

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 23 May 2023 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 – Anthony Venning

5.2 Absent

6. ANNUAL BUSINESS PLAN CONSULTATION

Under section 123(4)(a)(i)(B) of the *Local Government Act 1999*, Council will provide a period of at least one hour for members of the public to ask questions and make submission in relation to the draft 2023/24 Annual Business Plan and Budget.

7. ITEMS PRESENTED TO COUNCIL

8. 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.

9. CONFIRMATION OF MINUTES

That the minutes of the Ordinary Meeting of Council held on 9 May 2023 be taken as read and confirmed.

10. PUBLIC PRESENTATIONS

- 10.1 **Petitions** - Nil
- 10.2 **Presentations** - Nil
- 10.3 **Deputations** - Nil

11. QUESTIONS BY MEMBERS

- 11.1 **Without Notice**
- 11.2 **On Notice**
 - 11.2.1 Question on Notice – Landlord Requirements to Maintain Properties on Jetty Road, Glenelg - Mayor Wilson (Report No: 167/23)
 - 11.2.2 Question on Notice – Remediation of Broadway/Moseley Roundabout – Councillor Miller (Report No: 171/23)
 - 11.2.3 Question on Notice – Somerton Surf Life Saving Club Restaurant and Function Centre Sub-Lease – Councillor Bradshaw (Report No: 169/23)

12. MEMBER'S ACTIVITY REPORTS - Nil**13. MOTIONS ON NOTICE**

- 13.1 Motion on Notice - Leave of Absence - Councillor Miller (Report No: 165/23)
- 13.2 Motion on Notice – Raising Elected Member Awareness to Development Applications of Note – Councillor Fleming (Report No: 166/23)

14. ADJOURNED MATTERS - Nil**15. REPORTS OF MANAGEMENT COMMITTEES AND SUBSIDIARIES**

- 15.1 Minutes – Jetty Road Mainstreet Committee – 3 May 2023 (Report No: 159/23)

16. REPORTS BY OFFICERS

- 16.1 Items in Brief (Report No: 164/23)
- 16.2 Monthly Financial Report – 30 April 2023 (Report No: 174/23)
- 16.3 Personal Mobility Device Use in South Australia (Report No: 170/23)
- 16.4 Adelaide Beach Management Review (Report No: 172/23)
- 16.5 Developing a Poultry Policy (Report No: 161/23)

17. ITEMS IN CONFIDENCE**17.1 Event Activation (Report No: 162/23)**

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:

- g. matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty.**

17.2 Event Activation (Report No: 163/23)

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.**

17.3 Tramside Kiosk Lease (Report No: 173/23)

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:

- b. Information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and would, on balance, be contrary to the public interest.**
- 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.**

- 17.4 Jetty Road Masterplan Investment and Design Parameters (Report No: 168/23)

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:

- b. Information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and would, on balance, be contrary to the public interest.

18. 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.

19. URGENT BUSINESS – Subject to the Leave of the Meeting

20. CLOSURE



ROBERTO BRIA
CHIEF EXECUTIVE OFFICER

Item No: 11.2.1

Subject: **QUESTION ON NOTICE – LANDLORD REQUIREMENTS TO MAINTAIN PROPERTIES ON JETTY ROAD, GLENELG – MAYOR WILSON**

Date: 23 May 2023

QUESTION

Mayor Wilson asked the following question:

1. ***What bylaws or regulatory power does Council have to compel owners of commercial buildings to maintain the facade? How is a property owner compelled to maintain a derelict site?***
2. ***Many of the verandahs encroaching over the footpath on Jetty Road are in need of repair. Can repair work be compelled under the encroachment bylaws on encroachment agreements? If not can the bylaws be change to incorporate this power?***
3. ***Many pillars, columns and posts which encroach on council footpaths are rotted and chipped. Can landowners be compelled to fix and maintain?"***

ANSWER – Manager Development Services

1. There are no specific By-laws or clauses contained within existing Council By-laws that would assist to compel property owners to maintain buildings to a prescribed standard, mainly because By-laws, in particular, have no effect on private land. Whilst Council By-laws No.3 and No.4 contain clauses regulating the amenity of Council open space and the prevention of damage to buildings and structures on roads, these clauses do not extend to facades of buildings that abut Council roads. The only other mechanism available to Council would be to exercise the 'unsightly conditions' provision under the Local Nuisance and Litter Control Act 2016 (LNLC Act). The test for what constitutes 'unsightly conditions' is onerous, with Council having to prove that the premises, by virtue of their appearance, are causing an actual nuisance or harm, as distinct from simply being visually offensive.

2. There are no specific By-laws available to Council that can assist in this regard. Many of the verandahs that are displaying excessive wear and tear along Jetty Road at Glenelg have been in situ for quite some time, prior to any encroachment agreement requiring a minimum standard of upkeep. Whilst Council can compel a landowner to make a structurally unsound verandah safe (pursuant to the Planning, Development and Infrastructure Act 2016), it cannot require a landowner to restore a verandah to a prescribed standard where there is no prior agreement in place. The Council could seek to enter into retrospective encroachment agreements with individual landowners, although this would require an amendment to the Encroachment Policy, which will be informed by prior public consultation. The Council does provide incentives to improve the amenity of a private structure over public land, in the form of heritage and shopfront grants. In this regard, the opportunity exists to better target these grants for the specific purpose of supporting the restoration of private structures over public land, and shopfront façade repair.
3. Only if the damage is determined by Council's Consulting Engineer to be dangerous or structurally unsound, in which case an order can be issued under the Planning, Development and Infrastructure Act 2016 to undertake prescribed remedial works. However, being on Council land, the Council is jointly responsible for any repairs as the 'landowner' if not the owner of the structure. In other circumstances, and in the absence of any prior agreement between Council and the landowner, the Council is limited to requesting that the damage is repaired rather than enforcing the matter.

Item No: 11.2.2

Subject: **QUESTION ON NOTICE – REMEDIATION OF BROADWAY/MOSELEY
ROUNABOUT – COUNCILLOR MILLER**

Date: 23 May 2023

QUESTION

Councillor Miller asked the following question:

“Can administration provide an update on the remediation of the Broadway/Moseley St roundabout by SA Water and the scope of the remediation?”

Background

Following SA Water works months ago, a Norfolk Island Pine was removed and the roundabout still has not been remediated at what is a popular and public locale.

ANSWER – Traffic and Transport Lead

The roundabout at the intersection of Moseley Street and Broadway, Glenelg South was recently impacted by emergency sewer repair works undertaken by SA Water, including removal of a Norfolk Island Pine tree. Reinstatement of the infrastructure affected (road surface, concrete kerbing and brick paving) was undertaken by contractors on behalf of SA Water.

The City of Holdfast Bay commenced discussions with SA Water regarding the Norfolk Island Pine previously located within the roundabout, as there were concerns raised regarding its proximity, and risk of future damage, to SA Water assets.

The City of Holdfast Bay is currently negotiating a payment in lieu of reinstatement, which will allow the City to arrange for the installation of alternative plants and landscaping, to remediate the roundabout.

An agreement has not been reached as yet with SA Water on quantum of the payment. Once agreement has been reached we will plan the remediation of the roundabout.

Item No: 11.2.3

Subject: **QUESTION ON NOTICE – SOMERTON SURF LIFESAVING CLUB RESTAURANT AND FUNCTION CENTRE SUB-LEASE – COUNCILLOR BRADSHAW**

Date: 23 May 2023

QUESTION

Councillor Bradshaw asked the following questions:

1. ***“What date was the Sublease Executed?”***
2. ***Did Gambell & Sutton P/L appeal the CAP regarding trading hours and if so when and what was the outcome?***
3. ***Has a second Valuation been conducted, if so by whom and when will Elected Members be made aware of that outcome?”***

Background

Whilst trading hours were set down by the CAP on April 27th 2022, it is my understanding the Sub-Lessee (Gambell & Sutton P/L) appealed to the ERD Court regarding those restricted hours.

