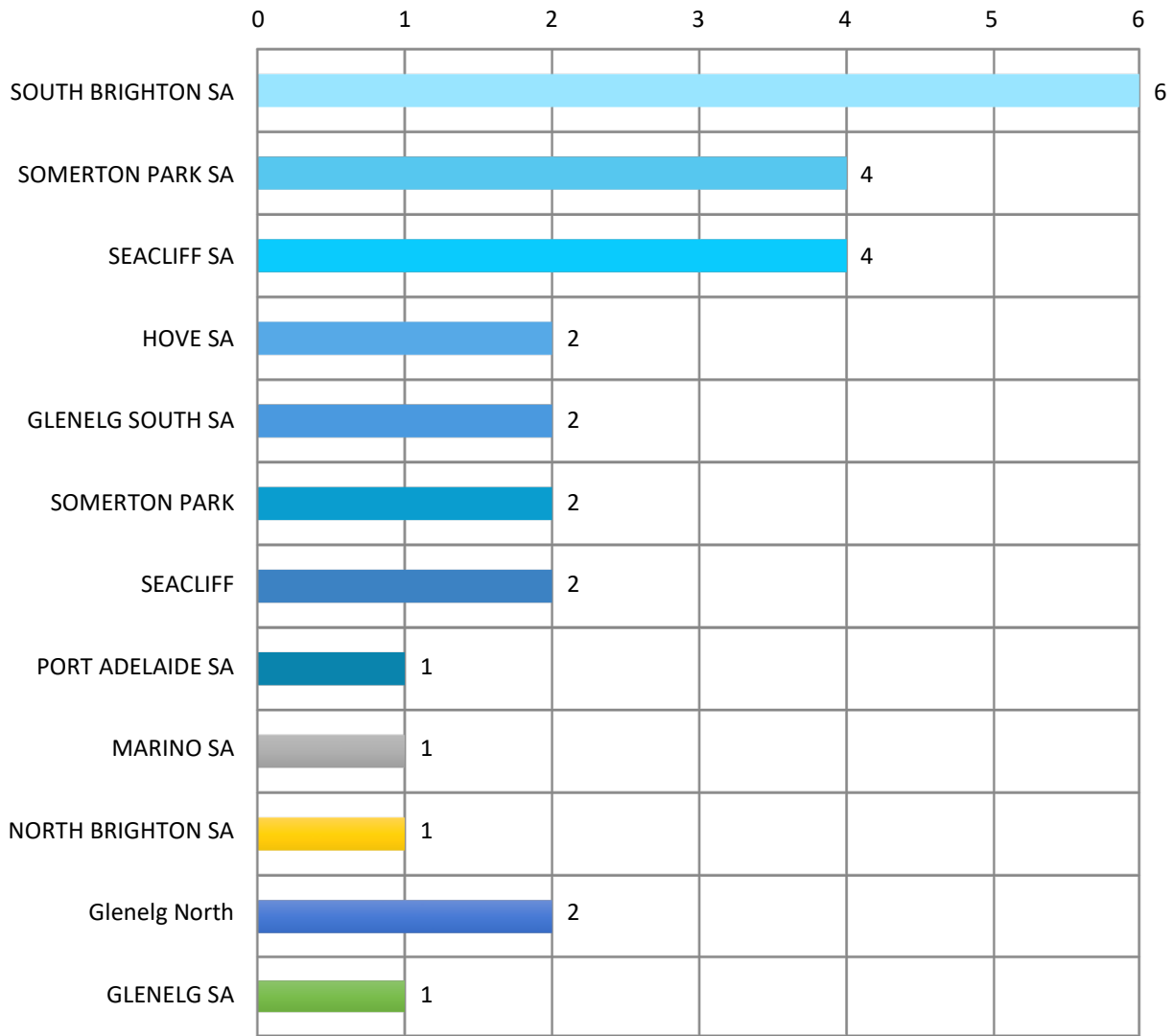
In addition, there were comments, questions about if/how the policy could be enforced, policed, and queried where the key actions and goals were to measure the success of the plan.

*See appendices for all full comments.*

## HOW FEEDBACK WAS RECEIVED

- 1 hard copy
- 29 submissions via your holdfast online survey.
  - The project page was visited 249 times
  - The draft plan was downloaded 179 times
  - The majority of traffic to the site came from the engagement newsletter and directly.
- One (1) late submission from Green Adelaide

SUBURB



- 26 participants identified as City of Holdfast Bay Residents.
- Two participants identified as being from a neighbouring suburb.
- One participant omitted answering.



Appendix 1. Comments on legislation and education (all comments are written verbatim)

1. Laws passed to keep both dogs and cats in their homes. Neither should be able to leave their property unless on a leash.
2. Education is inadequate as it does provide owners with any education without the owner seeking to find it. More advertising is required within the council boundaries and cat owners targeted as all wandering cats destroy the bird wildlife.
3. We need more up to date legislation, ensure it is circulated to all residents and more visible signs outlining responsibilities of dog/cat owners or carers. A lot of non-residents visit Glenelg and around parks and beaches more clear and visible signs are needed and all need to see officers enforcing them. we need specific programs and actions to educate as without these claims of education are useless.
4. I consider this to be a sensible, well balanced document that hopefully produces sensible well balanced management of the household pets.
5. Education needs to be clearly defined re the health dangers and toxic nature of dog faeces. Owners should be told the facts of why they need to pick up: 1/ dog waste is the most dangerous pollutant to our environment after oil. 2/The parasite diseases in dog faeces and its remnants can cause blindness if children rub their eyes after contact, and gastro and parasites in adults, even when the faeces are old and breaking down. This information is widely published - some councils use it. The current message of "Pick up or get fined " does not engender compliance. As no owner ever gets fined for leaving dog waste, our streets and beaches are testament to the fact that enforcement has failed. Legislation change with stiffer penalties is meaningless if it can't be enforced. It could only work with more patrol officers and ideally DNA matches of dog to faeces. Council for now should lead with the facts that this is no harmless waste and that may convince owners to pick it all up every time.
6. As individuals, we all have to take responsibility for our pets and that does include pets at home and in the community. If you are in the community with your dog, then it is necessary to consider others. Small children may be frightened by a large dog or one that wants to jump up in front of a child. People with mobility frames may be challenged to cope with an unruly dog. People with visual challenges may also be in a similar position. Possible solution: Erect signs in dog parks and other parks in the Council area to educate the dog owners about others in the who may have issues with their dog - Undertake training courses for dog owners about their responsibilities
7. Dog owners should be required to go through mandatory training in the responsibilities of owning a dog. Not just statements like information current on website.
8. Reference to Plovers should be Hooded Plovers. There are other Plovers which breed in the area on ovals etc and this may confuse the general public.
9. Fully support legislation and education. At Holdfast we run a section on Responsible Dog Ownership where we discuss the legal and ethical responsibilities of dog ownership. Many people are unaware prior to that of the general rules, eg, two metre lead, not off lead in public places incl walking on footpaths, nor that Effective Control legislation applies in dog parks as well as other areas. I do believe education is the key. Another comment is that there isn't follow through... that if someone does complain it isn't followed up, though this has'tt been our experience.

## Appendix 2. Comments on micro-chipping and desexing (all comments are written verbatim)

1. Agree that all dogs and cats should be desexed and microchipped except for registered breeders.
2. The strategy does not include penalties for non-compliant owners, especially those of cats. There is no strategy to ensure dogs and cats are de-sexed. It should be mandatory for Dog owners to make this declaration at the annual Dog registration fee payment. Cat registration should also be mandatory.
3. Must be mandatory and requirement must be reinforced by Council. Checks are essential and some revenue should be directed to new and extra personnel to be checking on owners and these people also should be used to ensure people taking animals for a walk have a receptacle bag ( what will their instructions be if they find people not carrying bag ? name, address for future compliance warning?) and why not empower them also to detail people who do not pick up faeces to fine them?
4. Dogs need to be registered as well as micro-chipped, cats should also be registered and micro-chipped. Cats are roaming freely during the day and night causing harm to the wildlife unlike dogs who are mostly on the leash when outside. So why shouldn't cats be registered?

