

Agenda

Council

NOTICE OF MEETING

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

Council Chamber - Glenelg Town Hall
Moseley Square Glenelg

9 September 2025 at 7:00pm



Pamela Jackson
Chief Executive Officer



1. Opening

The Mayor will declare the meeting open at 7pm.

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

6. Items Presented to Council

7. Declaration Of Interest

If a 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

That the minutes of the Ordinary Meeting of Council held on Tuesday 26 August 2025 be taken as read and confirmed.

9. Public Presentations

9.1 Petitions

9.2 Presentations



- 9.3 **Deputations**
- 10. Questions by Members**
 - 10.1 **Without Notice - Nil**
 - 10.2 **On Notice - Nil**
- 11. Member's Activity Reports - Nil**
- 12. Motions on Notice - Nil**
- 13. Adjourned Matters**
 - 13.1 Hoarding Fee Relief - (Report No: 291/25) – *Refer 18.1 – Items in Confidence*
- 14. Reports of Management Committees and Subsidiaries**
 - 14.1 Information Report - Southern Region Waste Resource Authority Board Meeting
– 25 August 2025 (Report No: 300/25)
- 15. Reports by Officers**
 - 15.1 Items in Brief (Report No: 290/25)
 - 15.2 2024-25 Annual Review of Investments (Report No: 295/25)
 - 15.3 2024-25 Audit and Risk Committee Annual Report to Council (Report No: 294/25)
 - 15.4 Harmful Algal Bloom – Delegation to Canberra (Report No: 298/25)
 - 15.5 Appointment of Alwyndor Management Committee Members – Term Date Correction
(Report No: 297/25)
 - 15.6 Local Government Finance Authority Annual General Meeting – Nomination of Council
Representative (Report No: 293/25)
 - 15.7 Local Government Association (LGA) Board Election Process (Report No: 292/25)
 - 15.8 Proposed Local Government Election Reform Changes (Report No: 299/25)
 - 15.9 Hooded Plovers (Report No: 274/25)
 - 15.10 Driveways, Crossovers, Footpaths, Trees and Verges Policy (Report No: 296/25)
- 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 Adjourned Report – Hoarding Fee Relief (Report No: 291/25)

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 considers 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 –
 - i. 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
 - ii. would, on balance, be contrary to the public interest.

19. Closure

Pamela Jackson
Chief Executive Officer

Item No: 14.1

Subject: **INFORMATION REPORT – SOUTHERN REGION WASTE RESOURCE
AUTHORITY BOARD MEETING – 25 AUGUST 2025**

Summary

The Information Report of the Southern Region Waste Resource Authority Board meeting held 25 August 2025 is provided for information.

Recommendation

That Council notes the Information Report of the Southern Region Waste Resource Authority Board meeting held 25 August 2025.

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 4.5.2 of the SRWRA Charter - 2025, there shall be at least six ordinary meetings of the Board held in each financial year.

Furthermore, Section 4.5.11 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.

Report

In accordance with the above, the Information Report from the Board Meeting held on 25 August 2025 is provided for Members' information.

Refer Attachment 1

Budget

Not applicable

Life Cycle Costs

Not applicable

Strategic Plan

A city, economy and community that is resilient and sustainable.

Council Policy

Not applicable

Statutory Provisions

Local Government Act 1999, section 43

Written By: Manager Finance

Chief Executive Officer: Ms P Jackson

Attachment 1

Constituent Council Information Report – Public

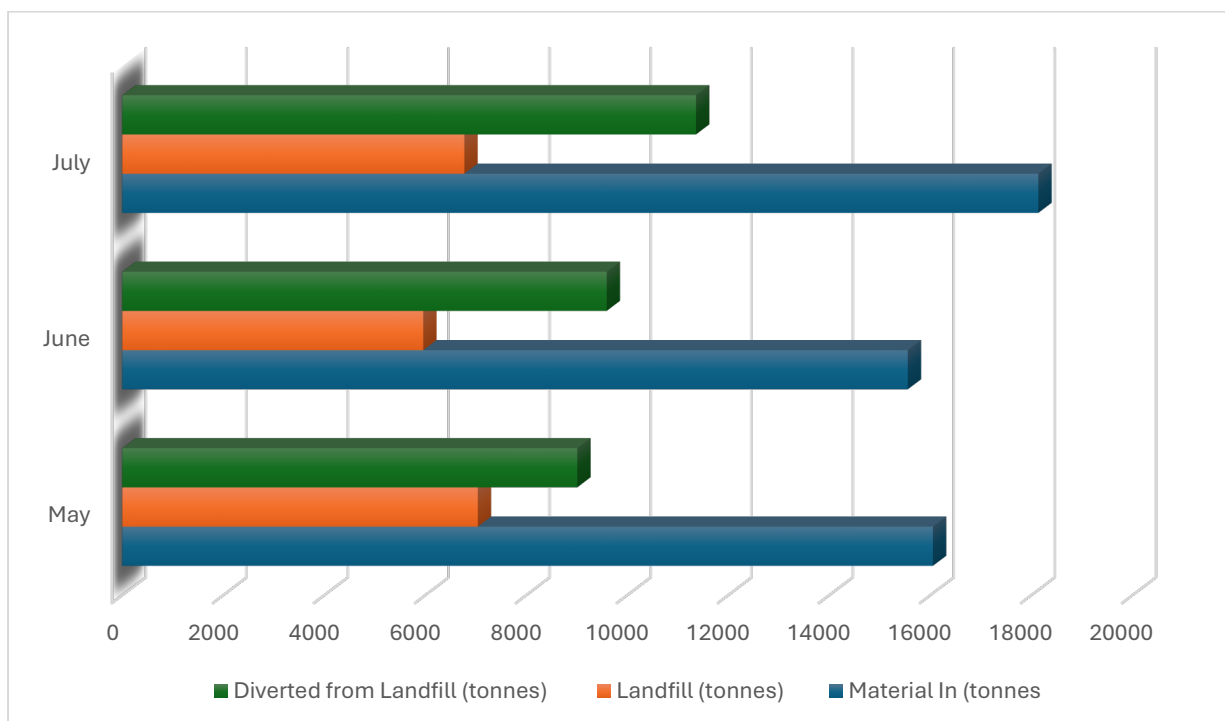
Board Meeting: 25 August 2025

Report By: Acting Chief Executive Officer

In accordance with Section 4.5.11 of the Southern Region Waste Resource Authority Regional Subsidiary Charter - 2025, the SRWRA Board identified the following Agenda Items to be the subject of a Public Information Report to the Constituent Councils (Cities of Onkaparinga, Marion and Holdfast Bay).

SRWRA STATISTICS			
Month	Total Tonnes Received	Tonnes to Landfill	Diversion Rate (%)
MAY	16,055	7,043	56
JUNE	15,557	5,962	62
JULY	18,139	6,776	63

Tonnage data reflects all incoming waste material to SRWRA, including landfill volumes.



Constituent Council Information Report – Public

FIRE & INCIDENT REPORTING

	Incidents Reported	Incidents Reported with Injury
2024	75	5
2025 (YTD)	29	2

WHS incidents decreased from the previous month, with the very low injury numbers per hours worked, SRWRA has not identified any injury trends or patterns of injury within the workgroup.

2025 (YTD)	Fires	Hot Spots
Landfill	1	6

Landfill fire incidents remained constant from the previous month. Through provision of additional infrastructure around the site and investment in emergency management worker competencies, SRWRA continues to see positive improvement with internal emergency response processes, directly contributing to the reduction of incident severity for each reported occurrence in the year to date.

Report Name	Report Summary
Policy Reviews	SRWRA undertakes regular policy reviews in line with scheduled document review dates and legislative, governance or organisational change. SRWRA has completed a review of several key policies, including the Buffer Land, Independent Member Allowance Review, Request for Sponsorship, Stakeholder Engagement and Unsolicited Bids. The reviews focused on ensuring clarity, consistency and alignment with governance practices. These policies were presented in an updated document to the Board.
Independent Member Allowance	The allowances for the SRWRA Independent Members and the Chairperson were reviewed in accordance with the Independent Member Allowance Review Policy, taking into account workload, movements in CPI, and equivalent board roles within the local government sector.
Chief Executive Officers Report	The Acting CEO outlined recent key activities, including the finalisation of the draft <i>SRWRA Vision 2030 Shaping our Future 2025–2030</i> Strategic Plan and the updated Long Term Financial Plan, both of which have been circulated to Constituent Councils for feedback. The final versions are scheduled for consideration at the September 2025 Board Meeting. SRWRA submitted a response to Green Industries SA's draft <i>South Australia's Waste Strategy 2025–2030</i> , following consultation with SRWRA staff, JV partners, and Constituent

Constituent Council Information Report – Public

	Councils. An update on the CEO recruitment process was provided to the Board.
Risk Management Report	SRWRA provides quarterly risk management reporting to the Audit & Risk Committee and Board, this includes regular reviews of the SRWRA risk register and identification of new and emerging risks.
Organics Composting Facility	Integrated Waste Services provided a presentation to the SRWRA Board on the Organics Composting Facility project, with construction to commence on the SRWRA site in the 2025 calendar year, with this facility scheduled to receive Food Organics Garden Organics (FOGO) waste from April 2026.

Item No: 15.1

Subject: ITEMS IN BRIEF

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. **Library Firstival Program Outcomes 2025**
 2. **Art at Partridge**
 3. **Glenelg Good Times Session**
-

Report

1. **Library Firstival Program Outcomes 2025**

Library Services Learning Team hosted 16 programs during July 2025 as part of the state-wide Firstival initiative attracting a total of 583 attendees, an 82% increase on 2024. Firstival showcases public libraries across the state and encourages the community to visit and try something for the first time. The Learning Team coordinated events across multiple venues including Brighton and Glenelg Libraries, the Holdfast and Glenelg North Community Centres and the Civic Centre. Family-oriented programs were popular with standout attendance at the Toddler Winter Wonderland Disco (100 attendees), the Family Movie event organised in collaboration with Event Cinema (90 attendees) and Young Writer's Competition with 36 entries.

Feedback was overwhelmingly positive, with attendees praising the variety and quality of programs. Highlights included creative workshops to make a tote bag and mandala art for youth, engaging family events such as Fire Safety with MFS, and adult sessions Laughter Yoga and Selling on Etsy.

"Good overview. Sufficient info. Love the library offers this type of thing".

– Sue H, attended Selling on Etsy for Beginners

"I brought my 2 grandchildren to the fire engine visit today and they haven't stopped talking about it. They have also played get down low and go, go, go several times..."

– Jenny C, attended Fire Safety Talk at Brighton

The total program cost was \$4,546.30, offset by \$898.44 in ticket revenue, resulting in an average cost of \$8 per participant. Future planning includes continuing to offer larger-scale events, ensuring affordable fees for families and leveraging Firstival as a platform to connect programs with library collections, lifelong learning initiatives and attract new library users.

2. Art at Partridge

Art at Partridge was held 9 -10 August at Partridge House, Glenelg as part of the South Australian Living Artists (SALA) Festival and showcased the works of local emerging and established artists, sculptors, and designers.

There were 42 artists with 71 artworks exhibited while a selection of art stalls offered unique handcrafted items for sale. Visitors took time to enjoy the stunning gardens of Partridge House, with a coffee van onsite to serve refreshments and entertainment by a range of musicians.

The total financial contribution was funded through the 2025-26 Arts and Culture budget.

3. Glenelg Good Times Sessions

The first of six micro-activations took place on Sunday 31 August as part of the Jetty Road Mainstreet Committee's *Glenelg Good Times Sessions*.

Managed by an external event contractor, this micro laneway party in Milton Street provided an opportunity for locals and visitors alike to support trade along Jetty Road, Glenelg, in a relaxed atmosphere with live music, fire pits and food and drink offerings from local traders. The activation ran from noon until 4pm and attracted over 750 people.

The next activation will be on Sunday 14 September in Chapel Plaza.