Council approved the sub-lease on the term that a review of the rent be conducted prior to one year after the execution date of the sub-lease, with the rent to be informed by the new Independent Valuation. The Confidential Minutes of 9 August 2022 are available on the Hub for reference.

ANSWER – Manager Development Services

1. The sub-lease was executed on 25 October 2022 for commencement on 27 October 2022.
2. The Somerton Surf Life Saving Club (the Club) appealed the prior decision of the Council Assessment Panel (CAP) to the Environment, Resources and Development (ERD) Court, seeking to challenge the limitations to the hours of operation imposed as part of the conditions of the planning approval. Specifically, the Club sought to activate trade on Mondays and Tuesdays, being days on which the bistro and function centre were to remain closed. The appeal was put to the Council meeting 9 August 2022, where Council resolved not to accede to the request for longer trading hours. The matter was then returned to the CAP meeting held on 26 October 2022, where Council’s decision for the venue to remain closed on Mondays and Tuesdays was upheld. The ERD Court was

advised of the decision by both Council and the CAP, where the matter did not proceed further.

3. One of the conditions for Council's approval of the sub-lease was that the rent is reviewed prior to one year after the execution date of the sub-lease, with the rent to be informed by a new independent valuation. Council Administration commissioned the new valuation on 13 April 2023, so this is progressing on schedule for a report to come back to Council in late July 2023. The valuation is being undertaken by McGees, with the previous valuation undertaken by M3 Property. McGees previously undertook the rent valuations for both the Broadway Kiosk and the new Kingston Park Kiosk, so we will have a very good understanding of where the rent should sit for the Somerton SLSC.

Item No: 13.1

Subject: **MOTION ON NOTICE – LEAVE OF ABSENCE – COUNCILLOR MILLER**

Date: 23 May 2023

PROPOSED MOTION

Councillor Miller proposed the following motion:

That Council grant Councillor Miller a leave of absence for the meeting of 13 June 2023.

Item No: 13.2

Subject: **MOTION ON NOTICE – RAISING ELECTED MEMBER AWARENESS TO DEVELOPMENT APPLICATIONS OF NOTE – COUNCILLOR FLEMING**

Date: 23 May 2023

PROPOSED MOTION

Councillor Fleming proposed the following motion:

That Ward Councillors are informed of development applications that are out for public notification, which come before the Council Assessment Panel for a decision, so that they are made aware of any impending proposals of note and what involvement, if any, they wish to have in the process. Alerts to Ward Councillors can be provided by way of an email containing a link to the relevant plans and documentation on the SA Planning Portal.

BACKGROUND

Following the rolling changes introduced by the *Planning, Development and Infrastructure Act 2016*, which both reduced the number of elected member representatives appointed to the Council Assessment Panel (CAP) whilst paradoxically broadening the scope for public engagement for significant development applications, it is more important than ever that Ward Councillors are made aware of matters coming before the CAP so that they can reflect on how they may best represent their communities in response to such developments. Elected member involvement need not be an active one, but by keeping abreast of the changes occurring in their environment, it may assist to inform broader strategic decisions relating to the built form, heritage, and the natural environment that come before Council.

Item No: 15.1

Subject: **MINUTES – JETTY ROAD MAINSTREET COMMITTEE – 3 MAY 2023**

Date: 23 May 2023

Written By: General Manager, Community and Business

General Manager: Community and Business, Ms M Lock

SUMMARY

The Minutes of the Jetty Road Mainstreet Committee meeting held on 3 May 2023 are 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.

RECOMMENDATION

That Council notes the minutes of the Jetty Road Mainstreet Committee of 3 May 2023.

STRATEGIC PLAN

Building an economy and community that is inclusive, diverse, sustainable and resilient.

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 3 May 2023 are attached for member's information.

Refer Attachment 1

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 3 May 2023 at 6:00pm

PRESENT

Elected Members:

Mayor A Wilson

Councillor A Kane

Community Representatives:

Attitudes Boutique, Ms G Martin

Beach Burrito, Mr A Warren

Chatime, Mr A Chhoy

Cibo Espresso, Mr T Beatrice

Echelon Studio – Architecture and Design, Mr C Morley

Glenelg Finance, Mr D Murphy

Ikos Holdings Trust, Mr A Fotopoulos

Yo-Chi, Ms B Millard

Staff:

General Manager, Community & Business, Ms M Lock

Manager, City Activation, Ms R Forrest

Jetty Road Development Coordinator, Ms A Klingberg

1. OPENING

The Chair, Ms G Martin, declared the meeting open at 6.03pm.

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. APOLOGIES

3.1 Apologies Received: Councillor R Abley, Ms S Smith

3.2 Absent:

4. DECLARATION OF INTEREST

Members were reminded to declare any interest before each item.

5. CONFIRMATION OF MINUTES

Motion

That the minutes of the Jetty Road Mainstreet Committee held on 5 April 2023 to be taken as read and confirmed.

Moved A Warren, Seconded B Millard

Carried

6. QUESTIONS BY MEMBERS

6.1 Without Notice:

- T Beatrice asked for an update on the protestor activity in Moseley Square specifically in relation to the rules around their tables, signage and associated items set up in the Square, Administration provided a response.

A Chhoy joined the meeting at 6.06pm

- A Warren asked a question in relation to CCTV management, Administration provided a response.

6.2 With Notice: Nil

7. PRESENTATION:

7.1 Jetty Road Masterplan

Ms Cherie Armfield, Project Manager, Public Realm & Urban Design provided an update on the Jetty Road Masterplan.

A Fotopoulos joined the meeting at 6.45pm

Mayor Wilson left the meeting at 7.00pm

8. REPORTS/ITEMS OF BUSINESS

8.1 Jetty Road Events Update

(Report No: 144/23)

Jetty Road Mainstreet Committee (JRM) in partnership with the City of Holdfast Bay are responsible for implementing and managing a variety of major events to support the economic stimulus in the precinct in accordance with the annual marketing and business plan. This report provides an overview of recent and upcoming events and endorse the payment allocation of \$220,000 of the 2023/2024 JRM budget for the events specified in this report.

Motion

That the Jetty Road Mainstreet Committee:

1. notes this report; and
2. endorses the proposed allocation of the 2023/2024 JRMC budget to the events as follows:
 - Winter Activation – \$75,000
 - Spring Activation – Sea to Shore: Glenelg Seafood Festival - \$50,000
 - Summer Activation – Glenelg Ice Cream Festival - \$50,000
 - Christmas Pageant – \$25,000
 - New Event Opportunities – \$20,000

Moved C Morley, Seconded T Beatrice

Carried

C Morley left the meeting at 7.07pm

8.2 2023 Glenelg Ice Cream Festival Report (Report No: 145/23)

The Glenelg Ice Cream Festival was a street party activation jointly funded by the Jetty Road Mainstreet Committee (JRMC) and Council. The purpose of the event was to use ice cream as an anchor to position Glenelg as a key summer destination, as well as driving economic development through a significant January event. An estimated 30,000 people attended the event held on the afternoon/evening of Saturday 14 January 2023.

Motion

That the Jetty Road Mainstreet Committee note this report.

Moved D Murphy, Seconded T Beatrice

Carried

8.3 Monthly Finance Report (Report No: 146/23)

This report provides an update on the Jetty Road Mainstreet income and expenditure as at 31 March 2023.

Motion

That the Jetty Road Mainstreet Committee note this report.

Moved T Beatrice, Seconded A Chhoy

Carried

8.4 Marketing Update

(Report No: 147/23)

This report provides an update on the marketing initiatives undertaken by the Jetty Road Mainstreet Committee aligned to the 2022/2023 Marketing Plan and initiatives associated to the delivery of the Jetty Road Glenelg Retail Strategy 2018-2022.

Motion

That the Jetty Road Mainstreet Committee note this report.

Moved Councillor Kane, Seconded A Fotopoulos

Carried

9. URGENT BUSINESS – Subject to the Leave of the Meeting**10. REPORTS/ITEMS OF BUSINESS:****11. DATE AND TIME OF NEXT MEETING**

The next meeting of the Jetty Road Mainstreet Committee will be held on Wednesday 7 June 2023 at the Glenelg Town Hall.