## Appendix 3. Comments on wandering dogs (all comments are written verbatim)

1. Dogs not on leads and pooping all over the city is a big issue. I don't believe education campaigns are working. People just knowingly flout the regulations. Time to have a no-excuses policy. Then publicised crack-downs along with mandate fines.

2. Agree one or two adults totally responsible for ownership of pets.

3. Many owners believe their dog is under control. I have seen them calling their dog numerous times and the dog does not come back. I have been on the beach with my son and have had dogs urinate on his sand castles, I have other dogs approach him and the owners say that the dog loves people, and have not consider if my son loves dogs, or has allergies.

I do not believe this is under effective control, and dogs should not be allowed off leash if they are not. Council should spot check owners, and do a lot more to enforce effective control

4. Most owners do look after their animals and follow rules to the fullest. Th point of this document is to ensure all are fully briefed on responsibilities and consequences of non-compliance which are totally absent from this document. Why?

5. One of councils strategies is ' Develop and implement an education plan on responsible ownership and management.' however, I feel a corresponding Key Performance Indicator should be to publish how many Warning notices and enforced penalties were issued for said period. I live near the beach and have NEVER seen any evidence of council representatives 'educating, encouraging or enforcing' any irresponsible pet ownership. Needless to mention this is often observed both on the beach, esplanade and even around local cafes. This mostly by dog owners that are either naive or blatantly ignorant of their dog behaviours (dogs urinating or defalcating without owner knowledge) or annoying cafe patrons (non dog owners) by smelling, licking or lying too close to these patrons.

6. Owners should understand the Vet definition of effective control is when you call your dog it comes, when you tell it to stop, it stops. Immediately. Witness the amount of shrieking owners chasing and calling their "deaf" dogs. The number of owners also who happily walk off and leave their dog faeces on beaches and paths or allow their dogs to urinate on benches, fences and yes, even shop windows. Basically, the huge amount of dogs in our community has come at a time where dogs are perceived as now not just the family pet, but an equal family member and it seems owners expect everyone to embrace their dogs in all situations.

For health and safety, that's not possible and owners perhaps need to be reminded that their dog is a dog and has different rules.

7. We live on a corner block and many people with dogs regularly pass our house. Most have good control over their dog. However, some owners feel it is alright to allow the dog to relieve itself on our garden or verge area. This is disappointing and the owner and dog have usually long departed. Council legislation and policy does discourage this by, using signage and a supply of plastic bags in other Council areas.  
Possible solution: Have a small Council version of the sign used elsewhere in reserves and parks; to be erected on our verge area
8. More information provided to all owners in flyers, courses, and tests to ensure they understand their responsibility as a dog owner
9. People who own cats in my area (between Alma st and Ramsgate st) don't seem to be aware that they should lock their cats in at night. I have four neighbour cats that fight over my property, pee up against my outdoor setting and plants (killing them) and defecate in my vegie patch. I have security cameras.  
I do not own a cat or dog.
10. Owners take responsibility for training, control and ensuring leash wearing in prescribed hours. Also owners to carry faeces collection. Charge a fine to owners who continually break the rules
11. Cat owners should be required to keep cats inside at all times in order to protect native wildlife
12. It only takes one irresponsible dog owner to ruin someone's day, by not adhering to the by laws.
13. As mentioned we focus a lot of attention on this topic in our classes. I am not sure if available, but handouts from the council, just a summary etc, may be of help for us to distribute. Most owners do seem to do the right thing, tho the minority can make it very difficulty.  
Effective control is the trickiest area. People seem to think it is ok for their dog, even friendly ones, to approach and impact on someone else. Even if the other dog is on lead, people commonly think it is ok for their dog to rush up. This is probably the single most complained about behaviour from our members.... other owners not controlling their dogs.

#### Appendix 4. Comments on responsible ownership (all comments are written verbatim)

1. Dogs not on leads and pooping all over the city is a big issue. I don't believe education campaigns are working. People just knowingly flout the regulations. Time to have a no-excuses policy. Then publicised crack-downs along with mandate fines.
2. Agree one or two adults totally responsible for ownership of pets.

3. Many owners believe their dog is under control. I have seen them calling their dog numerous times and the dog does not come back. I have been on the beach with my son and have had dogs urinate on his sand castles, I have other dogs approach him and the owners say that the dog loves people, and have not consider if my son loves dogs, or has allergies.

I do not believe this is under effective control, and dogs should not be allowed off leash if they are not. Council should spot check owners, and do a lot more to enforce effective control

4. Most owners do look after their animals and follow rules to the fullest. The point of this document is to ensure all are fully briefed on responsibilities and consequences of non-compliance which are totally absent from this document. Why?
5. One of councils strategies is ' Develop and implement an education plan on responsible ownership and management.' however, I feel a corresponding Key Performance Indicator should be to publish how many Warning notices and enforced penalties were issued for said period. I live near the beach and have NEVER seen any evidence of council representatives 'educating, encouraging or enforcing' any irresponsible pet ownership. Needless to mention this is often observed both on the beach, esplanade and even around local cafes. This mostly by dog owners that are either naive or blatantly ignorant of their dog behaviours (dogs urinating or defecating without owner knowledge) or annoying cafe patrons (non dog owners) by smelling, licking or lying too close to these patrons.
6. Owners should understand the Vet definition of effective control is when you call your dog it comes, when you tell it to stop, it stops. Immediately. Witness the amount of shrieking owners chasing and calling their "deaf" dogs. The number of owners also who happily walk off and leave their dog faeces on beaches and paths or allow their dogs to urinate on benches, fences and yes, even shop windows. Basically, the huge amount of dogs in our community has come at a time where dogs are perceived as now not just the family pet, but an equal family member and it seems owners expect everyone to embrace their dogs in all situations. For health and safety, that's not possible and owners perhaps need to be reminded that their dog is a dog and has different rules.
7. We live on a corner block and many people with dogs regularly pass our house. Most have good control over their dog. However, some owners feel it is alright to allow the dog to relieve itself on our garden or verge area. This is disappointing and the owner and dog have usually long departed. Council legislation and policy does discourage this by, using signage and a supply of plastic bags in other Council areas.  
Possible solution: Have a small Council version of the sign used elsewhere in reserves and parks; to be erected on our verge area
8. More information provided to all owners in flyers, courses, and tests to ensure they understand their responsibility as a dog owner
9. People who own cats in my area (between Alma st and Ramsgate st) don't seem to be aware that they should lock their cats in at night. I have four neighbour cats that fight over my property, pee up against my outdoor setting and plants (killing them) and defecate in my vegie patch. I have security cameras.  
I do not own a cat or dog.
10. Owners take responsibility for training, control and ensuring leash wearing in prescribed hours. Also owners to carry faeces collection. Charge a fine to owners who continually break the rules
11. Cat owners should be required to keep cats inside at all times in order to protect native wildlife
12. It only takes one irresponsible dog owner to ruin someone's day, by not adhering to the by laws.
13. As mentioned we focus a lot of attention on this topic in our classes. I am not sure if available, but handouts from the council, just a summary etc, may be of help for us to distribute. Most owners do seem to do the right thing, tho the minority can make it very difficult.  
Effective control is the trickiest area. People seem to think it is ok for their dog, even friendly ones, to approach and impact on someone else. Even if the other dog is on lead, people commonly think it is ok for their dog to rush up. This is probably the single most complained about behaviour from our members.... other owners not controlling their dogs.