Written By: Executive Officer

Chief Executive Officer: Ms P Jackson

Item No: 15.2

Subject: 2024-25 ANNUAL REVIEW OF INVESTMENTS

Summary

Section 140 of the *Local Government Act 1999* (the Act) requires Council to review the performance of its investments on an annual basis. This report explains the process for investing funds, amount of funds invested, and investment performance.

In 2024-25 Council received investment income of \$68,000 for its municipal operations compared to a budget of \$72,000 and Alwyndor received \$1,303,000 compared to its original budget of \$1,122,000.

Recommendation

That Council notes this report comprising a performance review of 2024-25 investments, as required under section 140 of the *Local Government Act 1999*.

Background

Under the *Local Government Act 1999* (the Act), councils are required to review the performance of their investments annually. Council invests its funds in accordance with its Treasury Management Policy ensuring funds are preserved and invested within legislative and prudential requirements.

Section 139 of the Act outlines the investment powers of councils. It mandates that councils exercise care, diligence, and skill in managing investments, and avoid speculative or hazardous financial activities. When placing investments, councils must have regard to a number of considerations, including but not limited to:

- the nature and level of risk;
- expected income return;
- impact of inflation;
- associated costs;
- anticipated community benefit.

Separate reports for Municipal and Alwyndor investment performances were received and noted by the Audit and Risk Committee on 20 August 2025.

Report

This report deals with investment performance resulting from the investing of day-to-day surplus funds (operating funds) with the Local Government Finance Authority (LGFA) or for Alwyndor Aged Care, specific reserves investments via external investment advisor, Ord Minnett.

Investment Policy Framework

Council's Treasury Management Policy states that the LGFA is the preferred financial institution for municipal cash investments. It is guaranteed by the State and is managed and administered by a Board of Trustees, working for the benefit of Councils and other Local Government Bodies within South Australia.

Other approved municipal investment types include SA or Commonwealth Government Bonds and interest bearing deposits or bank bills with a credit rating from Standard & Poor's of not less than A1 for investments up to 12 months and not less than AA- for longer investments.

For Alwyndor funds, the LGFA is the preferred financial institution for cash investments. Longer-term investments are managed by an external fund manager, Ord Minnett, in accordance with the Investment Strategy and Policy. These investments include Australian equities, international equities, fixed interest, hybrids, property, and cash.

Municipal Funds***2024-25 Investment Placement***

Due to cash flow requirements and the utilisation of cash advance debentures for several major capital projects, including Transforming Jetty Road and major stormwater upgrades, no new major fixed term investment opportunities arose during the 2024-25 financial year. All short-term investments were held with the LGFA.

LGFA Bonus Payments

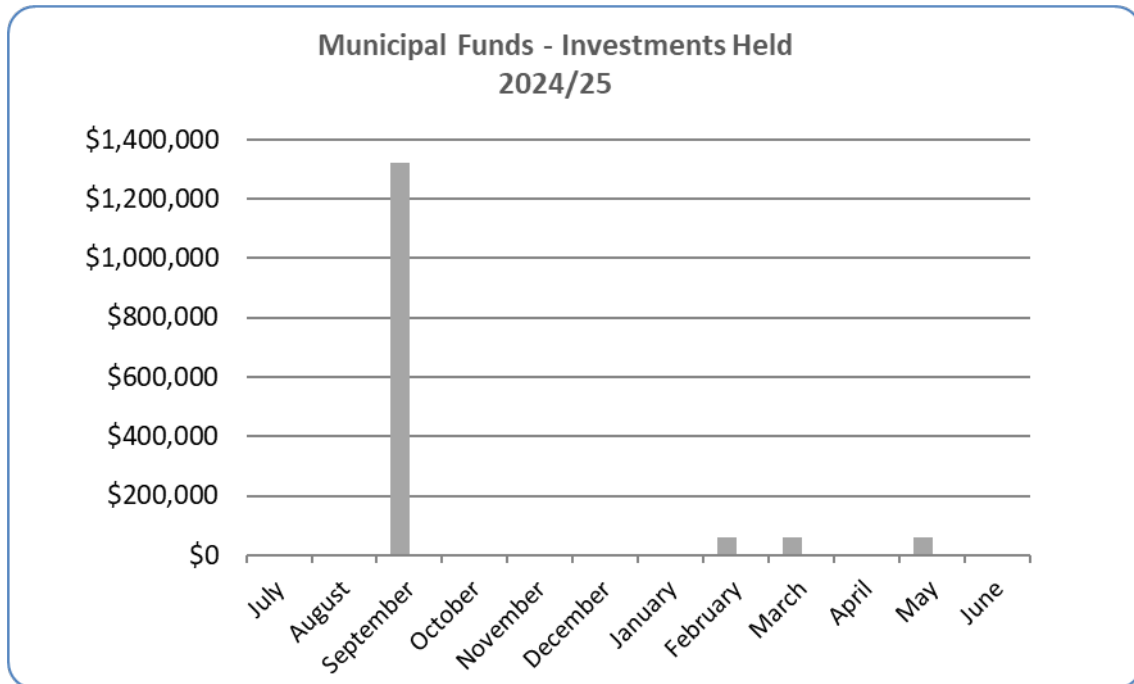
Each year, the Board of Trustees of the LGFA determines that a special distribution payment be made from surplus funds to councils and prescribed authorities that have utilised LGFA services. The allocation and payment amounts are calculated based on each council's deposit and debenture loan levels maintained with the LGFA throughout the financial year. These bonus payments represent an average return of approximately 0.24% per annum on deposits and loans. In 2024-25, Council received a bonus payment of \$35,898 for its Municipal funds.

Cash Backed Reserve Fund Investments

Council's Treasury Management Policy states that cash-backed municipal reserves will not be maintained unless required by legislation or agreed to with third parties. The reserves that are legally required to be maintained include developer contributions for which \$126,592 was received in 2023-24.

Levels of Investment

There were no municipal invested funds held as at 30 June 2025. The following chart highlights the level of investments held for Municipal funds during 2024-25. The amounts invested peaked when the first rates notice instalment was due and before significant cashflow was required to deliver the 2024-25 capital program.



Municipal Funds Investment Performance

Total investment income for 2024-25 was \$68,388 which was lower than the budgeted forecast amount of \$72,000.

2024-25 Interest rate movements

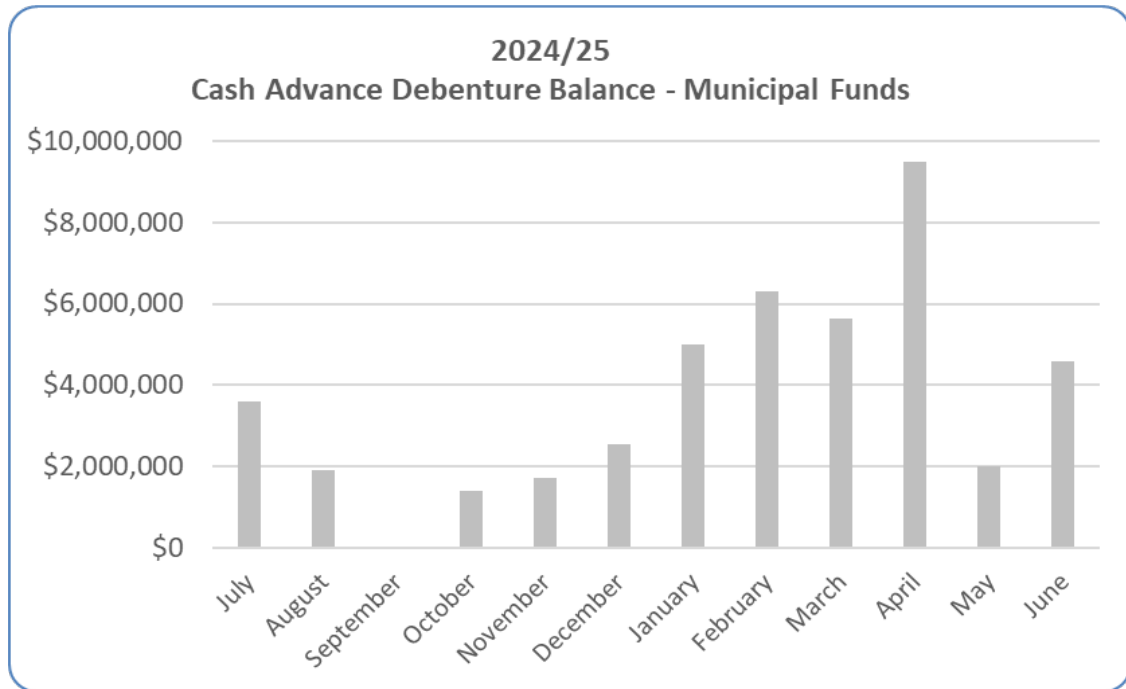
Throughout 2024-25, official interest rates remained relatively stable, with the Reserve Bank of Australia (RBA) implementing two modest rate cuts in the latter half of the financial year. Over the twelve-month period, the cash rate declined by 0.50 percentage points, from 4.35% to 3.85%.

These adjustments followed a series of rate increases totalling 4.25 percentage points since May 2022, as part of the RBA's strategy to curb high inflation. While inflation has since moderated significantly, the RBA Board has adopted a cautious approach, awaiting further economic data to confirm a sustained downward trend before considering additional rate reductions. Global economic uncertainty has contributed to this 'wait-and-see' stance throughout much of the past year.

Cash Advance Debenture movement during 2024-25

Throughout 2024-25, available cash was primarily used to meet regular operational cash flow requirements and fund capital expenditure. In accordance with the Treasury Management Policy for municipal funds, available funds were first applied to debt repayment to minimise the need for new borrowings.

Short-term Cash Advance Debenture (CAD) borrowings were utilised during the year to manage temporary cash flow needs. The timing of CAD drawdowns aligned with these short-term funding requirements.



On 15 May 2025, Council secured a new \$10 million fixed-term loan over 15 years at 5.39% from the LGFA. Council also secured access to a new \$15 million Cash Advance Debenture (CAD) for flexible, short-term cashflow management. These borrowings align with Council's Treasury Management Policy, which promotes a diversified and flexible debt approach.

During 2024-25 a total loan principal amount of \$1,064,528 was repaid on fixed term loan borrowings. The total fixed term principal outstanding as at 30 June 2025 is \$21.2 million, with a weighted average interest rate of 4.66%.

Alwyndor Funds

2024-25 Investment Placement

All Alwyndor investments were held with either the State backed LGFA or via external investment advisor Ord Minnett.

Alwyndor received a total of \$321,508 in interest on the funds held with LGFA. This amount corresponds to an average interest rate of 4.69%.

Cash Backed Reserve Fund Investments

Reserve funds are invested in accordance with prudential requirements and Alwyndor is mandated to maintain a minimum liquidity level of \$3.0 million in the form of at-call cash funds.

Levels of Investment

Alwyndor's investment objective is to maintain sufficient liquidity and preserve capital, while also achieving long-term growth of surplus reserves.

An initial investment of \$12.5 million was made in November 2021, with a further contribution of \$5.0 million added during the 2024–25 financial year.

Alwyndor Investment Performance

Interest and dividends received during 2024-25

Total investment income for 2024-25 was \$1,303,398, exceeding the original budget forecast of \$1,122,000.

The portfolio's performance also resulted in a fair value movement, reflecting unrealised gains of \$634,662 as at 30 June 2025. Alwyndor's Investment Strategy and Policy is guided by a long-term investment plan, which anticipates performance fluctuations over a seven-year horizon. The strategic asset allocation comprises 21% growth assets and 79% income assets.

The portfolio delivered a net return of 8.08% for 2024-25, slightly below the 2023-24 net return of 9.66%. Since inception, the portfolio has achieved a return of 5.08% after fees.

Budget

The 2025-26 Municipal investments budget has been established with consideration given to the Treasury Management Policy, prevailing interest rate conditions, and the availability of surplus operational funds. The original budget allocation for municipal investment income is \$72,000.

Similarly, the 2025-26 Alwyndor investments budget has been set in line with the Investment Strategy and Policy, taking into account the interest rate environment, reserve requirements, and surplus operational funds. The approved budget for interest income, comprising returns from cash held with the LGFA and investment income managed by external advisor Ord Minnett, is \$1,437,277.