12. CLOSURE

The meeting closed at 7.20pm.

CONFIRMED: Wednesday 7 June 2023

CHAIR

Item No: 16.1

Subject: **ITEMS IN BRIEF**

Date: 23 May 2023

Written By: Executive Assistant to the CEO

Chief Executive Officer: Mr R Bria

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.

RECOMMENDATION

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

1. **Glenelg North Seawall Design**
 2. **Local Government Association - Dog and Cat Management Board Nomination Update**
 3. **Local Government Association - Public Health Council Nomination Update**
 4. **Correspondence from Minister Szakacs MP**
 5. **ANZAC Day Events**
 6. **Libraries Board Innovation Grant – ‘Lit For Life’**
 7. **Mini ‘Meet the Machines’ Event**
-

REPORT

1. **Glenelg North Seawall Design**

Council has been notified that its application for grant funding of \$20,000 for the design of the Glenelg North Seawall was successful.

Refer Attachment 1

2. **Local Government Association - Dog and Cat Management Board Nomination Update**

Council received an update from the Local Government Association for its nomination of Councillor Fleming for the Dog and Cat Management Board.

Refer Attachment 2

3. Local Government Association – Public Health Council Nomination Update

Council received an update from the Local Government Association for its nomination of Councillor Lonie for the Public Health Council.

Refer Attachment 3

4. Correspondence from Minister Szakacs MP

Council has received correspondence from Minister Joe Szakacs MP in response to our letter to Minister Koutsantonis MP regarding pedestrian safety on Brighton Road adjacent to the Calvary Brighton Aged Care facility.

Refer Attachment 4

5. ANZAC DAY Events

Commemorative services – Glenelg and Brighton

ANZAC Day dawn services were held on Tuesday 25 April 2023 at Moseley Square, Glenelg and at the Arch of Remembrance, Brighton. These events were organised by the Glenelg Plympton and Brighton RSL sub-branches respectively, with Council Administration providing support for costs as well as in-kind event support. At Brighton, approximately 8,000 people attended to pay their respects at the service where a wreath was placed by Mayor Amanda Wilson. At Glenelg, approximately 3,500 people paid their respects, with a wreath placed by Deputy Mayor Lindop on behalf of the City of Holdfast Bay and Councillor Abley placed a wreath on behalf of the Hon Louise Miller-Frost MP, member for Boothby.

Additionally, Councillor Miller laid a wreath at the Australian War Memorial in Canberra on behalf of the City of Holdfast Bay.

Glenelg Air Raid Shelter

The History Centre staff facilitated an event with the William Kibby VC Veterans' Shed, offering the public the opportunity to chat with a veteran. 100 members of the public attended on the day, breaking the previous attendance record for April.

6. Libraries Board Innovation Grant – 'Lit For Life'

Holdfast Bay libraries received \$85,000 through the Libraries Board of South Australia Innovation Fund to deliver 'Lit For Life' events from mid-April to June 2023. The grant is a collaboration with libraries from six different Councils including the City of Charles Sturt (lead agency), the Cities of Marion, Port Adelaide Enfield, Prospect and Salisbury, to present 18 performances with the Adelaide Symphony Orchestra, Windmill Theatre Company and Patch Theatre.

'Lit for Life' is an innovative project bringing books and literacy to life through theatre and music, where families book a free ticket with their library card and reconnect with libraries and events after the impact of Covid-19. Over half of the tickets have been provided to reach community identified as having low connection

to libraries and live theatre through the Smith Family, local schools and community groups.

The Holdfast Bay libraries are hosting three events for 890 participants with all events fully booked:

- Patch Theatre: Spark - Once Upon a Jar by Stephen Orr, at Brighton Library, 20 April 2023.
- Adelaide Symphony Orchestra: Phil Cummings, In This Place, at Brighton Concert Hall, Saturday 29 April 2023.
- Windmill Theatre: Grug and The Rainbow, two performances, Brighton Performing Arts Centre, Saturday 6 May 2023.

7. Mini 'Meet the Machines' Event

On Friday April 28 a mini 'Meet the Machines' event was run at Wigley Reserve. The purpose of the event was to celebrate the arrival of one of the City of Holdfast Bay's new waste collection trucks. The event gave families an opportunity to learn more about Council's extensive Field staff services through having an opportunity to touch and sit in the new waste truck along with six other council-owned vehicles.

Many free activities were offered including FOGO themed face painting and henna, flower crowns, two jumping castles, a waste-themed craft activity run by the Library team and a waste sorting game and information stall run by the Environment team.

The event was well attended with over 400 mini wheelie bins been given away to children. The Event and Environment teams will investigate the feasibility of running another similar event in 2024.

Attachment 1



OFFICIAL



Government
of South Australia

Reference: CLM23/00532

Mayor Amanda Wilson
City of Holdfast Bay
Email: mail@holdfast.sa.gov.au

The Hon Susan Close MP
Deputy Premier
Minister for Climate, Environment and Water
Minister for Industry, Innovation and Science
Minister for Defence and Space Industries
Level 13, State Administration Centre
200 Victoria Square, Adelaide SA 5000
Tel (08) 8226 8520
Email: OfficeoftheDeputyPremier@sa.gov.au

Dear Mayor *Amanda* Wilson

I am pleased to announce that your Council's application to the Coast Protection Board for a 2022-23 Coast Protection Grant has been successful for the project **Glenelg North Seawall Design (\$20,000)**.

Staff from the Department for Environment and Water will be in contact with Council to arrange the funding agreements.

I appreciate your Council's commitment to management of our precious coast. I look forward to seeing the outcomes of this project.

Yours sincerely

A handwritten signature in purple ink, appearing to read "Susan Close".

Hon Susan Close MP
Deputy Premier
Minister for Climate, Environment and Water

4/5/2023



Attachment 2



From: [LGA - Nominations](#)
To: [LGA - Nominations](#)
Subject: Dog and Cat Management Board: LGA Board-endorsed nominees
Date: Tuesday, 9 May 2023 8:24:56 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Dear Chief Executive Officer,

RE: Nominations to the Dog and Cat Management Board: LGA Board-endorsed nominees

In response to the call for nominations for appointment to the **Dog and Cat Management Board** the LGA received a nomination (or nominations) from your council.

The LGA Board of Directors recently resolved to submit:

the following five (5) nominations to the Minister for Climate, Environment and Water for the appointment of two (2) members to the Dog and Cat Management Board, being (in order of preference):

- Ms Tegan MCPHERSON (City of Mount Gambier)
- Mr Jamie TANN (Mount Barker District Council)
- Cr Michael QUINTON (City of Victor Harbor)
- Ms Natalie ARMSTRONG (Adelaide Hills Council)
- Cr Mark OSTERSTOCK (Adelaide Hills Council)

Please advise your council's nominee (or nominees) of the Board of Directors' decision.

We will advise you of the final appointment once we have been notified by the Minister's Office or relevant outside body.

In the meantime, if you have any queries in relation to this matter, please contact the Nominations Coordinator via nominationscoordinator@lga.sa.gov.au

Kind regards,
Tami

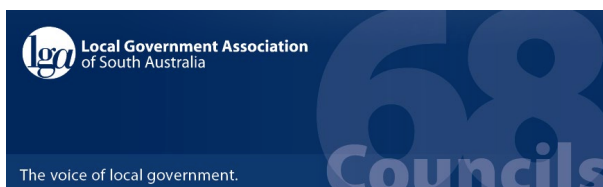
Tami Norman • Director Governance | Nominations Coordinator • Local Government Association

nominationscoordinator@lga.sa.gov.au • www.lga.sa.gov.au • Follow us on



148 Frome Street Adelaide 5000 • GPO Box 2693 Adelaide SA 5001

The LGA acknowledges Aboriginal and Torres Strait Islander people as the traditional custodians of the land, and we offer our respects to their Elders past, present and emerging. We advocate for and encourage South Australian councils to strengthen relationships with their local Aboriginal communities.