### Appendix 5. Comments on nuisance barking (all comments are written verbatim)

1. The current reporting onus on the victims of barking dogs next door to them is too onerous. In particular the diary that must be kept. This does not work as you have to be monitoring and recording the dogs behaviour all day. I recommend that residents reports be taken on face-value initially and managed with neighbours. Further supportive evidence can be collected at a later stage if needed for prosecution.
2. Dogs bark, agreed. And taking a guiding approach and helping the owners is the best approach.  
As a dog training organisation, we would be more than happy to assist in some way.

### Appendix 6. Comments on public and animal safety (all comments are written verbatim)

1. the increase in dog ownership has meant the beach and Esplanade are over run with owners unable or unwilling to keep their dogs from running amok. They consistently run across walkers paths, jump on passersby, causing accidents, tripping and distress. I no longer feel comfortable going on my daily walk and am relegated to backstreets. My partner has been knocked off his feet and a neighbour tripped on a dog that ran across her path and she ended up in hospital with a broken ankle requiring several pins. Owners are letting their dogs run great distances from them obviously not keeping them under control and often barking. I walk everyday and have never seen anyone from the council approach a dog owner about their lack of supervision.
2. Happy with dog leash curfew.
3. We have a small dog and occasionally larger dogs are off lead and do chase our dog and some viciously. We have had two scary episodes, both with British Bulldogs, but I am happy that most people do look after and control their dogs. It is great when dogs are in park and running around and playing with other dogs. There are breeds that owners should never have off a lead and such action is not showing in this document. Council should enquire as to larger Councils inter-state how this control over such breeds is done.
4. My main concern is for the clean enjoyment of our beautiful area and keeping it safe. Dog waste is toxic and is everywhere. I ask council members to take a walk along the Esplanade, Minda coastal walk etc and see first hand the pollution. I've seen an experiment where a man sprayed every pile of dog faeces with orange food dye - it became a staggeringly orange landscape. Our areas would reveal the same if they were sprayed. Dogs urinating everywhere is unpleasant and dirty, especially now there are so many of them in public spaces - even at coffee shops, dogs are eating food off tables. Without more control, the time is approaching where we need dog free parts of the lawns on Glenelg South, so families can picnic without poo and sit against a tree that's not urine soaked. And we need a stretch of beach just for humans. No poo in the sand & seaweed to dodge, urine on the rocks, dogs running at us. Dogs can be dangerous and unfriendly despite the thoughts of their owners. They can be threatening and they do attack. These are good reasons why they need be controlled and humans need some clean safe spaces.
5. Dogs on the beach are a significant problem under the current leash guidelines. Before 10 am in Daylight saving period is also the time when many families with young children go to the beach before the full sun takes over. Unleashed dogs loved to come up to young children and to a 2 or 3 year old an average sized dog is a monster. Children often put their hands out to the dog and dogs can then react potentially causing harm. Please change the time to 8 am ie 8 am to 8 pm when dogs would be on a leash. It still allows for dog owners to take their dogs out but on a leash and under control. Sooner or later we are going to have a disaster with a child being molested by a dog. As a rate payer I would hate for my rates to go towards the enormous compensation that would be paid after the council is sued. Furthermore the child would be scarred for life!!

6. All and any sized dog outside private property should be muzzled. This simple, inexpensive and completely effective method removes all safety issues (including intimidation) associated with dogs in public places, both to people and other dogs. There is no reason for a dog in public to have its mouth area unmuzzled, i.e. a dog only eats at home, a muzzle still allows a dog to scratch/rub an itch, dogs can never physically threaten another dog or person etc.
7. Remove the off-lead areas, around sporting places, and high visitor areas. I have a dog & weekly we have issues with off lead dogs approaching my dog. Having a dog off-lead removes the right for me and my dog to decide whether we want to interact with them & that's not fair on anyone or either dog. Port Adelaide Enfield council has recently banned off-lead dogs from their beaches, I would have thought Holdfast bay council would stay inline with community expectations and do this too.
8. leash dogs at prescribed times
9. Holdfast Bay Public safety and amenity is strongly compromised at the beaches in Summer where many people have dogs off leads, and there is barely any council officer ever around to fine/advise of the dog by laws. I have witnessed several incidents of dogs leaping onto people at these beach. I believe a dog exercise area, excised from public bathing areas, needs to be introduced. The beach is a major recreation area, just like our grassed parks. Some grass parks have fenced off dog exercise areas to keep public and dogs separated. Beaches here should be the same. The lack of beach dog patrols and no separate areas leaves Holdfast Bay out of step with every other beach council area in Australia and across the world.
10. High focus needs to be placed on the needs of the dog, balanced with the need of the public and owners.  
Dogs being on lead is a good thing.. And people not feeling entitled to pat dogs would be a good starting point. Dogs that have gained access to freedom... best approach is to call the council. Contain the dog if safe to do so, but people should be aware that approaching an anxious dog is risky.  
We can all live together safely with education, training and understanding.

#### Appendix 7. Comments on public and animal safety (all comments are written verbatim)

1. No wandering cats or dogs. Cats and dogs must be on leashes and supervised outdoors except in owners property.
2. More emphasis on the protection of Birds from wandering Cats is required. All cats should be kept indoors 6:00 pm to 8:00am.
3. Glenelg is such a great place for walking animals but too often there is faeces left on beach, in parks and on other ground places. At the beach you often see dogs roaming from owners and owners often lose sight of their animals so have no idea they leave droppings. Some education would help but you must police it to send a message and this is not done by Council. I have lived on the beach and by Colley Reserve for 6 years and in that time incidence of left faeces has risen and I have never seen anyone being pulled up or questioned over this matter and given we have a toy poodle who has at least 6 walks a day I am out a lot to view what is going on. I hope this document is not seen as just publishing rules and guidelines as you need to - too often this is the case and no plan to ensure abidance is actioned just wastes time, money and effort.  
Council needs to ensure more bag receptacles are in place. There are none in Colley Oval where I live and none at the Marina beach area where many dogs are taken for walks and if you do not have your own bags are people going to walk all the way to the jetty, assuming they know there are dispensers there? These are examples only and I am sure there are

many other areas that need dispensers to help out. I accept it is the carer's responsibility to provide bags - yours is to support those who forget or run out and, more importantly, to support and hammer home your policy.

4. The toxic nature of dog waste to our land and marine environment and animals is well documented - I have sent links before to the health department and your council. Without proper clearing & sanitising, dog waste will poison our environment and wildlife, as it continues to emit parasites even after it is old and crumbly . Some countries are looking at dedicated dog waste disposal systems.
5. Dogs should only be allowed to be walked on footpaths, and only during certain daylight hours. Dog faeces is in every street, park or beach, at any given time. It is fascinating that the City of Holdfast Bay has let this problem get so out of control. A good number of dog owners do not follow the rules of picking up after their dogs and the rest of the community should not have to see, smell nor remove other people's dog waste (I have countless times, over decades of living local). Some dog owners allow this nuisance situation to happen in full view of residents, some pretend to not know, allowing their dog to trail behind or around them unleashed, while others freely allow it during the cover of night. What will it take for the bogan policy makers to wake up and realise that the City of Holdfast Bay public spaces are for everybody, not for dogs which should remain for the most part in their owners' private yards.
6. Many native plants and non native plants are sensitive to the soil in which they grow. Too acid or too alkaline will disturb their growth. If we continue to have dogs relieving themselves on our verge or garden, then it will make our job of providing a good environment for both garden and verge that much harder.  
Possible solution: The erection of a small sign as mentioned above
7. Outdoor cats should be banned in order to protect native wildlife
8. I think the council do a great job of caring for the environment, including our beaches, waterways and wildlife.  
I like the educate first, fine second approach, although do think some people are never going to watch their dogs well enough to see when they poop. It is frustrating

#### Appendix 8. Comments on animal welfare (all comments are written verbatim)

1. More designated dog parks would be great.
2. Animal welfare is a prime concern, and needs to be balanced with human welfare, dog owners and non dog owners. The Five Animal Welfare Freedoms are a good place to work from
  - 1 , Freedom from Hunger and Thirst
  2. Freedom from Discomfort
  3. Freedom from pain, injury and disease
  4. Freedom to express normal behaviours
  5. Freedom from fear and distress.