Life Cycle Costs

Not applicable

Strategic Plan

Statutory compliance

Council Policy

Treasury Management Policy

Statutory Provisions

Local Government Act 1999, sections 139 and 140

Written By: Manager Finance

General Manager: Strategy and Corporate, Mr A Filipi

Item No: 15.3

Subject: **2024-25 AUDIT AND RISK COMMITTEE ANNUAL REPORT TO COUNCIL**

Summary

Section 126 of the Local Government Act requires the Audit and Risk Committee to provide an annual report to Council, providing an overview of the business undertaken during the previous twelve months.

The annual report of the Audit and Risk Committee is required to be included in Council's Annual Report for the relevant financial year.

Recommendation

That Council notes the 2024-25 Audit and Risk Committee Annual Report to Council.

Background

With effect from 30 November 2024 and pursuant to section 126(9) of the *Local Government Act 1999* (the Act), changes were introduced requiring Council to 'ensure that the annual report of its audit and risk committee is included in its annual report.'

As a result, this report has been prepared for presentation to Council, detailing the Audit and Risk Committee's annual work plan for the previous twelve months, being the 2024-25 financial year.

As there is no prescribed format, this report is taken to meet the requirements of the Act.

Report

Overview

As per its Terms of Reference, the primary role of the Audit and Risk Committee is to 'provide suggestions and recommendations to Council on matters relating to financial governance', including:

- Financial reporting
- Strategic management plans and the annual business plan
- Internal controls and risk management systems
- Public interest disclosures
- Internal and external audits
- Economy and efficiency audits and reporting responsibilities

To ensure the Committee operates appropriately and complies with the Local Government Act, its Terms of Reference are reviewed annually and amended as necessary. In February 2025, the Committee revised the tenure of independent members, making them eligible after their first three-year term, to be appointed for an additional two three-year terms. Previously, independent members were permitted to serve a term not exceeding three years and could only be re-appointed upon expiry. This variation enhances the Committee's stability while positioning it to effectively address both immediate and long-term challenges with appropriate oversight and accountability.

The work undertaken during the 2024-25 financial year is detailed in a summarised table and provided as the 2024-25 Audit and Risk Committee Annual Workplan.

Refer Attachment 1

Work Program 2024-25

The Audit and Risk Committee is required to meet at least quarterly throughout the year. All scheduled meetings were held as planned and no additional or special meetings were deemed necessary during the reporting period.

The table below summarises attendance records for all committee members as well as the expiry dates of terms of service for independent committee members.

Committee Member	Meetings Attended FY 2024-25				Totals	Expiry of Term
	Aug-24	Oct-24	Feb-25	May-25		
Councillor J Smedley	Y	N	Y	Y	3	Term of current Council
Councillor R Snewin	Y	Y	N	Y	3	Term of current Council
Paula Davies	Y	Y	Y	Y	4	26/03/2028
Corinne Garrett	Y	Y	Y	Y	4	12/5/2026
David Powell	Y	Y	Y	Y	4	21/01/2027

Regular Quarterly Reporting

Progress reports relating to a number of key topics are provided quarterly. These include standing items, risk management and internal audit reporting.

Reporting on standing items provides updates against a range of matters, including:

- Monthly financial statements
- External audits
- Public interest disclosures
- Economy and efficiency audits
- Council recommendations
- Audit and Risk Committee meeting schedule.

Key discussions relating to standing items during 2024-25 included:

- detailed budget reviews;
- quarterly financial statements and reporting;
- external auditors feedback on the financial statements;
- confirmation of annual meeting schedule.

The Quarterly Risk Management report provides updates on all strategic and high-rated operational risks, identifying movement in the risk profile, and highlighting progress against the annual risk work program.

The annual risk management work plan also included:

- feedback on the rolling review of corporate risk registers;
- reporting on senior leadership discussions relating to new/emerging risks and opportunities;
- focused work on specific risk areas for the 2024-25 year, including:
 - a) Finance management
 - b) Debt management
 - c) Asset management
 - d) Property management.

The Quarterly Internal Audit Reports provide assessments against the approved 3-Year Internal Audit Program, as well as tracking outstanding actions from previous internal audits undertaken.

The program is currently in its third year, which has included the following activities:

- Volunteer Management (completed)
- Lease Management (completed)
- Post-Implementation Review (completed)
- Fraud Detection – City of Holdfast Bay (completed)
- Fraud Detection – Alwyndor (completed)

A draft of the next three-year internal audit program has been developed and is currently going through the required management review and approval process.

Annual Reporting

Reporting for activities that occur annually included:

- Annual Risk Profile Report
- Annual Review of Investment Performance
- Municipal Insurance Renewal and Claims Report
- Audit and Risk Committee Self-Review Assessment
- Audit and Risk Committee Terms of Reference Review
- Alwyndor Investment Portfolio Performance (Confidential)
- General Purpose Financial Statements
- Draft 2023-24 Annual Report of Council
- Annual Work Health and Safety Program Review

- Annual Review of Loans Receivable (Confidential)
- 2024-25 Financial Year External Audit Interim Report
- Draft 2025-26 Annual Business Plan
- Draft Long Term Financial Plan 2025-26 – 2034-35.

Council Financial Sustainability

The Committee reviewed the Council's medium to long-term financial sustainability as per the *Draft Long Term Financial Plan 2025-26 to 2034-35*.

The draft Plan showed Council's Net Financial Liabilities Ratio will peak at 111% in 2025-26 due to new borrowings for the delivery of the Transforming Jetty Road Glenelg project. While this ratio exceeds the Local Government Association's (LGA) recommended threshold of 0% to 100%, the Council's debt management plan will reduce the ratio to 51% by the 2034-35 financial year. The average net financial liabilities ratio over the life of the plan sits at 84% which is within the LGA's ratio threshold.

The Committee noted that the debt management approach demonstrates that Council remains financially sustainable in the medium to long-term.

Ad Hoc Reporting

The Audit and Risk Committee also provides a value-added forum for review of a range of broader governance matters, which are presented periodically.

Items presented for the Committee's consideration in the 2024-25 year included:

- Plant and Equipment Draft Asset Management Plan 2024
- End of Financial Year Debtors
- Council Public Interest Disclosure Policy Review
- City of Holdfast Bay Strategic Plan Review
- Treasury Management Policy Review
- Asset Management Plans
- Revaluation of Transport Assets
- Revaluation of Road and Kerbing Assets
- Cyber Security Penetration Testing
- New Borrowings 2024-25
- Electricity Procurement by Power Purchase Agreement (Confidential).

Electricity Procurement by Power Purchase Agreement

The Committee reviewed and discussed the opportunity presented to City of Holdfast Bay to join the Renew 6 – a collective of Adelaide Councils - to procure renewable electricity through a Power Purchase Agreement (PPA). The Committee resolved to exclude the public under section 90(2) and 90(3)(d)(i) of the *Local Government Act 1999*, due to the commercial sensitivity of the information provided.

This approach to purchasing electricity is expected to provide improved cost efficiency and more stable pricing compared to the LGAP renewal offer. It also provides more affordable

renewable electricity certificates, supporting cost-effective decarbonisation of Council's Scope 2 emissions.

The Committee resolved to support the CEO entering the collective retail PPA procurement process and the retention of the report and attachments in confidence for 12 months, or until a new energy contract is signed, with annual review of the confidentiality order.

Committee Member Self-Review Assessments

During July 2024, Committee members were invited to undertake a self-review assessment, based on the 2023-24 year. This provides key feedback regarding levels of existing skills, future training requirements, and potential support that members may require.

A copy of this self-review assessment is attached for reference.

Refer Attachment 2

Budget

There are no budget implications associated with this report.

Life Cycle Costs

There are no life cycle costs associated with this report.

Strategic Plan

Statutory compliance

Council Policy

Risk Management Policy

Statutory Provisions

Local Government Act 1999, section 126(9)

Written By: Risk and Improvement Officer

General Manager: Strategy and Corporate, Mr A Filipi

Attachment 1

Audit & Risk Committee Report Schedule – Aug 2024 to July 2025

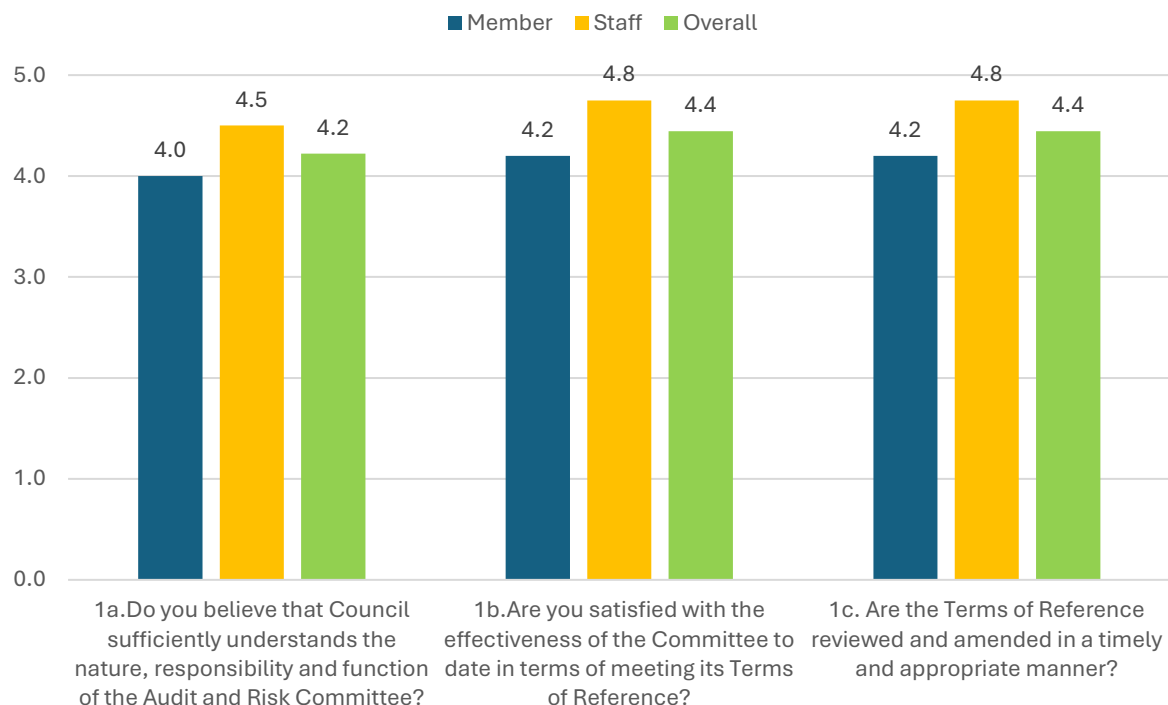
Meeting date	Report Title	Report Frequency Q = Quarterly A = Annual AH = Ad hoc C = Confidential	Report Ref.No.
14-Aug-24	1. Standing Items Report	Q	233/24
	2. Internal Audit Report	Q	234/24
	3. Annual Risk Profile Report	A	235/24
	4. Annual Review of Investment Performance	A	236/24
	5. Municipal Insurance Renewal and Claims Report	A	237/24
	6. Revaluation of Road and Kerbing Assets	AH	238/24
	7. Annual Review of Loans Receivable	A / C	243/24
	8. Audit and Risk Committee Self-Review Assessment	A	245/24
	9. Alywndor Investment Portfolio Performance	A / C	256/24
	10. Plant and Equipment Draft Asset Management Plan 2024	AH	276/24
16-Oct-24	1. Standing Items Report	Q	328/24
	2. Internal Audit Report	Q	329/24
	3. General Purpose Financial Statements	A	330/24
	4. End of Financial Year Debtors	AH	331/24
	5. 2023-24 Draft Annual Report	A	332/24
	6. Annual Work Health and Safety Program Review	A	333/24
	7. Audit and Risk Committee Terms of Reference Review	A	334/24
	8. Council Public Interest Disclosure Policy Review	AH	335/24
	9. Strategic Plan Review	AH	336/24
	10. Treasury Management Policy Review	AH	337/24
	11. Asset Management Plans	AH	338/24
	12. Electricity Procurement by Power Purchase Agreement	AH / C	339/24
12-Feb-25	1. Risk Report	Q	17/25
	2. Internal Audit Report	Q	18/25
	3. Audit and Risk Committee Terms of Reference	AH	19/25
1-Jan-00	4. Standing Items Report	Q	20/25
	5. 2025-26 Draft Budget	A	7.1
14-May-25	1. Standing Items Report	Q	122/25
	2. 2024-25 Financial Year External Audit Interim Report	A	123/25
	3. Draft 2025-26 Annual Business Plan	A	124/25
	4. Draft LTFP	A	125/25
	5. Revaluation of Transport Assets	AH	126/25
	6. Cyber Security Penetration Testing	AH	127/25
	7. Internal Audit Report	Q	128/25
	8. Risk Report	Q	129/25
	9. New Borrowings 2024-25	AH	133/25