WARNING AND DISCLAIMER: The information provided by the LGA in this email does not constitute legal advice. If legal advice is required, we suggest that you

seek out the services of a qualified legal provider. The contents of this email and any files transmitted with it are confidential and may be subject to legal professional privilege and copyright. You must not copy or distribute this message or any part of it or otherwise disclose its contents to anyone without written authorisation from the LGA. No representation is made that this email is free of viruses or other defects. Virus scanning is recommended and is the responsibility of the recipient. We take no responsibility for misdirection, corruption or unauthorised use of email communications, nor for any damage that may be caused as a result of transmitting or receiving an email communication. If you have received this communication in error, please delete the email and advise us immediately.

Attachment 3



From: [LGA - Nominations](#)
To: [LGA - Nominations](#)
Subject: SA Public Health Council: LGA Board-endorsed nominees
Date: Tuesday, 9 May 2023 8:23:20 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Dear Chief Executive Officer,

RE: Nominations to the SA Public Health Council: LGA Board-endorsed nominees

In response to the call for nominations for appointment to the **SA Public Health Council** the LGA received a nomination (or nominations) from your council or organisation.

The LGA Board of Directors recently resolved to submit:

the following five (5) nominations to the Minister for Health and Wellbeing for the appointment of two (2) members to the South Australian Public Health Council, being (in order of preference):

- Mr Jack DARZANOS (Town of Gawler)
- Mr Michael LIVORI (Eastern Health Authority)
- Cr Dr Monica BRONIECKI (City of Unley)
- Mayor Dr Moira JENKINS (Victor Harbor Council)
- Cr Mark GROOTE (City of Prospect)

Please advise your council's/organisation's nominee (or nominees) of the Board of Directors' decision.

We will advise you of the final appointment once we have been notified by the Minister's Office or relevant outside body.

In the meantime, if you have any queries in relation to this matter, please contact the Nominations Coordinator via nominationscoordinator@lga.sa.gov.au

Kind regards,
Tami

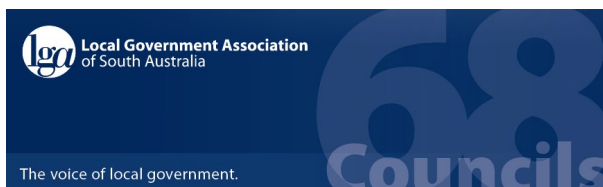
Tami Norman • Director Governance | Nominations Coordinator • Local Government Association

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148 Frome Street Adelaide 5000 • GPO Box 2693 Adelaide SA 5001

The LGA acknowledges Aboriginal and Torres Strait Islander people as the traditional custodians of the land, and we offer our respects to their Elders past, present and emerging. We advocate for and encourage South Australian councils to strengthen relationships with their local Aboriginal communities.



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Attachment 4



Hon Joe Szakacs MP

23MRS0074



**Government
of South Australia**

Mayor Amanda Wilson
City of Holdfast Bay
Brighton Civic Centre
24 Jetty Road
BRIGHTON SA 5048

By email: awilson@holdfast.sa.gov.au

Dear Mayor *Amanda*

Thank you for writing to the Hon Tom Koutsantonis MP, Minister for Infrastructure and Transport about pedestrian safety in the vicinity of Calvary Brighton Aged Care Facility on Brighton Road. As this matter falls within my portfolio responsibilities, Minister Koutsantonis has referred your correspondence to me for a response.

The Malinauskas Labor Government is committed to delivering a variety of measures to improve road safety. This includes investing in road safety infrastructure across the state.

After receiving your correspondence, I asked the Department for Infrastructure and Transport (DIT) for advice in relation to this matter.

As a result of my inquiry, DIT will undertake a pedestrian survey to determine whether a Pedestrian Actuated Crossing (PAC) is warranted at this location. It is anticipated that the investigation will be completed by the middle of this year.

Should the investigation determine that a PAC is warranted, the project will be submitted for funding consideration and assessed against other statewide priorities.

In the event the investigation reveals that a PAC is not warranted, DIT will utilise the information to inform the potential upgrade of the existing pedestrian ramp and walkthrough on Brighton Road, in front of Calvary Brighton Aged Care Facility.

In regard to your request for a copy of the Brighton Road Corridor Planning Study, this document is not available for full release at this point in time. However, if you have any specific questions about the study, please contact dit.engagement@sa.gov.au.

I trust this information is of assistance and thank you for taking the time to raise this matter.

Yours sincerely

A handwritten signature in black ink, appearing to read "Joe Szakacs".

Hon Joe Szakacs MP
Minister for Police, Emergency Services and Correctional Services

10/5 / 2023

cc Ms Sarah Andrews MP, Member for Gibson

Item No: 16.2

Subject: **MONTHLY FINANCIAL REPORT – 30 APRIL 2023**

Date: 23 May 2023

Written By: Management Accountant

General Manager: Strategy and Corporate, Ms P Jackson

SUMMARY

Attached are financial reports as at 30 April 2023. They comprise a Funds Statement and a Capital Expenditure Report for Council's Municipal activities and Alwyndor Aged Care. The adjusted forecast budget includes the carried forward amount as approved by Council on 23 August 2022 and the three quarterly budget updates approved by Council on 25 October 2022, 14 February 2023 and 26 April 2023.

No changes to Alwyndor and Municipal budgets are recommended at this time but the report highlights items that show a material variance from the YTD budget.

RECOMMENDATION

That Council receives the financial reports and budget update for the 10 months to 30 April 2023 and notes:

- **no change to the Municipal activities 2022/23 revised budget forecast; and**
- **no change to the Alwyndor Aged Care 2022/23 revised budget forecast.**

STRATEGIC PLAN

Not applicable

COUNCIL POLICY

Not applicable

STATUTORY PROVISIONS

Not applicable

BACKGROUND

Council receives financial reports each month comprising a Funds Statement and Capital Expenditure Report for each of Council's Municipal activities and Alwyndor Aged Care.

The Funds Statements include an income statement and provide a link between the Operating Surplus/Deficit with the overall source and application of funds including the impact on cash and borrowings.

Refer Attachment 1

REPORT

A comprehensive budget update was conducted for the period ending 31 March 2023 and approved by Council on 26 April 2023. Following this review the majority of the current variances to date are due to budget and actuals timing differences over the first ten months of the financial year.

There are major positive variances within Community Safety due to higher than forecasted revenue from car parking and hoarding fees; and within Capital Expenditure due to delays in the timing of a number of capital projects.

Alwyndor Aged Care

A comprehensive budget update was conducted for the month ending 28 February 2023 and approved by Council 28 March 2023. Details of the major year to date variances, along with amounts and notes, have been prepared and are attached to this report.