Accepting who they are and respecting them for that goes a long way,.

#### Appendix 9. Comments on Cat Management (all comments are written verbatim)

1. It should be mandated via by law that all cats be kept inside their owners home or cat-run at night. This will prevent roaming cats and the destruction of wildlife.

<p>2. There is an extensive body of evidence showing the damage to suburban native animals caused by domestic cats. We cannot protect the native fauna unless we require cats to be kept contained. Therefore the stated aim of this management plan is not achievable with the plan in its present form. Please modify the plan to require cats to be kept inside houses or inside purpose built catproof structures 24hrs a day. The draft management plan is out of date before it is enacted if it does not require this, and it is internally inconsistent. Please rewrite it, and develop/adopt bylaws or other legal structures that enact this strategy.</p>
<p>3. i would like to see all cat owners required to keep their cats indoors at night. I think the onus should be on the owner not the cat who is only doing what comes naturally, that is hunting/ killing indigenous animals and birds.</p>
<p>4. Cats confined to owner's property . No wandering day or night. Cat enclosure an option. Must be desexed and microchipped by 3 months of age. Micro chipping enables owners to find lost/escaped cats quickly.</p>
<p>5. Cat owners should not allow their cats outside unless they have a cat run. I have nuisance cats in my area but until recently I did not know that they are not supposed to roam. Again council should check if they have the proper setup to have cats.</p>
<p>6. The strategy does not include penalties for non-compliant owners, especially those of cats. There is no strategy to ensure cats are de-sexed. It should be mandatory for Dog owners to make this declaration at the annual Dog registration fee payment. Annual Cat registration (and fees) and de-sex declaration should also be mandatory, the same as Dogs.</p>
<p>7. The requirements for Cat ownership mainly seem to be quite reasonable, however, I find it difficult to define "nuisance" in the Council By-Law. It is such a grey area.</p>
<p>8. Policy to require cat owners to keep their cats inside during the night to reduce harm to wildlife.</p>
<p>9. I think more effort needs to be directed towards educating cat owners that it is not an acceptable practice to allow a cat to roam the neighbourhood. There are a far larger number of cats in the area than indicated by the microchipping records. The notion of being able to feed a cat on a casual basis, even if shared with neighbours, is not acceptable. If someone is feeding a cat then they are essentially exhibiting the behaviour of an owner of the cat. And the responsibility for the cat rests with them.</p> <p>Cats are by nature predators and the level of damage to urban wildlife is as far as I know, unmeasured. There are studies of feral cats in remote rural areas and the extent of native fauna kill is astounding. I suspect there is similar impact particularly on bird life, in urban areas.</p>
<p>10. We have had an issue with a cat wandering onto our property and causing stress to our pet rabbit which has resulted in a visit to the vet. We were disappointed that at the time of the problem the council had limited power to do anything. The draft plan refers to enforcement of the by laws. We had to provide pamphlets to the cat owner ourselves. We also bought their two cats collars with bells and respectfully asked them to contain their cats. We still had issues after that. I am actually a cat lover myself but my priority is obviously my own pet and do not wish to pay vet bills or want to lose him due to stress. I don't feel it is my responsibility to chase up these issues as they arise.</p>
<p>11. "Ensure cat owners do not allow their cat to travel onto neighbouring properties." How are you doing this? If you are doing anything at all it is not working and needs to be reviewed. It needs to be more than a piece of information on registration.</p>
<p>12. Introduce a cat curfew to encourage owners to take responsibility</p>
<p>13. Cats should be kept inside at all time to protect native wildlife</p>



- 14.** Many barking complaints from dog owners are because dogs are barking at cats. Cats wander and cause stress on our wildlife, our dogs, and also themselves. They are open to abuse, attack and cars. I would like to see cats contained to property, but realise this would be a long term solution because of costs involved to people. I do have a cat, but is not allowed outside.

#### Appendix 9. General comments (all comments are written verbatim)

1. Overall, Council job to a great job regulating difficult matters.
2. In the past I have had 3 dogs and take owning one very seriously. Perhaps dog owners need to show the council they can control their pet and given a "dog licence" before they are allowed off their leads. I would like to see a stronger presence on the beach and Esplanade to show owners the council is serious about pet control.
3. Still too much dog poo on footpaths and grass verges. Inconsiderate owners need education/reminding on this. Council could also consider banning cats from free ranging outside of their homes.
4. Not enough done on enforcement of the existing rules. I do not own a cat or dog so unaware if they receive direct educational material,
5. The penalties for non compliance is inadequate. The Dog and Cat owner education strategy is inadequate and enables the owners to easily plead ignorance if caught non complying.
6. I believe an updated strategy is needed and that proper education programs and documentation is put into place to achieve what animal owners want- a great place to have a pet that is well looked after and controlled by a Council that cares. Work is needed on more signs, more bag receptacles and policing. More visibility of Officers is needed and some thought about breeds that have to always be on leads when out in public is needed to be incorporated.
7. I find dogs to be much more of a nuisance with their barking and defacating in public spaces.
8. More frequent patrols not only on the beach, but also along Esplanade to make sure dog owners do pick up after their dogs. I actually find there are more dog feces on the footpath than on the beach.
9. Dogs Off-Leash Areas in the City of Holdfast Bay states that "All parks and reserves are off leash areas" and that "dogs must be under effective control at all times" unfortunately many dog owners do not respect this. Dogs are left to run on the beach and jump on beach-gowers. "... it's only a puppy" or "... he is ok don't worry" are some of the typical answers we get. Another example is the old gum tree which Many dog owners call it a "dog park". I've been told many times by dog owners "you shouldn't bring kids here then". What? That is a playground. Stating that dogs must be 'under control' and not clarifying it with signs at these locations what it exactly mean it is not enough. It should have physical separation between areas where dogs are off-leash and kids are playing. As a minimal dogs should be on-leash (this is effective control) if there are kids present. I've raised this concern a number of times to the council and end up with my 2yo son having 3 dogs "playing" with him in the gumtree playground. He was so scared that, today, over 2 years later, he is still terrified of dogs. Unfortunately he doesn't even want to go to playgrounds where dogs are around. This is the basics concept of bullying and has caused trauma to him.

The council's reply "Unfortunately we do not have the resources to allow for Council officers to be present at the reserve at all times, and if we were to change the park conditions and not

allow dogs it would set a precedent for all of our other parks and reserves. Our parks and reserves are public spaces to be used by everyone, you cannot be told by someone to stay away and you should also be able to enjoy the space without being harassed by dogs. Please contact Council if you witness dogs that are not under effective control. Our contact number is 8229 9999 (24/7), we have Community Safety Officers patrolling the Council area 24 hrs a day. If you call through and ask for an officer to attend, they will try to get there asap and will be able to talk with the dog owner and issue an expiation if required.”

We did call once and waited for 1 hour. No officers came to see what was happening.

As stated, anyone and more specifically, kids, should be able to enjoy public spaces without harassment. Unfortunately this is not happening. Today we have a kid that is traumatised and cannot play on the beach or playgrounds when dogs are present. And many dog-owners will tell this is a problem with the kid. Shame.