Attachment 2

Audit and Risk Committee – Self-review Assessment 2023-24

Results

1. Terms of Reference



1a. Comments:

- *EMs are content to leave all financial issues to the Risk and Audit Committee. They seem to have confidence that production of the financials at Council meetings that have been confirmed by the committee really don't need any questioning.*
- *The two elected members on the committee seem to understand the topics being discussed and join in with good comments. The Committee's recommendations seem to be accepted by the Council.*
- *I think most members of Council understand and appreciate the work the committee does, but the level of understanding will vary among the individual members.*
- *Council routinely receives the minutes of the ARC and is therefore up to date with the work of the Committee. It is common for there to be questions or comments arising from the minutes, showing that Council is engaged with the role and work of the ARC.*
- *I believe this is true for most Council members.*

1b. Comments:

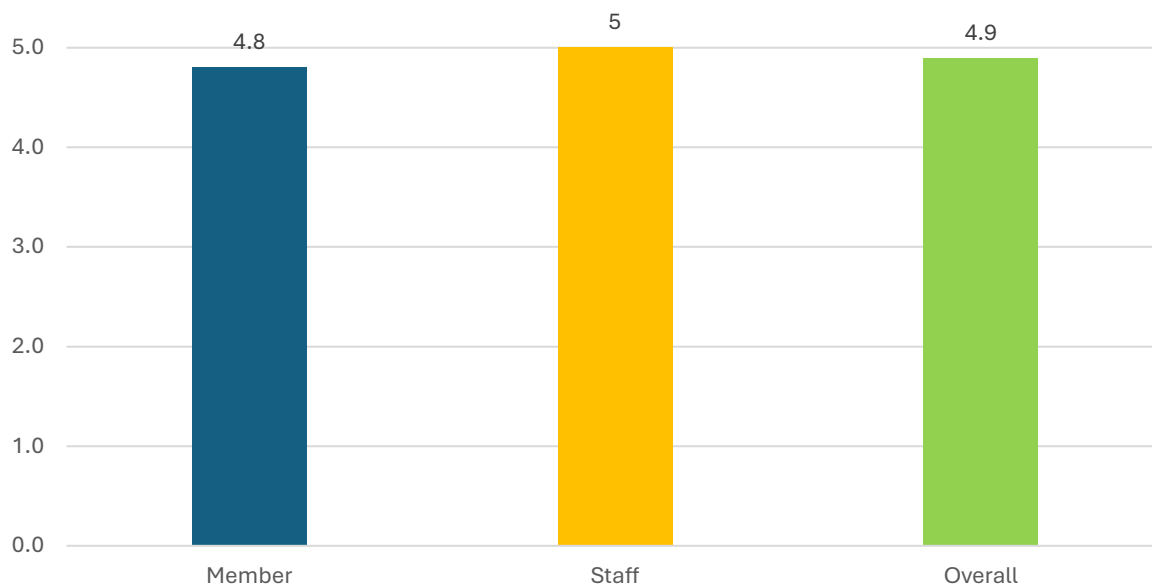
- *The committee has the mix of skills and professionalism to ensure it meets its terms of reference.*
- *I have only been on the committee for a year and we appear to be following the Terms of Reference with no issue to date.*
- *They engage in the requirements set out in the Terms of Reference from critically reviewing internal audit reports to providing informative recommendations to Council.*
- *Yes, the discussion at the ARC is comprehensive, expansive and useful. Independent members are not afraid to challenge or question and add value in doing so. The relationship with ARC, Internal Auditors and admin is respectful, positive and constructive.*

1c. Comments:

- *Yes they are*
- *Reviewed October 2023*
- *This was recently reviewed and updated in October 2023*
- *The Terms of Reference are regularly reviewed and updated.*
- *I believe they are reviewed annually and I think this is sufficient.*

2. Membership and Appointments

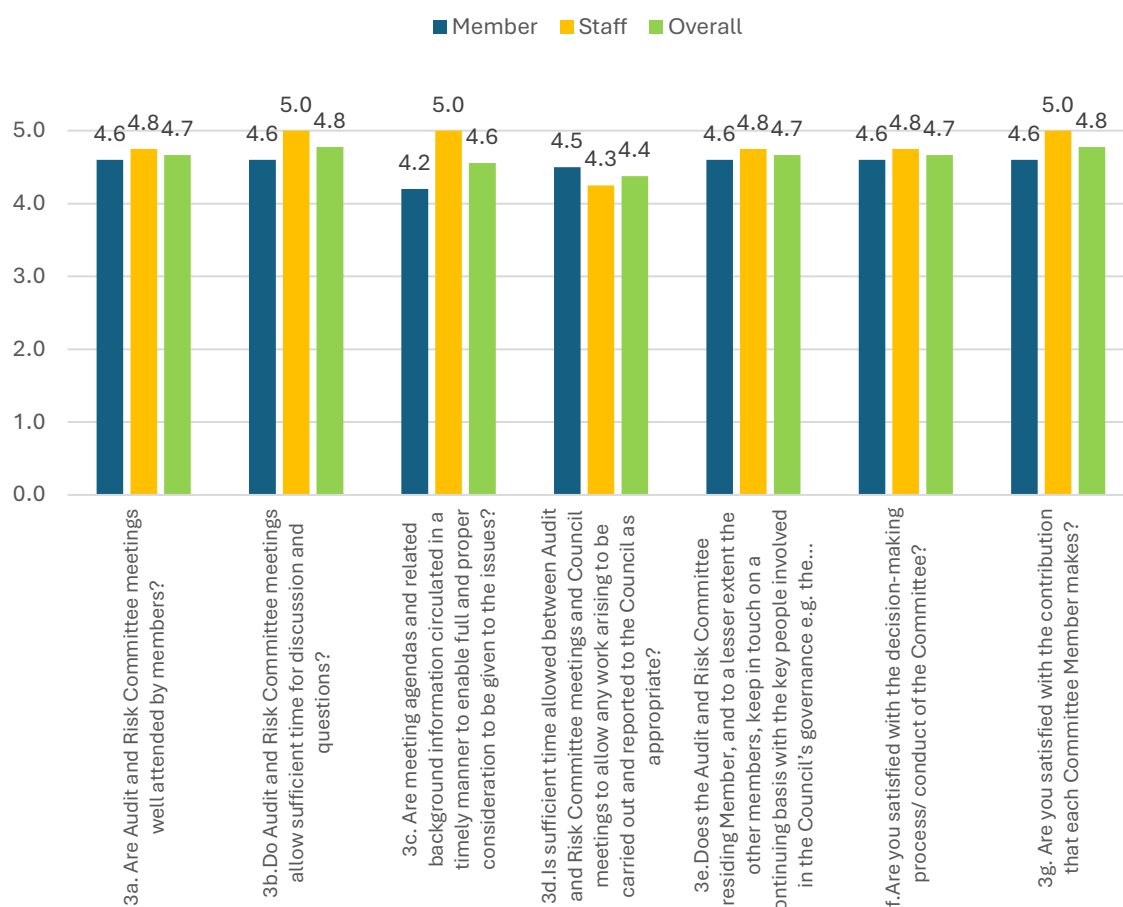
Is the number of independent members appropriate to effectively discharge the responsibilities of the Audit and Risk Committee?



Comments:

- *We have 3 independents.*
- *The current balance works. There are enough members to provide different viewpoints and skillsets while small enough to remain efficient.*
- *The independent members outnumber Council members and therefore hold balance of power, but the total Committee is still of a size for effective functioning.*
- *I believe three independent members and 2 elected members is the right balance.*

3. Meetings



3a. Comments:

- *We rarely have anyone missing.*
- *Nearly always 100% attendance.*
- *Yes. Meetings are usually arranged to accommodate individual schedules. Absentees are rare.*
- *Rarely do members miss meetings event extraordinary meetings.*

3b. Comments:

- *We have enough time to ask questions and discuss. I never feel that the meetings are rushed.*
- *As much time as is required.*
- *Yes, the Chair is excellent at facilitating questions and discussion. Meetings run for as long as needed.*
- *Most of the time, rare exceptions.*

3c. Comments:

- *Occasional last minute items have been accepted due to urgency, which however also reflects importance, and results in decisions that should have perhaps had time for more reflection. Such items should be kept to a minimum.*
- *Agendas are provided as per legislation and with enough time to read, research and note all material included.*

- *Yes 5 days in advance.*
- *Yes, all timeframes for circulating agendas and papers are met.*
- *Yes reports completed and distributed on time and members come to meeting having reviewed them.*

3d. Comments:

- *I am not sure if this is sufficient. I have not asked staff about this.*
- *I assume so.*
- *Mostly, though occasionally it can be a tight timeframe due to scheduling.*
- *Sometimes legislative timelines create tight schedules, eg, the Annual Business Planning process. All requirements are nevertheless discharged - it just creates pressure on administration.*

3e. Comments:

- *The presiding member is also an elected member. He appears to have a good relationship with the CEO and staff and be aware of the background of information.*
- *I assume so.*
- *As the Presiding Member is also an elected member this almost happens by default.*
- *Yes, the Chair of the ARC is active in maintaining contact with the Mayor and CEO/Senior Leadership Team.*
- *As the A&R presiding member is an elected member they represent A&R matters at Council and provide regular communication to Mayor and CEO.*

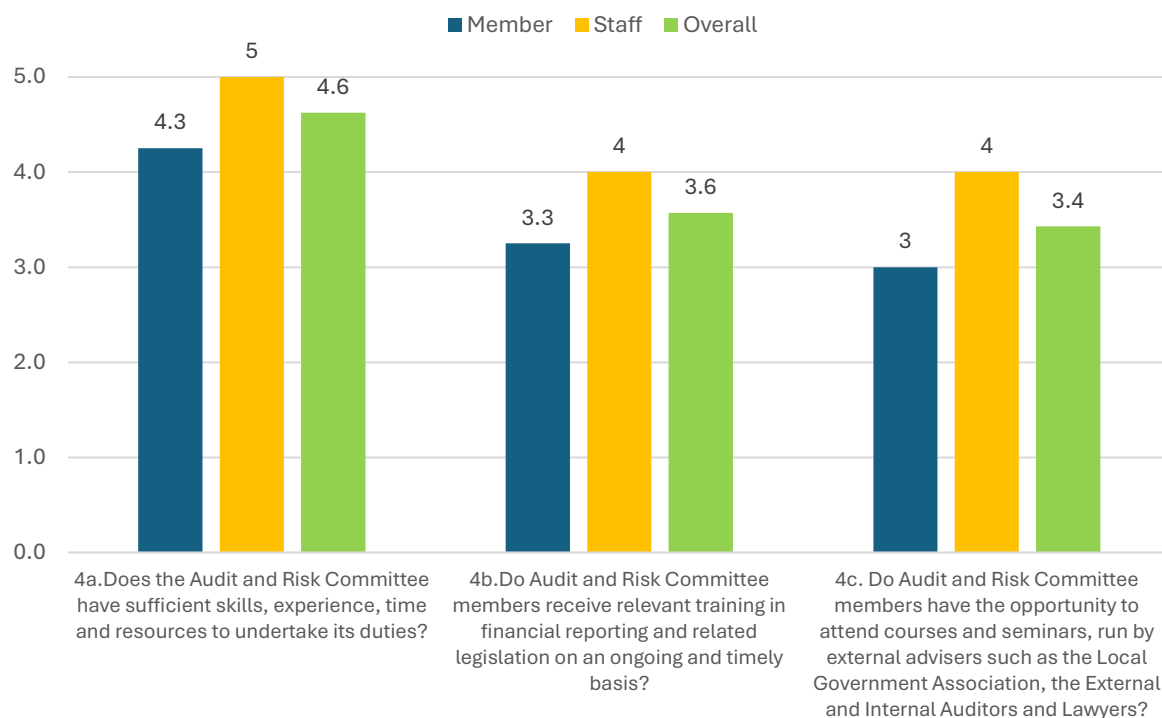
3f. Comments:

- *Yes. We have sufficient time to discuss items. We have enough information and the staff are present to provide any further information or answer questions.*
- *Each member is given an opportunity to express their thoughts and a consensus seems to always be reached amicably.*
- *The conduct of the ARC is without fault and all participants are reasoned, reasonable and professional in their decision-making and conduct.*

3g. Comments:

- *Each member makes contributions according to their skillset and experience. All members contribute.*
- *All members contribute equally.*
- *The ARC members are all highly proficient and engaged individuals. Meetings are well attended, with good discussion occurring.*
- *All strong contributors and represent a variety of experience and views.*

4. Training and Resources



4a. Comments:

- *I don't know what the skill sets and experiences are of all the members. They all appear to have enough to contribute to discussion. If each member completed a skills matrix each year and that was provided to the committee, we would be able to answer.*
- *There is good pool of experience with some members on other Audit and Risk Committee too.*

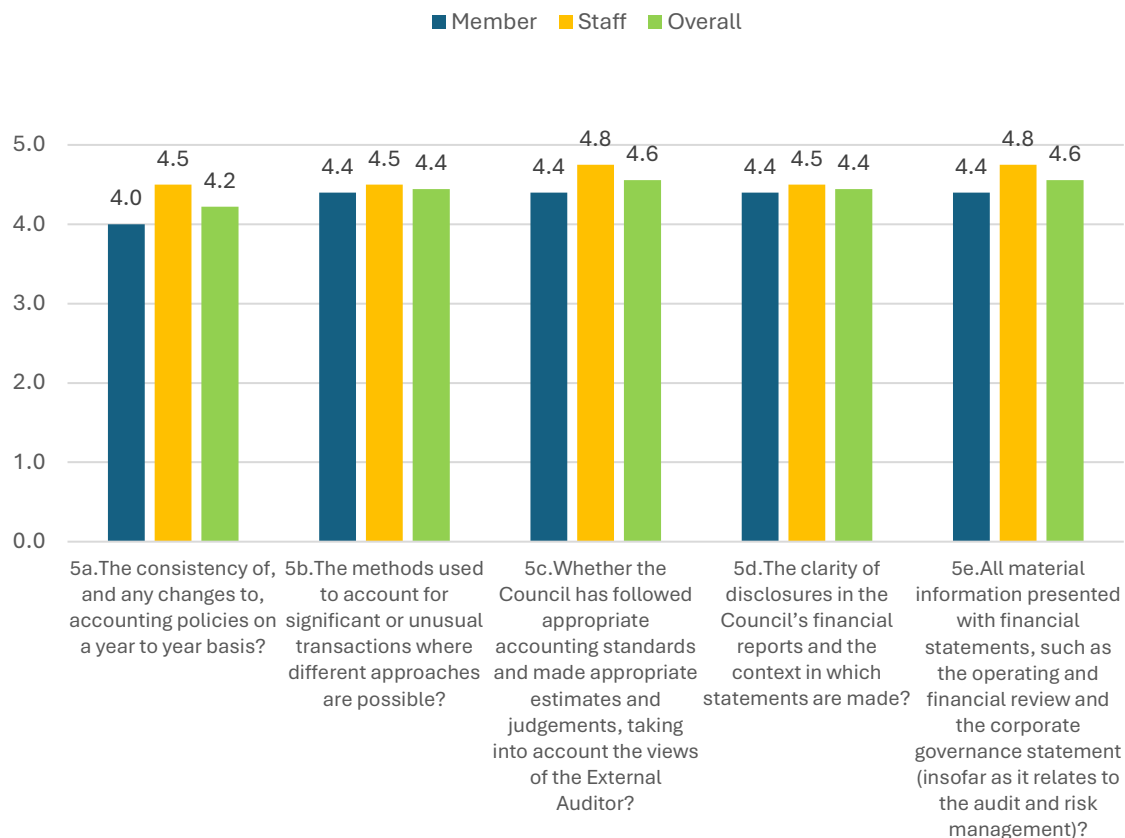
4b. Comments:

- *No proactive training has been offered in my time on the Committee.*
- *I have only been on the committee for a year. We have briefings but no particular training to date. there is training available via the LGA. We should discuss this.*
- *Probably could have a bit more of that.*
- *I believe training is self-directed?*

4c. Comments:

- *Not proactively offered.*
- *I don't know. I believe that we can attend LGA courses. There haven't been any brought to our attention while I have been on the committee. We also don't know what training individual members do themselves.*
- *As above (Probably could have a bit more of that.)*
- *Training hasn't been mentioned.*
- *I am unsure how much of this is facilitated by Council?*
- *The independent members are appointed for their skills and paid a sitting fee and therefore should be managing their development needs.*

5. Financial Reporting



5a. Comments:

- *Not sure if this is referring to Council policies or Accounting Standards. If the former, answer is yes.*
- *We review relevant policies.*
- *Does not occur often but any changes, such as the recent change to the treatment of library materials, are brought to the committee for their consideration and discussion.*

5b. Comments:

- *We review relevant policies, review the Annual Financial Statements and discuss both with staff and discuss aspects of the AFS with the external auditor.*
- *Again, does not occur often but any unusual items are highlighted in either a separate report, or when considering the financial statements.*

5c. Comments:

- *We review relevant policies, review the Annual Financial Statements and discuss both with staff and discuss aspects of the AFS with the external auditor.*
- *The external auditor's report is always considered, and their observations or recommendations discussed.*

5d. Comments:

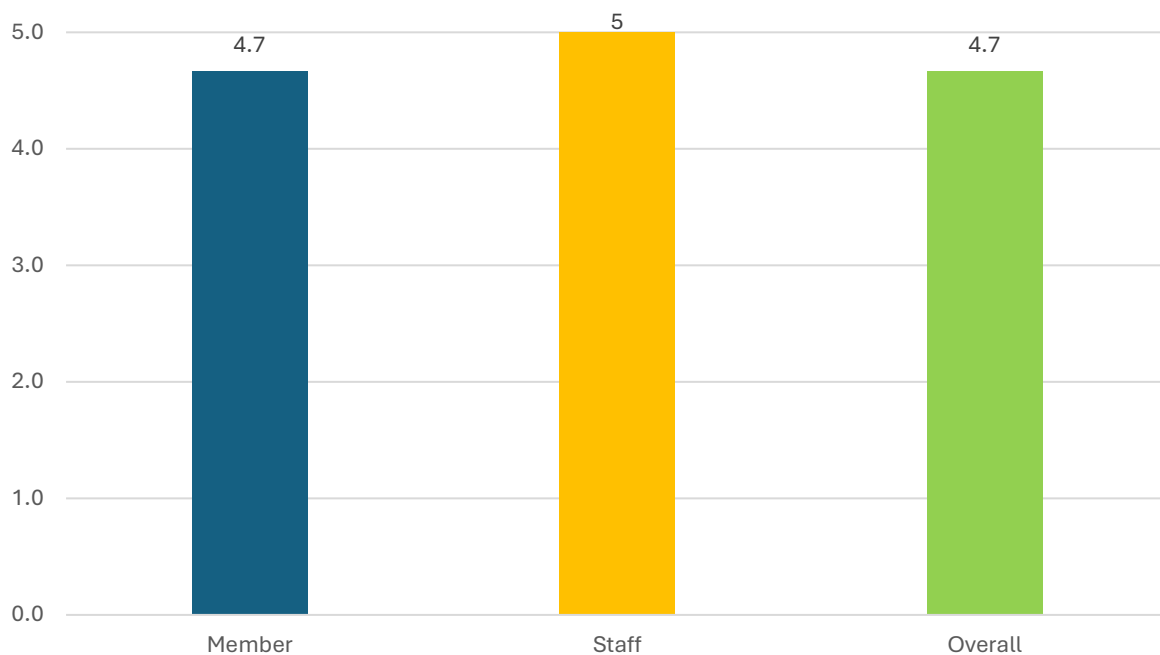
- *Same as 5b and 5c.*
- *Does not generate much discussion, but the statements are reviewed.*

5e. Comments:

- *Nil*

6. Internal Controls and Risk Management Systems

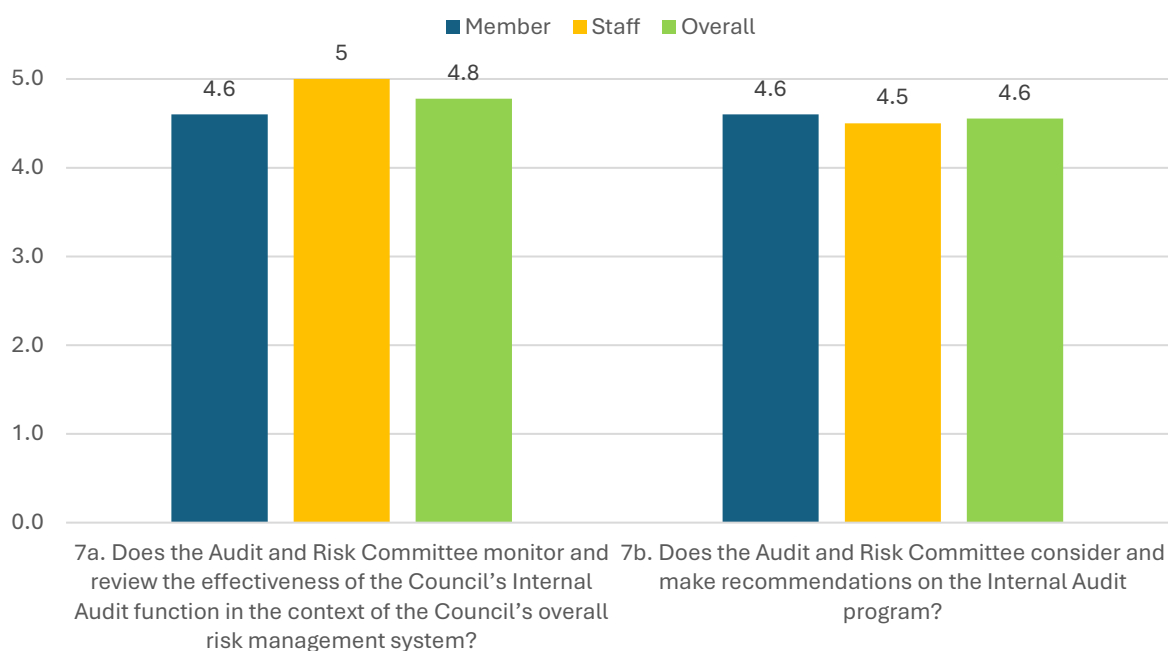
Does the Audit and Risk Committee keep under review the effectiveness of the Council's internal controls and risk management systems?