Refer Attachment 1

Attachment 1





City of Holdfast Bay Municipal Funds Statement as at April 2023

2022 - 2023 Original Budget \$'000	Year to Date				2022 - 2023 Adopted Forecast \$'000	Note
	Adopted Forecast \$'000	Actual \$'000	Variance \$'000			
131	151	223	(73)	Cemeteries	131	1
495	425	422	3	Commercial & Club Leases	495	
(1,458)	(1,190)	(1,219)	29	Council Administration	(1,458)	
(917)	(707)	(652)	(55)	Development Services	(907)	2
1,730	838	883	(45)	FAG/R2R Grants	1,882	
(1,825)	(1,666)	(1,649)	(17)	Financial Services	(1,886)	
(10,468)	(7,858)	(7,838)	(20)	Financial Services-Depreciation	(10,468)	
(267)	-	-	-	Financial Services-Employee Leave Provisions	(267)	
(830)	(269)	(237)	(32)	Financial Services-Interest on Borrowings	(598)	
101	-	-	-	Financial Services-SRWRA	202	
38,455	38,889	38,915	(26)	General Rates	38,569	
(2,867)	(2,469)	(2,498)	28	Innovation & Technology	(2,867)	
(614)	(520)	(515)	(5)	People & Culture	(641)	
(612)	(449)	(477)	29	Public Realm and Urban Design	(578)	
(819)	(648)	(650)	2	Strategy & Governance	(878)	
(1,204)	(880)	(831)	(49)	City Activation	(1,248)	
1,266	1,115	1,224	(109)	Commercial - Brighton Caravan Park	1,435	3
44	45	48	(3)	Commercial - Partridge House	44	
(563)	(437)	(443)	6	Communications and Engagement	(563)	
(351)	(283)	(279)	(4)	Community and Business Administration	(351)	
(888)	(828)	(814)	(14)	Community Events	(956)	
892	1,154	1,336	(182)	Community Safety	1,182	4
(574)	(409)	(422)	13	Community Wellbeing	(578)	
(533)	(469)	(472)	4	Customer Service	(573)	
-	70	180	(110)	Jetty Road Mainstreet	(93)	5
(1,518)	(1,183)	(1,146)	(37)	Library Services	(1,518)	
(302)	(244)	(241)	(2)	Assets & Delivery Administration	(302)	
(1,413)	(973)	(918)	(55)	Engineering & Traffic	(1,518)	6
(966)	(452)	(410)	(42)	Environmental Services	(796)	
(8,137)	(6,576)	(6,569)	(8)	Field Services & Depot	(8,398)	
(2,036)	(1,522)	(1,484)	(38)	Property Management	(2,095)	
(439)	(365)	(346)	(20)	Street Lighting	(569)	
(4,072)	(2,875)	(2,854)	(22)	Waste Management	(4,072)	
-	-	4	(4)	Net Gain/Loss on Disposal of Assets - non cash item	-	
945	-	-	-	Less full cost attribution - % admin costs capitalised	945	
390	9,414	10,270	(856)	=Operating Surplus/(Deficit)	709	
-	-	(4)	4	Net Gain/loss on disposal of assets	-	
10,468	7,858	7,838	20	Depreciation	10,468	
166	-	-	-	Other Non Cash Items	65	
10,634	7,858	7,834	24	Plus Non Cash Items in Operating Surplus/(Deficit)	10,533	
11,023	17,272	18,104	(832)	=Funds Generated from Operating Activities	11,242	
1,484	3,835	3,841	(5)	Amounts Received for New/Upgraded Assets	4,712	
474	1,124	1,124	-	Proceeds from Disposal of Assets	1,936	
1,958	4,960	4,964	(5)	Plus Funds Sourced from Capital Activities	6,648	
(9,094)	(5,955)	(5,422)	(533)	Capital Expenditure on Renewal and Replacement	(13,574)	
(5,721)	(3,771)	(3,328)	(443)	Capital Expenditure on New and Upgraded Assets	(17,595)	
(14,815)	(9,726)	(8,749)	(976)	Less Total Capital Expenditure	(31,169)	7
253	251	270	(19)	Plus:Repayments of loan principal by sporting groups	253	
253	251	270	(19)	Plus/(less) funds provided (used) by Investing Activit	253	
(1,581)	12,757	14,589	(1,833)	= FUNDING SURPLUS/(REQUIREMENT)	(13,026)	
Funded by						
-	95	95	-	Increase/(Decrease) in Cash & Cash Equivalents	-	
-	11,969	13,944	(1,975)	Non Cash Changes in Net Current Assets	-	
(2,960)	-	-	-	Less: Proceeds from new borrowings	(14,405)	
1,379	693	550	143	Plus: Principal repayments of borrowings	1,379	
(1,581)	12,757	14,589	(1,833)	=Funding Application/(Source)	(13,026)	

Note 1 – Cemeteries - \$73,000 favourable

Memorial (\$54,000) and cemetery (\$18,000) related revenue higher than forecast.

Note 2 – Development Services - \$55,000 favourable

Planning fee revenue higher than forecast.

Note 3 – Commercial - Brighton Caravan Park - \$109,000 favourable

Year to date Caravan Park revenue higher than forecast.

Note 4 – Community Safety - \$182,000 favourable

Employment cost savings due to temporary vacancies (\$65,000) along with higher than forecast revenue for car parking (\$55,000), hoarding fees (\$27,000) and food related permits (\$25,000).

Note 5 – Jetty Road Mainstreet- \$110,000 favourable

Year to date savings on marketing (\$41,000), employment costs (\$37,000) and event management (\$31,000). Unspent funds will be carried forward to 2023/24.

Note 6 – Engineering & Traffic - \$55,000 favourable

Employment cost savings due to temporary vacancies (\$39,000) and year to date savings on professional services (\$16,000).

Note 7 – Capital Expenditure - \$976,000 favourable

There are positive variances on a number of capital projects mainly due to the timing of projects. A review of the capital program was undertaken as part of the March 2023 budget update and a number of major projects are forecast to be incomplete as at 30 June 2023 including the following:

- Brighton Caravan Park – stage 2 redevelopment
- Seacliff Plaza upgrade
- Kingston Park – Kiosk
- Glenelg Oval Stage 3 and 4
- Paringa Park - Playground Renewal
- Jetty Rd Glenelg - M'plan – Stg 2

City of Holdfast Bay Capital Expenditure Summary by Budget Item to April 2023

2022-23 Original Budget \$'000	Year to Date			Revised Forecast \$'000
	Adopted Forecast \$'000	Actual \$'000	Variance \$'000	
(944)	-	-	- Full Cost Attribution	(944)
(806)	(655)	(678)	24 Information Technology	(892)
(989)	(526)	(340)	(186) Commercial and Economic Enterprises	(3,007)
-	-	(5)	5 Partridge House	-
(85)	(60)	(57)	(3) Brighton Library	(85)
-	-	(23)	23 Sport and Recreation	(562)
(13)	(9)	(12)	2 Depot and Stores	(13)
(1,306)	(1,336)	(1,318)	(19) Machinery Operating	(2,700)
(2,322)	(1,214)	(1,179)	(35) Road Construction and Re-seal Program	(2,788)
-	(15)	-	(15) Car Park Construction	(100)
(453)	(343)	(322)	(20) Footpath Program	(453)
(1,200)	(92)	(52)	(40) Stormwater Drainage Program	(3,907)
-	(100)	(69)	(31) Traffic Control Construction Program	(351)
(1,122)	(840)	(807)	(34) Kerb and Water Table Construction Program	(1,360)
(30)	-	-	- Other Transport - Bus Shelters etc.	(30)
(3,487)	(3,288)	(2,923)	(365) Reserve Improvements Program	(8,588)
(1,302)	(888)	(709)	(178) Land, Buildings and Infrastructure Program	(3,438)
(450)	(289)	(170)	(118) Streetscape Program	(1,261)
(306)	(52)	(49)	(3) Foreshore Improvements Program	(670)
-	(19)	(36)	16 Caravan Park - General	(19)
(14,815)	(9,726)	(8,749)	(976) Total	(31,169)