10. I continue to be amazed by the behaviour of dogs in general on the beach. It is in stark contrast to the behaviour exhibited by farm dogs where an outsider entering their territory usually results in aggressive behaviour.
11. Council laws regarding dog leash control on or near the beach are largely ignored. These should be updated to better reflect modern busy times (ie dogs on leash between say 8am to 8pm) and/or have an allocated 'quiet' beach that can be allocated to dog owners with their dogs. Popular bathing beaches should be dog free zones to encourage more local tourism. Cafes should likewise have allocated and defined dog zones so that dogs do not interfere with other patrons, again this will encourage local tourism.
12. I have owned family dogs as my children grew up and I am not a dog hater. I loved my dogs and they had a wonderful place in our family. They weren't "fur babies" with rights in human spaces - they were loved pets. We all knew they were dogs and they were trained and looked after accordingly. I am a rate payer and I feel my ability to walk freely without being challenged by a dog, or watch where I step, is eclipsed by the right of the dog to wander and toilet at will. I am saddened by the awful amount of dog waste in our beautiful part of the world and the lack of real communication about why it is dangerous - not just foul and unsightly, but unhealthy for us and dangerous for our environment. If people were better educated, maybe they would do more to clean up and curb their dogs. Otherwise, you will need a massive enforcement campaign or to provide clean human only safe spaces - I know I'm not alone with this position
13. Dog owners who allow their animals to defaecate on the beach and on walkways should be heavily fined. It is a constant battle for those of us who live by the foreshore.
14. I wonder if a letterbox drop to all residents informing them of their obligation to responsible pet ownership and legal requirements would be a good start to ensure that everyone is informed and also perhaps advice on the enforcements that council will take if brought to their attention that their pets are in breach of the by laws. Perhaps financial penalties may help with compliance. I feel that council need to have the right to and actually follow through on enforcement as per the policy.  
Thank you.
15. Disallow dogs from parks, beaches and other general public spaces. We have always had pets and kept them within our private property. We do not upset our neighbours nor any other sections of the community by our pet ownership, nor are we so arrogant as to think that our animals have rights to socialising or to being in places where people attend or gather for enjoyment or otherwise.

**16.** Well done to the Council for the work completed on Dover Square to reduce the area allowed for dogs and increase the area for children and parents. However, I feel that the area for dog owners still needs a further reduction in size and extra facilities for the children and parent section.

Possible solution: Move the fence between the two areas further towards lower Broadway section

- Have a seat and shelter in the section for the children and parents to use

**17.** Very disappointed that the council allows the free roaming of dogs at so many public places. Owners are not responsible for their dogs in general and it should be a mandate that all dogs must be on lead at all times while in public unless they are at a fenced in dog specific park such as Dover gardens. Marion council have fabulous fenced dog places, where dogs belong off-lead. They do not belong off-lead in public high- visitor places.

**18.** I love to see dogs play on the beach it is sound for dog mental health and should never be taken away because of a few complaints. The majority of dogs are well behaved its the owners who need the training and they could be more watchful in picking up their dog poo. I used to be a dog owner.

**19.** Conduct random inspections of beaches from 7am

**20.** BirdLife Australia welcomes the opportunity to comment on City of Holdfast Bay's Dog and Cat Management Plan 2022 – 2026.

BirdLife Australia very much appreciates City of Holdfast Bay's ongoing excellent support for the Hooded Plover program which is enabling the Hooded Plover pair at Seacliff to thrive and be successful. The compliance efforts have enabled the importance of the message of 'dogs on lead' around the breeding zone to be heard not just at Seacliff but further afield and is setting an example for others to follow.

Comments and recommendations regarding the Dog and Cat Management Plan 2022 – 2026:

It was good to see that it was noted specifically that "our by-laws require dogs to be leashed near Plover breeding sites". Please include "Hooded" in front of Plover so as not to confuse with other Plover species.

We also support the aim "To protect native fauna and flora from the impact of dogs and cats".

City of Holdfast Bay's commitment to the following is excellent and is making a positive change for the Hooded Plovers: Additional Community Safety Officer – Summer Season – \$40,000 From September to February, council has provided additional patrols to educate and enforce local laws to protect native wildlife (Hooded Plovers), improve responsible dog ownership and maintain general compliance. In the Dog and Cat Management Plan we encourage City of Holdfast Bay to include the above Additional Community Safety Officer (for beach and Hooded Plover) under:

- "Current Service: daily patrols of reserves and beaches" and,
- also include this as a strategy and on-going commitment under the "Legislation and Education" component in the Plan.

We encourage City of Holdfast Bay to continue the education and awareness raising in the community of the by-law (requiring dogs to be on leash around the Hooded Plover breeding area). At any of the events/registration information/microchipping events etc we encourage the City of Holdfast Bay to share information about the Hooded Plovers at Seacliff.

- 21.** As an organisation, Holdfast Dog Centre would be more than happy to be of assistance in any area we can be useful, including education, problem solving and assisting at dog events. In general, I think Holdfast Council do a great job.
- 22.** Late submission attached from Green Adelaide

# Attachment 2





# DOG AND CAT MANAGEMENT PLAN

2022-2026

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# EXECUTIVE SUMMARY

The City of Holdfast Bay is a thriving metropolitan area that stretches along 8.6 kilometres of coastline located approximately 11 kilometres from the Adelaide central business district.

The vibrant seaside community is home to around 37,000 people and receives 1.4 million visitors annually.

Holdfast Bay is part of the lands of the Kurna people, who are the traditional owners of much of metropolitan Adelaide.

The City's parks, foreshore and beaches are well used by residents and visitors for a variety of activities, including exercising dogs.

During the 2020–2021 registration period, 4,650 dogs and 550 cats were registered in the City of Holdfast Bay via Dogs and Cats Online (DACO).

Council's approach to the management of dogs and cats is detailed in the City of Holdfast Bay's Animal Management Plan (2017–2021), which must be updated every five years, in line with the requirements of the Dog and Cat Management Act 1995 (the Act).

This updated plan draws on the 2017–2021 Animal Management Plan and Council's Strategic Plan — Our Place 2030. It also addresses new issues that have emerged over the past five years. Input for this updated plan was gathered from relevant stakeholders, including elected members and the community.

This plan:

- Recognises that pets are integral to many people's lives and provide a range of health and social benefits.
- Aims to educate the community about responsible pet ownership.
- Aims to create a safe and enjoyable environment for people and animals.
- Reflects broad community sentiment.



# INTRODUCTION

## BACKGROUND

In South Australia, the Dog and Cat Management Act 1995 (the 'Act') provides for the management of dogs and cats in the community. The objectives of the Act are to:

- Encourage responsible dog and cat ownership.
- Reduce public and environmental nuisances caused by dogs and cats.
- Promote the effective management of dogs and cats.

Section 26A of the Act creates a statutory obligation on councils to develop a plan relating to dog and cat management in their area. The plan must cover a five year period and be presented to the Dog and Cat Management Board (the Board) for comment six months before taking effect. This updated plan takes into consideration local priorities and feedback from the community, elected members and staff. It also responds to changes to the Act which occurred after the last plan was endorsed, including:

- Microchipping — all cats and dogs over three months must be microchipped, and the details recorded in Dogs and Cats Online (DACO).
- Desexing — dogs and cats born after 1 July 2018 must be desexed by six months of age.
- Breeders — anyone who breeds dogs and cats for sale must register as a breeder.
- Sellers — anyone selling cats or dogs must provide specific information to buyers.
- Council powers — authorised officers have greater powers.
- Penalties — additional offences are expiable.
- Registration fee structure — discounts apply to standard dogs (dogs that are registered and microchipped).