6. Comments:

- *The internal controls are covered by the Internal Audit program which is presented to the Committee and we discuss findings with the Internal Auditor.
The committee received a report in June 2024 on Strategic and High Level risks.
I have only been on the committee for a year so I am unsure if the Audit and Risk Committee has been involved with assisting in setting the Council's risk appetite. It would be useful to be part of a regular review of the Council's Risk Appetite especially if that included the risk appetite for Alwyndor.*
- *Risk and internal controls is probably the subject matter that receives the most attention and scrutiny by this committee.*
- *The Audit and Risk Committee receive a risk report at each meeting, as well as reports in relation to Council's internal controls.*

7. Internal Audits



7a. Comments:

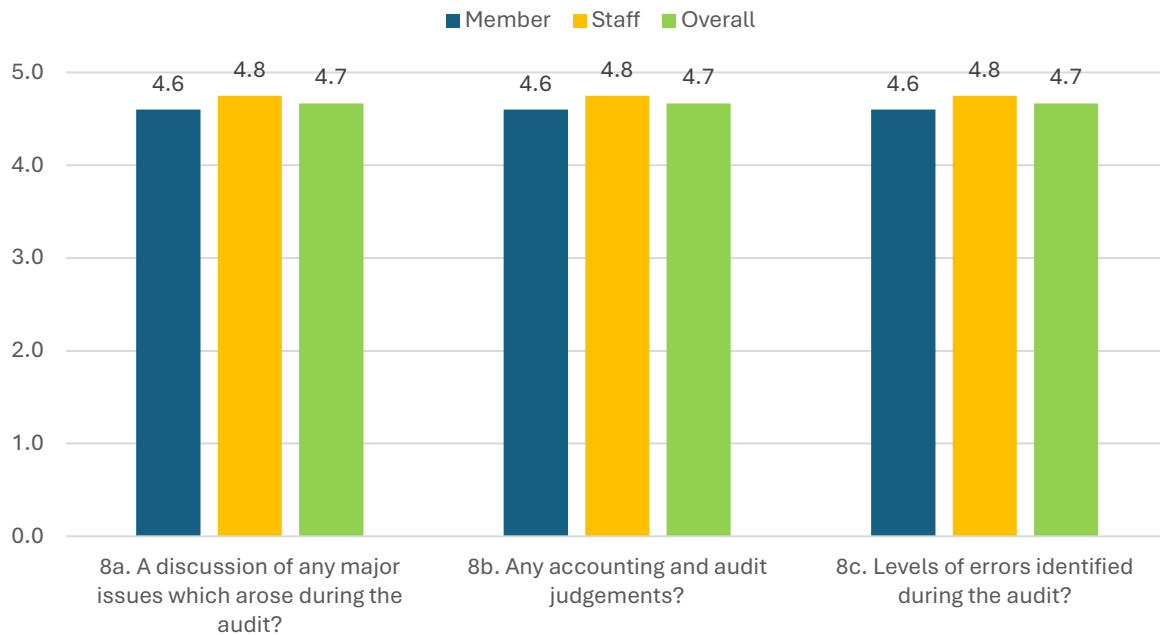
- *We have items on internal audit at almost each meeting. We meet with the internal auditors regularly and review their reports and are able to ask them questions.*
- *The internal audit function in the context of risk management is a key focus of this committee.*
- *ARC receives an IA and Risk report at each meeting. Internal Auditors attend to present their findings for each internal audit.*
- *Robust discussion on internal program and risk management reviews.*

7b. Comments:

- *We review the items on the program each meeting.*
- *It considers the internal audit program but I'm not sure if it makes recommendations.*
- *The ARC has the opportunity to input to the IA program each year, as well as review the results of each IA undertaken.*
- *Regularly and challenging internal auditors as well as staff.*

8. External Audit Process

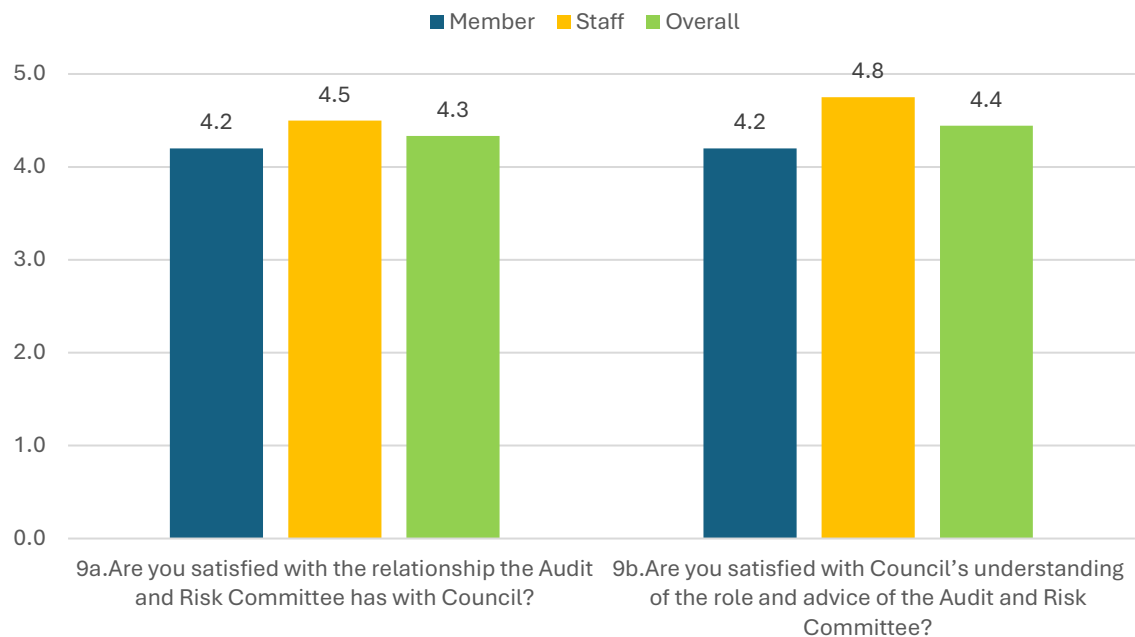
Does the Audit and Risk Committee review the findings of the External Audit with the External Auditor, including, but not limited to:



8. Comments:

- *The external auditor attends the committee and discusses the management letter and any issues. Staff are able to respond with how these are being addressed.*
- *The external auditors are given the opportunity to speak openly about their findings and are questioned, however, in recent years there have not been any issues for the committee to consider or challenge.*
- *Open discussion and engagement on all matters.*

9. Relationship with Council



9a. Comments:

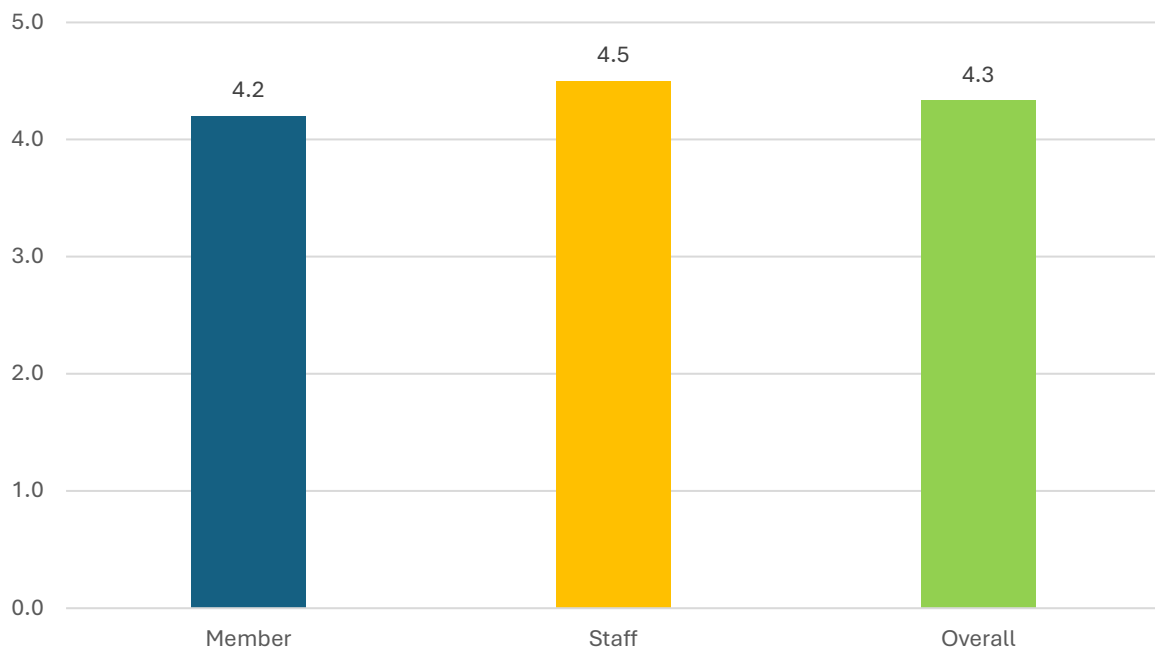
- *No opportunity for Council to meet and know the Independent Members. This should be addressed, as EMs should have ability to understand those making recommendations to them.*
- *The elected members on the committee respect and work with the independent members very well.*
- *Difficult to answer as an independent.*
- *When excluding the two members of the committee who are themselves members of Council then I would say they are respectful of Council, but I would not describe it as a relationship.*
- *Open robust two way discussion between staff and committee.*

9b. Comments:

- *Those members without formal financial skills default heavily to relying upon recommendations from the Committee. I think more training/discussion should occur. Perhaps an annual opportunity should be provided for EM/Audit Committee interaction.*
- *The elected members on the committee appear to take on board discussion points raised by independent members. I am not aware of any issues with recommendations from the committee to council.*
- *Difficult to answer as an independent.*
- *I think Council respect and appreciate the advice of the committee, but suspect not every member has a full understanding of their role.*
- *Council has significant respect for the advice from the ARC.*
- *Yes trusted and respected advice.*

10. Communications with Stakeholders

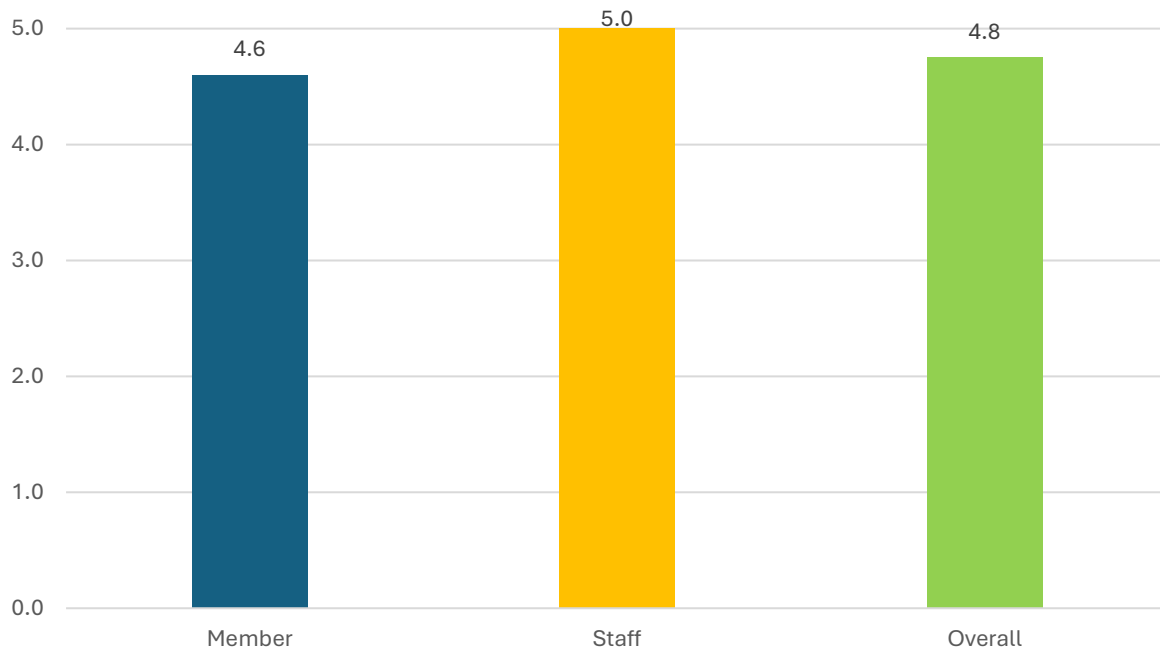
Does the Annual Report on the Audit and Risk Committee's activities provide sufficient detail to enable stakeholders to understand how the Audit and Risk Committee has discharged its duties?