Alwyndor Aged Care Funds Statement as at 30 April 2023

2022-23 Original Budget \$'000	Year to Date				2022-23 Adopted Forecast \$'000	Note
	Original Budget YTD \$'000	Actual YTD \$'000	Variance \$'000			
5,576	4,610	5,446	(836)	User Charges	6,667	
13,653	11,356	11,876	(519)	Operating Grants and Subsidies	14,447	
445	376	576	(201)	Investment Income	663	
5,361	4,372	4,355	18	Reimbursements	5,323	
3,993	3,289	4,405	(1,116)	Other Income	5,355	
29,027	24,003	26,657	(2,654)	Operating Revenue	32,456	1
(20,916)	(17,356)	(18,121)	766	Employee Costs - Salaries & Wages	(21,827)	2
(6,966)	(5,806)	(7,687)	1,881	Materials, Contracts and Other Expenses	(9,470)	3
(68)	(57)	(93)	37	Finance Charges	(123)	
(1,358)	(1,131)	(1,132)	1	Depreciation	(1,344)	
(29,308)	(24,349)	(27,033)	2,684	Less Operating Expenditure	(32,764)	
(281)	(346)	(376)	30	=Operating Surplus/(Deficit)	(308)	4
-	-	(31)	31	Net gain/(loss) on disposal of investments	(16)	
-	-	334	(334)	Net gain/(loss) on Fair Value movement on investments	479	
(281)	(346)	(73)	(273)	=Net Surplus/(Deficit)	155	
1,358	1,131	1,132	(1)	Depreciation	1,344	
-	-	31	(31)	Net gain/(loss) on disposal of investments	-	
-	-	(334)	334	Net gain/(loss) on Fair Value movement on investments	-	
193	160	138	22	Provisions	354	
1,551	1,291	967	324	Plus Non Cash Items in Operating Surplus/(Deficit)	1,698	
1,269	945	894	51	=Funds Generated from Operating Activities	1,390	
(524)	(787)	(987)	201	Capital Expenditure on New and Upgraded Assets	(1,106)	
(524)	(787)	(987)	201	Less Total Capital Expenditure	(1,106)	
745	158	(94)	252	= Funding SURPLUS/(REQUIREMENT)	284	4
Funded by						
745	158	(94)	252	Increase/(Decrease) in Cash & Cash Equivalents	284	
745	158	(94)	252	=Funding Application/(Source)	284	

Alwyndor - Notes
April 2023

1 Operating Revenue

Operating Revenue is favourable by \$2,654k. This is mainly due to Support at Home client growth remaining strong and exceeding monthly targets.

Residential experienced higher government funding (ACFI up to 30 September 2022 and the new funding model AN-ACC from 1 October 2022 for permanent residents). Occupancy levels have continued to be strong.

COVID-19 grant income of \$257k has been offset by higher costs in Residential.

2 Employee Costs – Salaries & Wages

The variance in employee costs (\$766k unfavourable) is comprised of:

- Residential – additional carers in response to higher acuity residents (offset by higher government funding (ACFI / AN-ACC) as part of Operating Revenue) and staff COVID-19 payments (offset by COVID-19 Grant Income as part of Operating Revenue)
- Wage increases, consistent with Enterprise Agreement, are higher than the 2% assumed in the budget noting the national wage increase and associated workforce market forces at 4.6%.

3 Materials, Contracts and other Expenses

The \$1,881k YTD increase is attributed to:

- Extraordinary contract labour costs incurred with the introduction and implementation of the new catering model
- Additional brokered services in Support at Home which are recovered as part of Operating Revenue.

4 Operating Deficit

April 2023 YTD

The \$376k Operating Deficit, after allowing for depreciation and capital expenditure, has led to a funding deficit of \$94k as at April YTD. This will be funded by Alwyndor's existing cash reserves.

Item No: 16.3

Subject: **PERSONAL MOBILITY DEVICE USE IN SOUTH AUSTRALIA**

Date: 23 May 2023

Written By: Manager, Strategy and Governance

General Manager: Strategy and Corporate, Ms P Jackson

SUMMARY

The Department for Infrastructure and Transport is seeking feedback from the community on whether people want the South Australian Government to enable ongoing use of electric scooters (e-scooters), electric skateboards (e-skateboards) and other personal mobility devices (PMDs) on the road network in South Australia.

The aim is to ensure that any future framework for the use of PMDs, including for private purposes, on public roads and paths is safe for all road users. The engagement period is 11 April 2023 to 21 May 2023.

On 26 April 2023, Council was advised of the engagement via Items in Brief (Council Report No: 132/23). Council requested that a formal response from Council be prepared for submission to the engagement. A proposed response has been prepared and is provided as Attachment 1. An extension has been arranged in order for the response to be submitted after the consultation officially closes.

RECOMMENDATION

That Council endorses the suggested response provided as Attachment 1.

STRATEGIC PLAN

The proposed response supports the achievement of objectives and aspirations in the strategic plan relating to micromobility and supporting non-vehicular transport options. Overall, this contributes to achieving the vision of being "...South Australia's most sustainable city."

COUNCIL POLICY

Not applicable

STATUTORY PROVISIONS

Not applicable

BACKGROUND

The Department for Infrastructure and Transport is seeking feedback from the community on whether people want the South Australian Government to enable ongoing use of electric scooters (e-scooters), electric skateboards (e-skateboards) and other personal mobility devices (PMDs) on the road network in South Australia.

The aim is to ensure that any future framework for the use of PMDs, including for private purposes, on public roads and paths is safe for all road users. The engagement period is 11 April 2023 to 21 May 2023.

REPORT

A PMD is currently defined in South Australia as an electric personal transporter which includes devices such as:

- e-scooters;
- e-skateboards;
- single wheel self-balancing devices; and
- segways.

In South Australia, PMDs are currently not permitted to be used on public infrastructure (public roads and paths) unless approval has been granted by the Minister for Infrastructure and Transport.

Currently, only fleet-operated e-scooters are approved for use in a partnership between local councils and commercial e-scooter fleet operators. Since the introduction of trials in March 2019, there has been a significant increase in the popularity of e-scooters and other PMDs.

The South Australian Government has committed to consulting with privately owned PMD users and the broader community on the desirability of moving beyond a trial phase and allowing ongoing use of PMDs on roads and in other public areas.

The following states and territories currently permit the use of privately owned PMDs on their road networks:

- Australian Capital Territory
- Western Australia
- Tasmania, and
- Queensland.

The National Transport Commission (NTC) has developed a national framework for recognising PMDs in the Australian Road Rules. Amendments to the Australian Road Rules to include PMDs were endorsed by Australian Transport Ministers in May 2021 and are now reflected in the Australian Road Rules. The NTC maintains the Australian Road Rules however, they are a model law and, as such, must be adopted into state and territory road laws to take legal effect. The model law within the Australian Road Rules adopted most of the significant elements of the current South Australian e-scooter trial framework. However, South Australia may require some variation to the national framework to suit local conditions and circumstances.

E-scooter trials have been active in a number of parts of metropolitan Adelaide. Between September 2020 to December 2022, the following information was reported in relation to e-scooter use under trial conditions:

- there were 1,467,456 reported e-scooter trips
- 102 reports of collisions, near-miss incidents and/or injuries (0.007% of trips¹)
- 617 reports of other types of incidents (non-collisions, non-injury, for example littered devices) (0.04% of trips).

The current e-scooter trials have provided a range of learnings, including that these devices:

- can provide first/last mile transport solution for public transport commuters;
- can reduce vehicle movement on the road and reduce traffic congestion by providing a cheaper alternative to travel shorter distances;
- can help reduce the transport carbon footprint;
- have seen a proportionally small number of reported incidents of poor interactions between device users and pedestrians/vulnerable road users (for example, collisions, accidents, injuries);
- can reduce pedestrian access, for example, where devices are parked inconsiderately; and
- may be misused by riders (for example, carrying passengers, being under-aged).

While it is acknowledged that Council has previously elected to not participate in e-scooter trials due to concerns regarding public safety, particularly along coast path and similarly congested areas, there are sound reasons for allowing access to personal mobility devices more broadly. As well as providing a range of different transport options for short trips that could, over time, reduce traffic congestion, the use of personal mobility devices as an alternative to vehicles directly supports Council's vision of being South Australia's most sustainable city.

Therefore, it is suggested that Council encourages an integrated and holistic assessment of personal mobility devices, with the overall intent of reducing reliance on private vehicles, while ensuring there is a wide variety of suitable replacement transport options available.

Requesting the State Government's commitment to prioritising healthy, active and green transport to enable a collective metropolitan-wide approach to reducing reliance on motor vehicles further supports Council's vision and aspirations in the Strategic Plan *Our Holdfast 2050+*.

It is common for people to want to use bicycles, scooters and similar devices in places that are also popular with pedestrians. This often leads to congestion, conflicts and increased risks of injury. Public safety is a critical consideration, therefore localised management of personal mobility devices should be permitted, to enable local needs to be taken into account. In cases where there is high risk of public safety being compromised, exclusion zones could be declared if State legislation enables it.