In addition to the powers in the Act, the City of Holdfast Bay has specific by-laws for dogs and cats. The main features of these by-laws are:

### Dog By-law number 5

- Limits the number of dogs permitted in private premises unless Council has granted an exemption.
- Prescribes controls for dog exercise areas, dogs on-leash areas and dog prohibited areas.
- Requires anyone in control of a dog to carry a suitable receptacle to collect dog waste.

### Cat By-law number 6

- Limits the number of cats that can be kept on private premises unless Council has granted permission.
- Requires cats to be registered into DACO within 14 days of arrival.
- Makes owners responsible for any nuisance caused by their cat(s).

# OUTLINE

The Council's management of urban animal issues impacts the local environment, the health and wellbeing of community members and the welfare of animals in the City. This plan is designed to meet the needs of animal owners, non-owners and visitors to Holdfast Bay.

The Act requires Council to administer and enforce:

- Responsible dog and cat ownership.
- Public and environmental nuisances caused by dogs and cats.

This plan outlines a range of strategies and actions to achieve these requirements, including:

- Educating and promoting responsible pet ownership.
- Enforcing desexing and microchipping requirements.
- Reducing the number of dog attacks.
- Eliminating dog faeces in public places.
- Reducing the number of dogs wandering at large.
- Promoting dog socialisation and training.
- Reducing nuisance barking complaints.
- Upskilling staff.

## Education, Encouragement and Enforcement

Our plan emphasises the combined use of education, encouragement and enforcement to achieve Council's objectives. Education and promotion play a key role in changing attitudes about responsible pet ownership. At the same time, Council must proactively investigate issues and implement preventative measures where possible.

## Encouragement is a Graduated Response to Achieve Compliance

Enforcement is needed in some situations. However, this must be balanced with community expectations and commensurate with the severity of the offence. The long-term goal is to reduce animal management problems.

## Mission Statement

To create an environment that encourages responsible pet ownership, where people and pets integrate safely and harmoniously. To recognise that companion animals are part of the community and contribute to people's quality of life. To ensure that the needs of animals and their owners are accommodated while recognising the wider community's needs, including non-pet-owners and visitors.

## Aims

- To provide effective management and a suitable environment for dogs and cats within the community.
- To encourage responsible dog and cat ownership.
- To ensure public safety and amenity through the reduction of public and environmental nuisance caused by dogs and cats.
- To advocate and provide for the welfare and safety of dogs and cats.
- To acknowledge the importance of dogs and cats in society.
- To encourage the enjoyment of and benefits from dogs and cats by people.
- To ensure public safety and amenity in relation to dogs and cats.
- To protect native fauna and flora from the impact of dogs and cats.
- To ensure the expenditure from registration fees addresses the needs of pet owners as well as domestic animal management issues.

## Current Service

Council's Community Safety Officers undertake a range of animal management\* activities that help to protect the safety and welfare of animals and the community, including:

- Daily patrols of reserves and beaches.
- 24-hour, seven day a week service responding to complaints.
- Education and enforcement.
- Dog attack and harassment investigations.
- Responding to barking dog complaints.
- Retrieving wandering dogs and returning them to their owners.
- Providing advice about animal management.
- Dealing with animal nuisance complaints.
- Implementing a variety of proactive cat management strategies.

One of the unique challenges for the City of Holdfast Bay is the high number of visitors from other council areas that use our beaches to exercise their dogs. The income from registration fees, intended to cover the cost of local animal management, does not account for the impact of visiting dogs.

Despite this, Council's Community Safety Officers and supporting Council departments continue to provide a safe and clean environment for residents and visitors.

Overall, compliance with state legislation and local by-laws is good, notwithstanding the challenges of animal management in a popular tourist destination.

\*animal management refers to dog and cats throughout the plan.

## Other Urban Animals

While Council mainly manage dogs and cats, from time to time Council receive complaints about other animals. These complaints are dealt with on a case by case basis using the Local Nuisance and Litter Control Act ensuring the animals do not cause a nuisance from smells and noises. Officers will also rescue stray rabbits and ducks and take them to a shelter.



# STRATEGIES

## Legislation and Education

The Dog and Cat Management Act 1995 and Council’s dog and cat by-laws stipulate the rules and powers for Community Safety Officers. Council’s policies and procedures provide clear direction to ensure matters are dealt with consistently and fairly.

To support compliance, residents and visitors need to be made aware of their legislative obligations. Council uses various channels to inform and educate people about their responsibilities, including multimedia platforms and direct discussions with officers.

Objective	Strategies	Key Performance Indicator
Ensure officers have adequate skills and knowledge and operate within the provisions of the Dog and Cat Management Act 1995 and other relevant delegated authorisations.	Ongoing review of staff training and development to ensure all staff have a clear understanding of the legislation.	Added to the Community Safety Officers (CSOs) performance plans.
	Annual performance review for all staff involved in animal management.	Increased skills and knowledge
	Update procedural guidelines for staff	Procedures updated.
Educate the community on statewide legislation and local by-laws and responsible dog and cat ownership requirements.	<p>Ensure adequate, relevant information about the legislation is displayed in public areas via signage and on Council’s website.</p> <p>Encourage officers to take every opportunity to educate the community. Consider holding ‘Hounds of Holdfast’ or other similar animal welfare events.</p> <p>Ensure the public has access to all relevant legislation.</p>	<p>Information current on the website.</p> <p>Increased awareness in the community.</p> <p>Reviewed in performance reviews. Event hosted.</p> <p>Information current on the website.</p>

## Dog and Cat Registrations, Microchipping and De-sexing

The Act requires all dogs over three months of age to be microchipped and registered via Dogs and Cats Online (DACO). Cats over three months of age must also be microchipped and their information entered in DACO.

Additionally, dogs and cats born after July 2018 must be desexed by the age of six months (subject to legislative exemptions).

Ensuring maximum levels of microchipping and registration enables officers to identify owners and take appropriate action to educate, encourage and enforce animal management issues.

Objective	Strategies	Key Performance Indicator
Maximise dog and cat registrations, microchipping and desexing.	Use media to inform the public about dog registrations requirements. Use DACO to identify owners that have not entered their microchip details and/or re-registered their animal(s) and apply Council's enforcement policy.	Promoted on Council's media platforms.  Increased registrations and microchip numbers.
	Educate the community to register their dogs annually.	Increased registrations and microchip numbers.
	Enforce the mandatory microchipping of cats and dogs.	Increased microchip numbers.
	Promote microchipping days.	Events promoted.



## Wandering Animals

Wandering dogs and cats can be a threat to members of the public, native wildlife and themselves. The Act and Council’s dog and cat by-laws do not allow dogs or cats to wander except where off-leash provisions allow.

Council uses education, encouragement and enforcement to prevent wandering. When a pet dog wanders, the priority is to return it home as safely and quickly as possible — provided it can be safely contained without risking its welfare. The introduction of DACO and mandatory microchipping has significantly improved this process, with approximately 150 dogs returned each year.

If an animal cannot be identified, it is taken to a suitable animal holding facility where it is kept while further attempts are made to find its owner.

The management of wandering cats is more challenging. A much lower proportion of cats are microchipped, making it difficult for officers to notify owners. More promotion is needed to ensure cat owners comply with microchipping requirements and enter their cat’s details in DACO.

Objective	Strategies	Key Performance Indicator
Reduce the number of dogs and cats wandering.	<p>Make owners aware of their responsibility to microchip their pets and enter this information on DACO.</p> <p>Ensure dog owners adequately fence their property to control their dog.</p> <p>Ensure cat owners do not allow their cat to travel onto neighbouring properties.</p> <p>Encourage dog owners to train their dog not to leave their premises.</p> <p>Ensure dog owners keep their dog under effective control when in a public place.</p>	<p>Educational campaign implemented.</p> <p>Reduced number of wandering animals.</p> <p>Increased compliance with dog owners controlling the dogs.</p> <p>Fewer complaints about wandering cats.</p> <p>Increased compliance.</p> <p>Reduced complaints.</p>
	<p>Animal Management Officers to monitor public areas for wandering animals.</p> <p>Ensure animals are returned to their owners as soon as possible.</p>	<p>Increased proportion of animals successfully returned to their owners.</p> <p>Officers follow scheduled patrols.</p>
	Respond to calls from the general public.	All calls responded to.
	Provide a 24-hour, seven day a week service.	Service remains effective.