- *The report covers the items we have discussed, includes the self-review assessment. It does not show attendance at meetings by members which is informative for stakeholders to see.*
- *Haven't seen it.*
- *Do not have knowledge of the report to answer this.*
- *Reports are available publicly, Presiding member speaks at public meetings on the findings of the A&R committee.*

11. Communication

Are you happy with the style and amount of communication with Council management?



11. Comments:

- *Yes. I am able to email questions prior to the meeting if I wish to have something answered either before or at the meeting. I feel comfortable asking questions of management and I find the responses to be thorough and useful.*
- *Not applicable.*

12. Opportunities for Improvement

Is there any way you think the Committee can improve its performance?

- *Skill and experience matrix to be filled in by each member. These to be available to the committee either on individuals or aggregated to show whether we have any missing skills and experience.
A workplan included with each agenda to show what is planned to be presented to each meeting.
Another committee I am on provides a council email for their independent members to enable them to access the council member information on the LGA website. This information is vital for independent members for their background research. The email provided by the other council is not used for communication and is only used to access the LGA website.*
- *No.*

Do you have any other comments?

- *No questions on risk management in this survey.*

Item No: 15.4

Subject: **HARMFUL ALGAL BLOOM – DELEGATION TO CANBERRA**

Summary

At its meeting of 12 August 2025, Council resolved to approve Mayor Wilson participating in a delegation to Canberra advocating for stronger support and action from the Federal government in relation to the Harmful Algal Bloom.

This report provides a summary of the delegation.

Recommendation

That Council notes this report.

Background

At its meeting of 12 August 2025, Council received a report outlining the urgent need for greater federal support to address both the immediate and long-term impacts of the algal bloom crisis.

Through that report, Council resolved to:

- approve Mayor Wilson to participate in a delegation of Mayors and industry experts to Canberra from 28 to 29 August 2025 to advocate for stronger support from the Federal government in relation to the harmful algal bloom being experienced on the South Australia coast;
- approve Mayor Wilson to be a party signatory to the Proposal for Federal Government Action on the South Australia Algal Bloom Crisis to be submitted to the Federal Government prior to the delegation to Canberra; and
- cover the travel and accommodation costs for Mayor Wilson associated with the delegation to Canberra.

Report

A working group, titled 'Great Southern Reef Harmful Algal Bloom Delegation to Canberra', was created which consisted of Mayors from metropolitan and regional councils, marine biologists and researchers, industry and community group representatives.

Since the instigation of the working group, the Federal Minister for the Environment and Water, and the Prime Minister have visited South Australia on separate occasions. Each visit resulted in announcements of various funding packages to support businesses, tourism and research.

The working group met on a number of occasions to refine the objectives of the Delegation taking into consideration the government funding announcements. Through these iterations, a meeting was also held with Deputy Premier Close, Minister for Climate, Environment and Water on 6 August.

A letter, with the draft objectives, requesting to meet with Prime Minister Albanese was submitted on 18 August 2025.

With support from Mayor Heather Holmes-Ross, President, Local Government Association SA (LGA), a call was made to South Australian councils to support the objectives that had been drafted. In total, 16 Councils resolved to being a party signatory to the objectives. (One was received after the document was finalised for printing.)

Delegation participants were settled and the group consisted of the following:

- Mayor Amanda Wilson, City of Holdfast Bay
- Mayor Heather Holmes-Ross, President, Local Government Association SA
- Mayor Claire Boan, City of Port Adelaide Enfield
- Mayor Angela Evans, City of Charles Sturt
- Acting Mayor Lauren Jew, City of Onkaparinga
- Deputy Mayor Richard Carruthers, Yorke Peninsula Council
- Mayor Diana Mislov, Port Lincoln Council
- Mayor Paul Simmons, Coorong District Council
- Ms Gretel Wilkes, Chair, Adelaide Coastal Councils Network
- Mr Stefan Andrews, Great Southern Reef Foundation
- Professor Charlie Huveneers, Flinders University
- Dr Georgina Wood, Flinders University, Great Southern Reef Research Partnership
- Dr Zoe Doubleday, Marine Ecologist
- Mr Shaun De Bruyn, CEO, Tourism Industry Council SA
- Mr Ian Smith, Bespoke Approach

A schedule of meetings for Thursday 28 August was organised with the assistance of South Australian Members of Parliament including Ms Louise Miller-Frost, Senator Barbara Pocock, Senator Peter Whish-Wilson and Ms Rebekha Sharkie.

8.30am	Hon Julie Collins MP Minister for Agriculture, Fisheries and Forestry
9.15am	Liberal Senators and Backbenchers
9.30am	Briefing from Dept and CSIRO
10.15am	Hon Mark Butler MP Deputy Leader of the House / Member for Hindmarsh
11.00 – 11.20am	Hon Kristy McBain MP Minister for Emergency Management
11.30am	Hon Sussan Ley MP Leader of the Opposition
12.00- 12.15pm	Prime Minister Anthony Albanese

	Senator the Hon Murray Watt Minister for Environment and Water
12.15 – 1.00pm	Senator Peter Whish-Wilson Ms Rebekha Sharkie MP Hon Darren Chester MP Mr Josh Wilson MP Parliamentary Friends of the Great Southern Reef
1.10pm	Media conference
2.15 – 3.15pm.	Question time

On Friday 29 August, Mayor Wilson was interviewed on ABC Radio National Breakfast.

A copy of the final Objectives submission presented to the Prime Minister is attached for information.

Refer Attachment 1

The Senate Environment and Communications Reference Committee is conducting an inquiry into algal blooms in South Australia and will hold a Public Hearing at the Brighton and Seacliff Yacht Club on Tuesday 9 September. Mayor Wilson has been invited to appear as a witness at the Hearing.

The LGA, in conjunction with the Adelaide Coastal Councils Network and South Australian Coastal Councils Alliance, prepared a submission to the Inquiry. The submission is attached for information.

Refer Attachment 2

Budget

Council resolved to cover the travel and accommodation costs associated with the delegation to Canberra.

The expenditure for flights and accommodation totalled \$1,568.21 (inc GST).

Life Cycle Costs

Not applicable

Strategic Plan

Our Holdfast 2050+ - A city, economy and community that is resilient and sustainable.
Environment Strategy 2020-2025 – Our Coast – Promoting a healthy coastal system through measures to support the coast's adaptability to climate change, protect our dunes and beaches, and improve marine water quality.

Council Policy

Not applicable

Statutory Provisions

Not applicable

Written By: Executive Officer

Mayor: A Wilson

Attachment 1

Proposal for Federal Government Action on the South Australian Algal Bloom Crisis

Submitted by:

Great Southern Reef Harmful Algal Bloom Delegation

Thursday 28 August 2025



Fish are dying, there's no denying.

This makes us sad, and even mad.

Seeing things dead is too much for our little heads.

Why won't you grown-ups do anything at all?

This is a wakeup call.

*Wake up, wake up, because while you people are
sleeping, our seas are weeping.*

*We love our beach, its sand, its waves,
the beautiful dolphins and sting rays.*

*We used to smile, seeing them swim by,
But now all we can do is say goodbye.*

Written by Florence and Bronte (Seacliff Primary School)

Introduction

South Australia's harmful algal bloom is having profound environmental, social and economic impacts across our coastal regions. This bloom was first detected in mid-March and has expanded significantly, affecting areas including Kangaroo Island, the State's south coast, the Spencer Gulf and metropolitan coastlines. It is threatening entire marine species and causing significant stress to people living and working in affected areas as well as those who normally visit the beach and ocean.

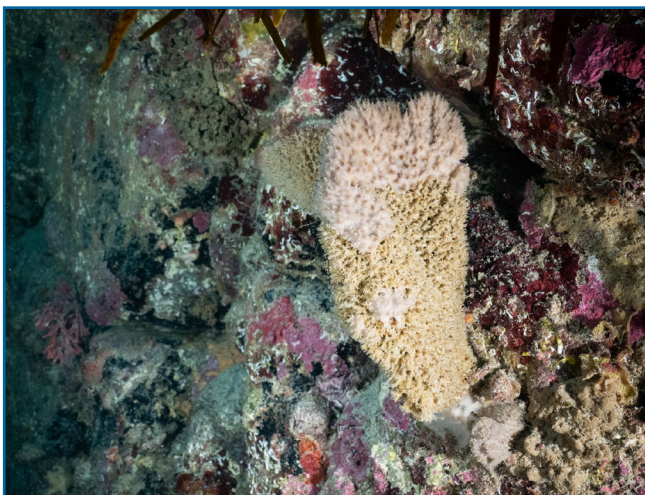
As a united delegation of mayors, scientists and tourism business representatives, we are requesting a national response that mirrors the enormity of this tragic event. We are calling on the Australian Government, supported by all political parties, to take urgent, coordinated action to protect livelihoods, restore ecosystems, and strengthen long-term resilience.



Photo by Stefan Andrews



Photo by Stefan Andrews



Dying Sponges
Photo by Scott Bennett



Dead Razor Clams
Photo by Scott Bennett

Objectives of the Canberra Delegation

Objective 1 – National Response and Market Confidence

To establish a National Legislative and Policy Framework recognising large-scale marine mortality events - such as those caused by harmful algal blooms or severe marine heatwaves - as eligible for a coordinated national response.

This framework should:

- Enable rapid access to coordinated federal support for affected industries, particularly tourism, fishing and aquaculture.
- Provide funding to assist with environmental clean-up, restoration activities, and safe reopening of affected areas.
- Be paired with a national market-confidence and communications plan to protect the reputations of seafood and tourism businesses, reassure consumers and counter misinformation.
- Include a dedicated national marine information portal providing real-time, science-based updates on seafood safety, water quality and tourism conditions.
- Fund rapid deployment of consumer-confidence campaigns led by trusted science and industry voices.

Objective 2 – Community Wellbeing and Resilience

To secure funding for the development and delivery of a Community Wellbeing and Resilience Framework to support social and mental health outcomes in communities affected by harmful algal blooms and other large-scale marine mortality events.

The framework should recognise the significant psychological, social, cultural, and economic impacts these events can have on individuals, families and communities - particularly those whose livelihoods and identities depend on healthy marine ecosystems - and provide:

- Embedded, locally delivered mental-health services.
- Peer support networks.
- Targeted workforce-retention initiatives.
- Long-term resilience planning for coastal communities.

Objective 3 – Permanent Monitoring, Baselines and Testing

To secure sustained State - Commonwealth investment in permanent coastal and marine biological and ecological monitoring and baseline data collection - covering the Great Southern Reef and other key habitats - building on existing commitments and integrating with national observation networks.

This funding should:

- Provide the ecological baselines needed to measure change, assess impacts of marine mortality events, and track recovery or restoration success.
- Be modelled on the Great Barrier Reef Integrated Monitoring and Reporting Program (RIMREP), ensuring it does not place additional financial burdens on affected industries or local governments.





Mayor Amanda Wilson



Mayor Paul Simmons



Mayor Heather Holmes-Ross



Mayor Angela Evans



Mayor Moira Were



Shaun De Bruyn



Mayor Claire Boan



Mayor Sue Scarman

Marine Ecologist
Dr Zoe Doubleday



Mayor Phill Stone

Ian Smith
Henley Beach resident
Bespoke Approach



Stefan Andrews



Mayor Diana Mislov



Mayor Kris Hanna



Dr Georgina Wood
Great Southern Reef
Research Partnership



Acting Mayor Richard Carruthers



Mayor Ken Anderson



Mayor Bill Gebhardt

Professor Charlie Huveneers



Mayor Keith Parkes



Mayor Peter Hunter



Damien Marangon

Attachment 2

Helping local government
build stronger communities.



Senate Inquiry: Algal Blooms in South Australia Submission

21 August 2025



This LGA South Australia submission to the Senate Inquiry into Algal Blooms in South Australia has been prepared in partnership with the Adelaide Coastal Councils Network (ACCN) and South Australian Coastal Councils Alliance (SACCA).