¹ While not directly comparable, over a similar time period, 2% of registered vehicles in South Australia were involved in a reported crash.

During the COVID-19 pandemic, a number of jurisdictions took the opportunity of disrupted traffic patterns to support increased active transport use in lieu of public transport, and to discourage a return to personal vehicle transport. Cities around the world responded to increased demand for safe, physically distanced walking, biking and outdoor gathering places through a variety of policies and programs including 'reclaiming' roads for non-car uses, prioritising pedestrians and cyclists, reducing speed limits, and subsidising micro-mobility share schemes. Encouraging the State Government to take a strong lead in developing a multi-pronged approach to reducing reliance on private vehicles and reducing urban congestion, while improving health and environmental outcomes would enable councils to support State policy and make commensurate changes in their own road networks to support the increased presence of alternate transport options.

A draft response has been prepared in accordance with this report.

Refer Attachment 1

BUDGET

There are no direct costs associated with this motion.

LIFE CYCLE COSTS

There are no life cycle costs associated with this motion.

Attachment 1





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

24 May 2023

Personal Mobility Devices
Road Safety, Policy and Research
Department for Infrastructure and Transport
GPO Box 1533
ADELAIDE SA 5001

Via email: DIT.RoadSafety@sa.gov.au

Dear Sir/Madam

Personal Mobility Device Use in South Australia

In reference to the Department for Infrastructure and Transport's invitation for feedback on the future of electric scooters (e-scooters), electric skateboards (e-skateboards) and other personal mobility devices (PMDs) on the road network in South Australia, Council is pleased to provide the following input.

Council encourages an integrated and holistic assessment of personal mobility devices, with the overall intent of reducing reliance on private vehicles, while ensuring there is a wide variety of suitable replacement transport options available.

Technology is evolving rapidly and new options are being developed at speed. In a fast-changing environment, it is important to develop policy principles that can encourage and accommodate new, beneficial technologies, while maintaining public safety.

With a vision of being '...South Australia's most sustainable city', Council is keen to encourage transport options that support wellbeing, health, positive environmental outcomes and sustainability. A State Government commitment to prioritising healthy, active and green transport could enable a collective metropolitan-wide approach to reducing reliance on motor vehicles, and thereby improve health and environmental outcomes. Personal mobility devices can play an important role in transitioning people away from reliance on motor vehicles, if they can be used safely.

A critical consideration of micro-mobility options is safety both for device users and pedestrians. Given South Australia has very few transport corridors that are not given over to motorised vehicles, most other modes of transport are restricted to either road fringes or footpaths. This creates a number of potential safety hazards and use conflicts.



It is common for people to want to use bicycles, scooters and similar devices in places that are also popular with pedestrians. This often leads to congestion, conflicts and increased risk of injury. In such areas, localised management should be permitted, to enable local needs to be taken into account.

A number of jurisdictions took the opportunity of disrupted traffic patterns during the COVID-19 pandemic to support increased active transport use in lieu of public transport, and to discourage a return to personal vehicle transport. Cities around the world responded to increased demand for safe, physically distanced walking, biking and outdoor gathering places through a variety of policies and programs including 'reclaiming' roads for non-car uses, prioritising pedestrians and cyclists, reducing speed limits, and subsidising micro-mobility share schemes.

Council would appreciate the State Government taking a strong lead in developing a multi-pronged approach to reducing reliance on private vehicles and reducing urban congestion, while improving health and environmental outcomes. This would enable councils to support State policy and make commensurate changes in their own road networks to support the increased presence of alternate transport options.

Yours faithfully

Amanda Wilson
MAYOR

Item No: 16.4

Subject: **ADELAIDE BEACH MANAGEMENT REVIEW**

Date: 23 May 2023

Written By: A/General Manager, Assets and Delivery

General Manager: Assets and Delivery

SUMMARY

The Adelaide Beach Management Review (the review) is a 12-month project, facilitated by the Department for Environment and Water (DEW). The project is currently in the consultation period, where the community has an opportunity to provide feedback from 28 April to 9 June 2023. This report is detailing a submission from the City of Holdfast Bay in response to this consultation.

RECOMMENDATION

That Council approves the attached submission in response to the Adelaide Beach Management Review consultation, subject to minor amendments.

STRATEGIC PLAN

Protecting our heritage and beautiful coast

COUNCIL POLICY

Not applicable

STATUTORY PROVISIONS

Not applicable

BACKGROUND

The Adelaide Beach Management Review (the review) is a 12-month project, facilitated by the Department for Environment and Water (DEW) and overseen by the Attorney-General. The review involves an independent scientific review of coastal (sand) management approaches to determine the best long-term approach for managing Adelaide's metropolitan beaches.

The review has been initiated in accordance with the State Government's commitment to undertake a review of coastal sand management approaches for Adelaide's managed metropolitan beaches. The review will explore all approaches for sand management, which will include full community input and transparency of process, and analysis of climate change impact.

Council Administration had the opportunity to provide feedback through an early Council-only consultation workshop in February 2023. The consultation period, from 28 April to 9 June 2023, is an opportunity for Council to provide further feedback on a coastal management approach for Adelaide's metropolitan beaches.

This is the first of two key stages in the review process in which community and stakeholders can provide input.

- Stage 1 (April): Seeking input about what outcomes and values are important to the community for how sand is managed on beaches, and to add any new approaches to an established draft list to be assessed.
- Stage 2 (August): Seeking community and stakeholder feedback on the shortlisted sand management approaches.

It is anticipated that the final report for the Adelaide beach management review project containing advice for consideration by government via the Attorney-General will be completed in December 2023.

REPORT

The community engagement submission from the City of Holdfast Bay focuses on two key issues:

- Extending the sand pumping program indefinitely for our coastal management cell (Glenelg to Kingston Park).
- Providing a long-term coordinated State plan for the management and investment of high value, high-risk coastal management infrastructure such as seawalls.

Refer Attachment 1

BUDGET

Not applicable

LIFE CYCLE COSTS

Not applicable

Attachment 1



24 May 2023

Dear Independent Advisory Panel

Adelaide Beach Management Review

Thank you for the opportunity to provide feedback on the management of Adelaide's metropolitan beaches. The community values our coast extremely highly as one of the key identifying features of the City of Holdfast Bay, including the most highly visited beaches in the State.

In this submission we recommend the sand pumping program is extended indefinitely for our coastal management cell (Glenelg to Kingston Park). The program works extremely well for our coast and has enabled continued and increased use of our beaches by residents, visitors, tourists and continued use by our hooded plovers.

Beyond our beaches, a high coastal management priority is the ongoing management of seawalls to protect public assets. Renewal and upgrade of these assets to maintain coastal protection is an excessively and prohibitively expensive exercise. Many other coastal councils have the same financial pressures in regard to coastal management infrastructure requirements for which there are no requisite funding mechanisms.

As high levels of funding are required across the South Australian coast, it's imperative that state agencies such as Infrastructure SA, Department for Infrastructure and Transport (DIT) and DEW come together to develop and provide a long-term plan and relevant funding mechanisms to make this work affordable for our communities. The federal government may also have a role to play in providing the high levels of funding required, for short-term and long-term management.

We are aware of the new SA Climate Ready Coasts program and look forward to being involved. However, there remains short-term and long-term needs for large scale coordinated planning and investments in the replacement of ageing and high-risk coastal infrastructure.

Yours sincerely

Roberto Bria
CHIEF EXECUTIVE OFFICER



Item No: 16.5

Subject: **DEVELOPING A POULTRY POLICY**

Date: 23 May 2023

Written By: Manager, Community Safety

General Manager: Community and Business, Ms M Lock

SUMMARY

A motion was raised at the Council meeting held 13 December 2022 to introduce a poultry policy to provide clarity for residents wanting to introduce poultry onto their property. Administration examined and reviewed the poultry regulations across eight metropolitan councils. As a result, a guideline was determined to be the most effective tool to provide clarity for residents, with the *Local Nuisance and Litter Control Act 2016* utilised to deal with the most common complaints for residents who do not observe guidelines and wish to keep poultry within the residential areas of the City of Holdfast Bay.