## Responsible Ownership – Residents and Visitors

Successful pet ownership involves both financial and time commitments. It is crucial that people who are contemplating pet ownership endeavour to match their choice of pet to their particular home or family circumstances. This responsibility starts with training and effective animal management strategies and extends beyond the home, where pets must behave appropriately in public areas.

Because City of Holdfast Bay beaches and parks attract a high number of visitors, we must adopt various methods to educate both locals and visitors, applying the same principles of education, encouragement and enforcement to maximise compliance with local laws.

Objective	Strategies	Key Performance Indicator
Work with the community and individual dog and cat owners on responsible ownership.	Promote the benefits of responsible pet ownership.  Develop and implement an education plan on responsible ownership and management.  Enforce animal management.	Education plan implemented.  Education plan implemented.  Warning notices and/or expiation notices issued.
Encourage dog owners to socialise and train their dogs.	Education plan.	Education plan implemented.





### Nuisance Barking

Barking dog noise is one of the most time-consuming and challenging animal management issues that councils deal with. The level of nuisance is subjective, depending on an individual's tolerance for dog noise. Dogs are allowed to bark for various reasons — the difficulty lies in defining what is reasonable and legal. In some situations, what is legal may still cause a nuisance to neighbours.

Objective	Strategies	Key Performance Indicator
Investigate and attempt to reduce the impact of barking dogs.	Refine procedures for barking noise complaints.	Procedures updated.
Encourage dog owners to socialise and train their dogs.	Educate dog owners and those affected by a barking dog on strategies to reduce the barking.	Reduce the number of barking dog complaints over time.
	Promote force-free alternatives to help reduce excessive barking.	Education plan implemented.
	Work with dog owners and those affected by the barking to help reduce excessive barking.	Reduce the number of barking dog complaints over time.



## Public and Animal Safety

All dogs have the potential to bite regardless of size, age, breed or temperament — particularly in situations where they are frightened, dominant, protective or possessive. Owners are responsible for ensuring that their dog behaves and can handle various conditions so that it does not harass or bite another animal or person. They must also have effective physical and voice command control over their dog to prevent incidents from occurring.

Objective	Strategies	Key Performance Indicator
Increase public and animal safety by maintaining current initiatives to reduce risks of dog attacks.	Collate statistics related to dog attacks and intervene where possible.	Information collected.
	Promote dog training.	Education program implemented.
	Provide education on how to manage dogs effectively.	Education program implemented.
	Conduct patrols in busier dog exercise areas.	Patrols undertaken as per schedule.
	Investigate attacks/harassments and take appropriate enforcement action.	All attacks investigated, and enforcement action and education undertaken as required.

## Environmental Protection

The management of dog faeces is a significant environmental and health issue. It affects the ambience of our beaches, foreshore and parks and has the potential to pollute our waterways. It is an issue about which the community has strong feelings. As a tourism destination, animal faeces littering our public places would have a detrimental impact on our reputation and local economy.

To address this, Council has established a by-law requiring dog owners to carry a suitable receptacle for picking up dog faeces, in addition to state legislation requiring owners to pick up after their dog.

Objective	Strategies	Key Performance Indicator
Maintain a clean environment for residents and visitors.	Continue to provide dispensers and dog tidy bags in various locations.	Dog dispensers kept stocked.
	Enforce the by-law requiring people to carry a suitable receptacle for collecting dog faeces.	Scheduled in general patrols.
	Provide adequate signage encouraging people to pick up after their dog.	Signage installed.
	Field Services staff to keep areas clean and respond to complaints.	Cleaning schedules. 100% response to all complaints.

## Animal Welfare

The welfare and safety of animals are paramount. Incidents of animal harm are immediately reported by Council staff to the RSPCA. Staff also advocate for change where any risk to the safety of animals is identified.

Objective	Strategies	Key Performance Indicator
Advocate and support measures that protect the welfare and safety of dogs and cats.	Advocate to relevant stakeholders on behalf of Council to ensure animal safety and prevent cruelty to animals.	Welfare concerns actioned or reported.
	Consider animal welfare in the development of new council plans.	Animal welfare considered in relevant plans.
	Educate residents about breeder registration requirements and enforce compliance.	Education plan implemented.

## Fee structure

Under provisions of the Act, Council must use income generated from dog registrations for the purpose of animal management.

Objective	Strategies	Key Performance Indicator
Allocate monies from dog registration for animal management.	Ensure monies raised from registrations are used for animal management.	Budget allocation.



## Cat Management

The management of cats is problematic when no individual owner can be identified. It is common for a wandering cat to be fed by one or more households that do not claim ownership of the animal and therefore cannot be held accountable for any nuisance it causes. Feral cats are similarly troublesome. However, there is no evidence of a significant feral cat problem in the City of Holdfast Bay.

Objective	Strategies	Key Performance Indicator
Encourage responsible cat ownership.  Educate the community on cat management strategies to minimise nuisance complaints.	Ensure cats have one responsible owner that can take full responsibility for the welfare of the cat.	Education plan implemented.
	Promote and enforce the Council's cat by-law.	Enforcement action taken.

## Monitor and Review

This plan requires a mechanism to be implemented, monitored, reviewed and updated where appropriate.

Objective	Strategies	Key Performance Indicator
Ensure the plan is implemented, monitored, reviewed and updated.	Board to approve the plan  Assign council officer to implement the plan.	Plan implemented.  KPI's met for each objective.
	Establish an internal team to meet regularly to review the plan	Recorded on Community Safety Officers minutes.
	Review annually.	Recorded on Community Safety Officers minutes.

## Dog and Cat Bylaws:

[holdfast.sa.gov.au/council/council-documents/by-laws](http://holdfast.sa.gov.au/council/council-documents/by-laws)

## Dogs Off-Leash Areas in the City of Holdfast Bay

All parks and reserves (except the beach and foreshore areas as per below restrictions) are off leash areas\*, this includes but is not limited to the below list:

- |     |  |     |                               |
|-----|--|-----|-------------------------------|
| 1.  | Alf Smedley/Mel Baker Reserves   | 24. | Kauri Sports Centre           |
| 2.  | Angus Neill Reserve  | 25. | Keelara Reserve               |
| 3.  | Baddams Green  | 26. | Kingston House Grounds        |
| 4.  | Bindarra Reserve   | 27. | Kingston Park Coastal Reserve |
| 5.  | Blackburn Avenue Reserve   | 28. | Kiwanis Park                  |
| 6.  | Bob Lewis Reserve  | 29. | Les Scott Reserve             |
| 7.  | Bowker Oval  | 30. | Lewis Street Reserve          |
| 8.  | Brian Nadillo Reserve  | 31. | Lions Club Reserve            |
| 9.  | Brighton Ovals   | 32. | Margaret Messenger            |
| 10. | Colley Reserve   | 33. | Mawson Oval Reserve           |
| 11. | Da Costa Park Reserve  | 34. | Moseley Foreshore             |
| 12. | Dover Square   | 35. | Old Gum Tree Reserve          |
|     | (dogs are prohibited inside the signed and fenced off area at Dover Square Reserve). | 36. | Paringa Park Reserve          |
| 13. | Dulcie Perry Park  | 37. | Parkinson Reserve             |
| 14. | E. G. Gregory Reserve  | 38. | Partridge House Grounds       |
| 15. | Fordham Reserve  | 39. | Patawilya Reserve             |
| 16. | Gemmell Green  | 40. | Rossall Road Reserve          |
| 17. | Gilbertson Gully   | 41. | Sandison Reserve              |
| 18. | Glenelg North Community Centre/<br>Kibby Avenue Reserve                              | 42. | Seaforth Reserve              |
| 19. | Good Neighbour Gardens   | 43. | Shannon Avenue Reserve        |
| 20. | Graymore Park  | 44. | Stewart Reserve               |
| 21. | Jack Chaston Reserve   | 45. | Susan Grace Benny Reserve     |
| 22. | Jimmy Melrose  | 46. | Sutherland Reserve            |
| 23. | John Miller Reserve  | 47. | Tarniwarra Reserve            |
|     |  | 48. | Wattle Reserve                |
|     |  | 49. | Wheatland Street Reserve      |
|     |  | 50. | Wigley Reserve                |

## When dogs are required to be leashed in the City of Holdfast Bay

Current restrictions require dogs to be leashed on the beach and foreshore from 10am to 8pm during daylight savings, consistent with neighbouring beaches.