RECOMMENDATION

That Council endorses the 'Guideline For Keeping Poultry' and its promotion through the community.

STRATEGIC PLAN

Wellbeing - Good health and economic success in an environment and a community that supports wellbeing.

COUNCIL POLICY

Not applicable

STATUTORY PROVISIONS

Local Nuisance and Litter Control Act 2016
South Australian Public Health Act 2011
Local Government Act 1999

BACKGROUND

The motion on notice was raised at the Council meeting held on 13 December 2022, with the resolution number C131222/7301.

Motion on Notice – Poultry Policy - Councillor Miller (Report 482/22)

1. *That Council create a poultry policy for greater clarity into residential ownership of chickens and roosters in Holdfast Bay.*

Moved Councillor Miller, Seconded Councillor Smedley

Carried Unanimously

REPORT

Administration examined and reviewed poultry regulations across eight metropolitan councils. No formal policies were found, however a range of guidelines and information, inclusive of By-laws, was implemented at both the Cities of Marion and Charles Sturt. The results reflected below.

Results

Council	Their Process
Marion Council	By-law
Onkaparinga Council	Guidelines on the website
Charles Sturt Council	By-law
Mitcham Council	Website statement
Adelaide City Council	Information via the phone only
Burnside Council	Information sheet on the website
Prospect Council	Guidelines on the website
West Torrens Council	Guideline on the website

As part of the review all instruments of compliance and/or guidance were assessed and both pros and cons outlined below.

Policy

The purpose of developing a poultry policy would be to give an explanation of what is and isn't to be permitted when housing poultry at a residential property in the City of Holdfast Bay. A policy would provide guidelines for action and provide a mechanism for dealing with issues as they arise on a day-to-day basis. For reference Administration has prepared an example draft policy.

Refer to Attachment 1

Pros

A policy clearly outlines the prescribed conditions in which domestic fowl must be kept within a residential property.

Cons

A poultry policy is only enforceable in conjunction with a by-law. As it currently stands the existing guidelines coupled with the *Local Nuisance and Litter Control Act 2016* can provide sufficient powers to resolve any complaints.

By-law

Pros

The benefits of Council introducing a by-law allows a clear direction for residents with consequences.

Cons

To develop an enforceable by-law, prescriptive detailing of what is and isn't permitted would be required with changes made to the current by-laws. Council's new by-laws were gazetted and made enforceable on 16 December 2019. The term for review is every seven years with a review to commence one year before the deadline, meaning the review process would commence in 2025 for implementation in 2026.

Costs

Developing a by-law outside of this term is expensive, costing an estimated \$15,000. Currently, with only 2-3 complaints raised annually in relation to poultry on resident properties, these complaints have been resolved using the *Local Nuisance and Litter Control Act 2016*.

Guidelines / Information sheet

Pros

Currently Council has existing guidelines, which provide information for residents who wish to keep poultry within the residential areas of the City of Holdfast Bay.

Refer to Attachment 2

The guidelines / information sheet provides clear direction, and with the *Local Nuisance and Litter Control Act 2016* it provides sufficient powers to resolve any complaints. The *Local Nuisance and Litter Control Act 2016* can be used to resolve poultry noise complaints. If the domestic fowl is creating a noise that is deemed to be a 'local nuisance' by an authorised officer, direction can be made for the owner take appropriate action to eliminate or reduce the noise.

For insanitary conditions, which can attract vermin, the *Local Nuisance and Litter Control Act 2016* or the *SA Public Health Act 2011* can be used to eliminate the insanitary condition.

This legislation allows officers more power than a by-law to manage complaints. For example Powers of Entry and Abatement Notices with more significant consequences for offenders can be used for compliance.

Importantly, officers have reported that the public generally accept the Council's current poultry guidelines without challenging them. In 2021, there were two complaints about chickens/roosters and three complaints in received 2022. These were all resolved using the current guidelines and *Local Nuisance and Litter Control Act 2016*.

Cons

Unable to enforce a specific number of chickens or roosters to be kept within residential areas.

Cost

No costs involved.

Summary

With only two to three complaints received per year which are resolved under the current *Local Nuisance and Litter Control Act 2016*. It is recommended not to proceed with a policy and consequently a by-law. However, adopting and promoting the current guidelines or fact sheet on Council's website and to the wider community will be valuable.

In addition, Administration can review the effectiveness of the City of Marion's new by-law, to see if there are any additional benefits associated with its implementation.

BUDGET

Estimated \$15,000 for legal and consultation costs and staff costs if a by-law was developed. If however the guidelines are accepted there is no cost.

LIFE CYCLE COSTS

Not applicable

Attachment 1



ECM DSID Number:	
First Issued / Approved:	Date of first issue/approval
Last Reviewed:	Date of last review
	Resolution Number
Next Review:	Review Date
Responsible Officer:	Responsible Officer
Date Placed on Webpage/ Intranet:	

1. PREAMBLE

1.1 Background

There are many reasons residents may choose to keep a small number of poultry in the backyard. For example, chickens can help with recycling kitchen scraps, providing natural fertiliser and providing fresh eggs.

With the recent trend towards smaller housing blocks and subdivision of existing blocks, there is greater potential for poultry keeping to cause nuisance in built-up areas. Problems may include:

- Excessive odour
- Noise, especially from roosters and turkeys
- Increased flies
- Increased rodents.

1.2 Purpose

This policy articulates council's commitment to responsible poultry management in the city.

1.3 Scope

This policy applies to the whole of council.

1.4 Definitions

Poultry – domestic fowl, such as, but not limited to, chickens, turkeys, ducks, and geese.

1.5 Strategic Reference

Council's vision for 2050+ is, in part, to create a "welcoming and healthy place for all in South Australia's most sustainable city".

2. PRINCIPLES

- 2.1 In deciding whether to purchase domestic fowl, consideration should be given to backyard size, and potential implications for neighbours. Roosters are not recommended in urban environments due to the high likelihood of noise nuisance.
- 2.2 All animals should be kept safely and should be well cared for, including having access to appropriate volumes of water, food, bedding, shelter, movement and veterinary care if needed.
- 2.3 All food and water should be protected from vermin, kept in appropriate receptacles kept in good order.
- 2.4 Animals must be contained to the owner's property.
- 2.5 Enclosures must be kept clean, free of rodents and other pests.
- 2.6 Any complaints regarding poultry will be considered within the relevant legislative framework relating to nuisances. This includes complaints relating to noise, dust, odour, wandering animals and inappropriate conditions, amongst others.

3. REFERENCES

3.1 Legislation

- *Local Nuisance and Litter Control Act 2016.*

3.2 Other References

- Guidelines for Keeping Poultry

Attachment 2





GUIDELINES FOR KEEPING POULTRY

These guidelines are intended as a guide for residents who wish to keep poultry within the residential areas of the City of Holdfast Bay. They are designed to reduce the potential nuisance and health risks that can be associated with the keeping of poultry in a confined area.

ENCLOSURE

- All poultry runs should be enclosed, constructed of sheet metal (or other suitable solid material) and wire netting.
- The sheet metal should extend at least 250mm below ground level and 350mm above ground level.
- The roof of the enclosure should be waterproof with proper drainage of water away from the enclosure.
- The floor of the enclosure should be paved with a suitable impervious material.
- The area of the enclosure should allow for not less than 0.4 square metres of space for each bird.
- Bins for the storage of feed should be vermin proof.
- The enclosure should be kept in a sanitary condition at all times.

LOCATION

- The enclosure should be not less than 1 metre from any fence and not less than 1.5 metres from any other structure.
- The enclosure should not be located within 12 metres of any dwelling, shop or public building.

NUMBERS

- It is not recommended that more than 10 hens or ducks, or 4 geese or turkeys be kept per residential property.
- The keeping of roosters or peacocks in residential areas is not recommended.

Further information can be obtained from the Environmental Health Office on 8229 9972.