Additionally, our by-laws require dogs to be leashed near Hooded Plover breeding sites.

\*dogs must be under effective control at all times.



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Item No: **15.7**

Subject: **NEW LEASE AGREEMENTS - COMMUNITY CENTRES**

Date: 14 September 2021

Written By: Property Officer

General Manager: Community & Business, Ms M Lock

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## **SUMMARY**

Council's lease agreements with Brighton Over 50's Social Club Incorporated in respect of the Brighton Community Centre, Young Men's Christian Association Incorporated in respect of the Holdfast Bay Community Centre and Glenelg Brass Band Incorporated in respect of the Glenelg North Community Centre each expired on 30 June 2021.

It is recommended that Council enters into a new lease agreement in respect of the each of the said community centres with the relevant long term tenants in respect of the relevant community centre for a term of five (5) years commencing on 1 July 2021 and expiring on 30 June 2026 and otherwise on the terms and conditions as agreed with each tenant and as set out in the Community Centre Leasing Policy.

Full details of the proposal are outlined within this report.

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## **RECOMMENDATION**

1. **That Council enters into three (3) new leases as follows:**
  - a. **Brighton Over 50's Social Club Incorporated over the whole of the land contained in Certificate of Title Volume 5664 Folio 439 for a term of five (5) years commencing on 1 July 2021 and expiring on 30 June 2026 with a commencing annual rent of \$10 plus GST;**
  - b. **Young Men's Christian Association Incorporated over the whole of the land contained in Certificate of Title Volume 5933 Folio 501 for a term of five (5) years commencing on 1 July 2021 and expiring on 30 June 2026 with a commencing annual rent of \$458.96 plus GST; and**
  - c. **Glenelg Brass Band Incorporated over the whole of the land contained in Certificate of Title Volume 5511 Folio 96, and a portion of the land contained in Certificate of Title Volume 5553 Folio 244 for a term of five (5) years commencing on 1 July 2021 and expiring on 30 June 2026 with a commencing annual rent of \$237.83 plus GST.**

- 2. That the Mayor and Chief Executive Officer be authorised to execute and seal any documents required to give effect to the said leases.**
- 

## **COMMUNITY PLAN**

Placemaking: Creating lively and safe places

Community: Building a healthy, active and resilient community

Community: Celebrating culture and diversity

Community: Providing welcoming and accessible facilities

Community: Fostering an engaged and contributing community

## **COUNCIL POLICY**

*Community Centre Leasing Policy 2021*

## **STATUTORY PROVISIONS**

*Local Government Act 1999.*

*Retail and Commercial Leases Act 1995.*

## **BACKGROUND**

### ***Previous Reports & Policies***

- Council Report No. 266/20, Item 15.10, "*Community Centre Leasing Policy*", 8 September 2020 (Resolution No's. C080920/2033)

The current lease agreements held with Brighton Over 50's Social Club Incorporated in respect of the Brighton Community Centre, Young Men's Christian Association Incorporated in respect of the Holdfast Bay Community Centre and Glenelg Brass Band Incorporated in respect of the Glenelg North Community Centre expired on 30 June 2021.

## **REPORT**

Council has been working with representatives of each community centre in relation to the granting of further agreements and it is proposed that a new lease be granted in respect of each community centre on the terms outlined below.

**Brighton Community Centre**

<b>Lessor</b>	City of Holdfast Bay
<b>Lessee</b>	Brighton Over 50's Social Club Incorporated
<b>Address</b>	376-378 Brighton Road Hove SA 5048
<b>Leased Areas</b>	The whole of the land contained in Certificate of Title Volume 5664 Folio 439 being the area delineated in orange on the plan contained in Attachment 1
<b>Commencement Date</b>	1 July 2021
<b>Term of Lease</b>	Five (5) years
<b>Expiry Date</b>	30 June 2026
<b>Option to Renew</b>	Nil (refer section 202(3) of the Local Government Act 1999)
<b>Annual Rent</b>	\$10 plus GST to be increased annually by CPI
<b>Permitted Use</b>	The provision of recreational activities for elderly citizens and/or for such other lawful use to which the Landlord may consent.

*Refer Attachments 1***Holdfast Bay Community Centre**

<b>Lessor</b>	City of Holdfast Bay
<b>Lessee</b>	Young Men's Christian Association Incorporated
<b>Address</b>	51 King George Avenue Hove SA 5048
<b>Leased Areas</b>	The whole of the land contained in Certificate of Title Volume 5933 Folio 501 being the area delineated in orange on the plan contained in Attachment 2
<b>Commencement Date</b>	1 July 2021
<b>Term of Lease</b>	Five (5) years
<b>Expiry Date</b>	30 June 2026
<b>Option to Renew</b>	Nil (refer section 202(3) of the Local Government Act 1999)
<b>Annual Rent</b>	\$458.96 plus GST to be increased annually by CPI
<b>Permitted Use</b>	Provision of community and recreational services

*Refer Attachments 2*



***Glenelg North Community Centre***

<b>Lessor</b>	City of Holdfast Bay
<b>Lessee</b>	Glenelg Brass Band Incorporated
<b>Address</b>	40 Kibby Avenue Glenelg North SA 5045
<b>Leased Areas</b>	The whole of the land comprised in Certificate of Title Volume 5511 Folio 96 and that portion of the land comprised in Certificate of Title Volume 5553 Folio 244 together being the area delineated in red on the plan contained in Attachment 3
<b>Commencement Date</b>	1 July 2021
<b>Term of Lease</b>	Five (5) years
<b>Expiry Date</b>	30 June 2026
<b>Option to Renew</b>	Nil (refer section 202(3) of the Local Government Act 1999)
<b>Annual Rent</b>	\$237.83 plus GST to be increased annually by CPI
<b>Permitted Use</b>	The provision of leisure, recreation, functions, social, education and enterprise activities for the benefit of the general community and/or for such other lawful use to which the Landlord may consent.

*Refer Attachments 3***BUDGET**

Council's forecast income from the new lease agreements is as follows:

- Brighton Community Centre: \$10 plus GST increasing annually thereafter by CPI.
- Holdfast Bay Community Centre: \$458.96 plus GST increasing annually thereafter by CPI.
- Glenelg North Community Centre: \$237.83 plus GST increasing annually thereafter by CPI.

**LIFE CYCLE COSTS**

Under the terms of the lease, Council will be responsible for the structural maintenance of the community facilities, the costs of which are included in the Long Term Financial Plan.

# Attachment 1



**Brighton Community Centre – Plan of Leased Area**



# Attachment 2



**Holdfast Bay Community Centre – Plan of Leased Area**



# Attachment 3



Glenelg North Community Centre – Plan of Leased Area