Recommendations

LGA, ACCN and SACCA consider South Australia's current algal bloom event an emergency, and one that is causing nationally significant harm in an offshore area, in both State and Commonwealth Waters, and call for a national, coordinated response, including:

1. a national framework to recognise and manage large scale marine mortality events caused by harmful algal bloom events or severe marine heatwaves, including:
 - funding for affected industries, and for councils to assist with environmental clean-up, restoration activities, and safe reopening of affected areas
 - nationally coordinated communication of accurate, science-based information to the public, and
 - amending the *National Emergency Declaration Act 2020* to enable such large-scale and far-reaching algal bloom events to be declared a national emergency.
2. development and delivery of a Community Wellbeing and Resilience Framework to support social and mental health outcomes in communities affected by harmful algal blooms and other large-scale marine mortality events.
3. acceleration of Australia's decarbonisation efforts to reduce greenhouse gas emissions and ocean warming
4. federal funding to establish comprehensive, long-term monitoring and baseline data collection for the Great Southern Reef
5. federal funding to enable councils to respond to, and recover from, climate related events including algal blooms and build the resilience of councils and communities to climate change generally.

LGA would like the opportunity to talk to this submission at a public hearing.



ADELAIDE COASTAL COUNCILS NETWORK

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About us

LGA South Australia

At LGA South Australia our purpose is to help local government build stronger communities.

As the peak body proudly representing 68 councils across South Australia and the Anangu Pitjantjatjara Yankunytjatjara, we champion the needs of our members every single day.

Working for our members, we represent the interests of local government at both state and federal levels and provide robust and innovative solutions to local challenges.

Whether it's policy development, coordination on important issues or training and development, our work is about empowering local government to deliver a real, lasting impact for South Australians. Our trusted services also include tailored cover and risk services for the sector, and access to pre-qualified suppliers and panels to save councils time and money.

With a focus on leadership and representation, our work is driven by a shared passion for making a difference in the lives of the communities.

LGA welcomes the opportunity to partner with the ACCN and SACCA to provide a submission on the Senate Inquiry into the causes, frequency, scale and duration of recent algal blooms in South Australian marine and coastal environments.

Adelaide Coastal Councils Network

LGA is a member of the ACCN, which is the collective voice for seven Adelaide metropolitan coastal councils. These councils work in partnership with LGA on coastal planning and management.

The ACCN is committed to the proactive, contemporary and sustainable management of Adelaide's metropolitan coastline. with a strategic focus on delivering:

- coastal adaptation
- resilient and sustainable coastal infrastructure and built environments
- flourishing catchments and coastal ecosystems
- thriving coastal communities.

The ACCN's key roles are advocacy, knowledge sharing and collaboration.

South Australian Coastal Councils Alliance

SA Coastal Councils Alliance (SACCA) provides coordination, collaboration and advocacy support for South Australian coastal councils and their communities.

SACCA currently represents the 26 regional coastal councils across South Australia. SACCA provides an informed, coordinated advocacy voice and a forum for information sharing and networking on coastal management issues facing regional councils across South Australia.

SACCA's mission is 'to provide strong leadership, support and advocacy for the benefit of all South Australian coastal Councils and their communities.

SACCA works closely with LGA and ACCN on coastal issues.

Background

The current algal bloom was first detected in South Australia in mid-March 2025 when brown foam and dead fish washed up on beaches on the Fleurieu Peninsula. Surfers reported irritation and respiratory issues after being in water containing the foam.

It has affected some 4,400km² of South Australian and Commonwealth Waters, including in Investigator Strait, Gulf St Vincent, Spencer Gulf, south of Kangaroo Island and Southeastern Coastal Waters.

The algal bloom includes harmful algal species, not least *Karenia mikimotoi*, that have had a devastating impact on the coastal waters and beaches of the Fleurieu Peninsula, Kangaroo Island, Eyre Peninsula, Yorke Peninsula, Limestone Coast, and Adelaide metropolitan region, as well as estuarine waters including the Coorong and Port River.

The *Karenia mikimotoi* species has caused the death of thousands of fish and shellfish (some 460 species) which have either washed ashore or dropped to the ocean floor. It has damaged vital benthic (ocean floor) flora, devastated fishing, aquaculture and tourism industries, and coastal and coastal-related businesses, and disrupted councils that support coastal communities. as well as caused psychological distress to coastal residents and visitors alike.

LGA, ACCN, SACCA and coastal councils, in collaboration with the State Government, are working hard to ensure that the short-term impacts of the bloom are effectively managed, that business and communities are supported, and that communities emerge from this catastrophic event more resilient and better prepared for future events.

While the short-term impacts are currently overwhelming councils and their communities, it is important they have hope for the future, hence LGA, ACCN and SACCA see strength in all

tiers of government working together with industry and academia to support efforts to response, recovery and building resilience to future algal blooms.

This submission to the Senate Inquiry has been prepared by LGA in partnership with the ACCN and SACCA, which collectively represent all 34 coastal councils in South Australia and, together with the SA Government, work closely on coastal and climate related issues.

For example, the LGA's \$3.7 million SA Climate Ready Coasts Program, funded through the Australian Government's Coastal and Estuarine Risk Mitigation Program, the Local Government Research and Development Scheme and state Coast Protection Board, is delivered through a partnership with the Department for Environment and Water, SACCA and ACCN, to improve coastal hazard adaptation planning in SA.

The collaboration between state and local government is also evident in SACCA, ACCN and the Mayor of the Kangaroo Island Council and CEO of Yorke Peninsula Council being invited to the State Government's Algal Bloom Stakeholder Reference Group.

Coastal councils take considerable pride in their coastal areas which provide enormous community, lifestyle, wellbeing, environmental, scenic and economic value and benefits.

The algal bloom continues to have significant environmental, economic and social impacts on coastal communities and the wider South Australian community.

It is important that councils and their communities are supported through the response to and recovery from this event. It is also vital that we look to the future and invest in initiatives that build the ocean's resilience to climate change.

Submission report

This submission to the Senate Inquiry into Algal Blooms in South Australia has been prepared in partnership with the ACCN and SACCA.

The Terms of Reference of the Inquiry are included at Appendix 1.

The causes of the algal bloom

It is understood that the causes of the bloom are:

1. a marine heatwave since September 2024 with water up to 2.5°C warmer than normal
2. potentially, an increase in nutrients from River Murray floodwaters in 2022-23 and a cold-water upwelling in summer 2023-24
3. long periods of consistently low winds, calm seas and clear skies that promoted the growth of the bloom during the heatwave conditions

4. habitat loss and degradation that have left our marine ecosystems less able to cope with environmental stressors like the algal bloom.

Impacts of the algal bloom

The 34 coastal councils in SA report significant environmental, economic and social impacts from the algal bloom. Impacts include:

- environmental impacts:
 - the death of thousands of species of fish and shellfish and some mammals. Unlike a marine disease, which tends to target just one species, this event has resulted in the deaths of some 460 species of fish and marine invertebrates.
 - damage to benthic cover, such as habitat-forming hard bottom / shell species, sponges and heavier reef species (that do not often wash up), and habitat-forming marine plants.
- economic impacts (as evidenced by the interest in government grants):
 - the closure of some commercial fisheries and aquaculture
 - a reduction in recreational fishing
 - reduced community confidence in purchasing SA seafood products
 - less visitation to coastal areas for recreation and tourism, and the knock-on impacts on coastal (e.g. accommodation, eateries, shops) and coastal-related businesses (e.g. seafood and fishing tackle stores). For example, at Victor Harbor on the Fleurieu Peninsula, the Horse Drawn Tram, a major attraction, was suspended for several weeks due to health concerns for the horses and staff from airborne particles. Visitor Centre records showed a 35 percent drop in visitation in the second quarter of 2025 compared to the previous year.
 - reduced seafood consumption in hospitality businesses.
 - councils incurring costs to clean-up beaches. For example, one metropolitan Adelaide council had to remove 14 truckloads (54 tonnes) of dead marine life in a single day due to the smell of rotting animals, the human health concerns and to enable safe access to a popular beach. To date, the council has spent over \$14,000 on such clean-up activities, and they are expecting this to increase
 - councils being asked for rates relief/deferment based on the economic impacts of the bloom.
- socio-cultural impacts from:
 - people suffering eye, skin and respiratory irritation to aerosol of the foam generated by the bloom
 - dogs becoming ill from eating dead fish

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- people being confronted by the sight of many dead marine animals on the beach
- people not undertaking leisure activities (e.g. walking on the beach, surfing, recreational fishing)
- general loss of coastal amenity and quality of life
- impacts on local businesses resulting in reduced hours/loss of income/job loss and
- people's grief over what has been lost and anxiety about the future (eco anxiety).

The algal bloom is causing severe distress and anxiety to coastal communities and the wider SA community, potential impact on First Nations Peoples with strong cultural connections to waters.

It is also important to note that the full extent of impacts from the algal bloom may not be immediately evident:

- environments might take many years to recover (if they do recover)
- fisheries may not recover for many years as fish recruitment is being impacted
- businesses along the coast may not realise the full impact of economic downturn until after peak visitor periods in 2026
- markets may not recover until confidence is restored
- the broader mental health impacts may not be known for many years.

Responses must take into the various lead/lag times of the many complex and interrelated impacts.

Federal and State Government support

Given these wide-ranging and devastating impacts, LGA, ACCN and SACCA welcome the Federal Government's recent announcement of assistance to SA to respond to the algal bloom, including:

- \$14 million in funding
- investing in long-range forecasting of marine heat waves by the Bureau of Meteorology in time for the 2025-26 summer
- investing in research to better understand the toxic effects of *Karenia mikimotoi*, rapid early-warning and detection methods and examining the toxic threats to seafood production via the Fisheries Research and Development Corporation
- proposed fast-track assessment to ascertain whether any local marine flora and fauna need to be added to the threatened species list as a result of the bloom which, if they were, would then trigger conservation plans.

LGA, SACCA and the ACCN also welcome the State Government's:

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- \$14 million to match the Federal Government's funding for a total of \$28 million to respond to the algal bloom. In particular, we support:
 - the \$8.5 million to better monitor and test coastal and marine waters, assess fish stocks and develop a plan to manage future events, the consistent beach signage, posters and social media tiles on the bloom, including the impacts on human/dog health
 - the \$1 million to assist councils to remove dead marine life from affected beaches
 - the \$2 million to support local activities and small projects to help coastal communities recover and reconnect
 - public forums in affected coastal areas, a new central website and other tools to support clear communication for industry and the public
 - the grants and recovery services to help impacted businesses manage the effects and plan for recovery.
- convening the multi-agency Algal Bloom Taskforce and various advisory and working groups, including the Stakeholder Reference Group that SACCA, ACCN and the Mayor of the Kangaroo Island Council and CEO of the York Peninsula Council sit on, and collectively represent the 34 coastal councils in SA.

What we seek from the Federal Government

A national, coordinated response

LGA, ACCN and SACCA consider South Australia's current algal bloom event an emergency, and one that is causing nationally significant harm in an offshore area, in both State and Commonwealth Waters, and hence call for a national, coordinated response to this algal bloom event and future events, including:

- 1. A national framework to recognise and manage large-scale marine mortality events caused by algal blooms or severe marine heatwaves*

The framework should include:

Funding

- rapid access to coordinated federal support for affected industries, particularly tourism, fishing, and aquaculture
- funding to assist Local and State Government with environmental clean-up, restoration activities, and safe reopening of affected areas.

Communications and education

- national leadership and coordination in the communication of accurate, science-based information to the public during marine environmental crises. This could include:
 - science-based communications on the algal bloom across all types of media, including encouraging people to photograph dead fish on their beaches and upload the photos to [iNaturalist](#)
 - a dedicated national marine information portal providing real-time, science-based updates on seafood safety, water quality, and tourism conditions
 - funding rapid deployment of consumer-confidence campaigns led by trusted science and industry voices.

Misinformation and media speculation during the initial stages of the bloom event caused significant confusion and likely impacted coastal tourism and businesses, and coastal-related business, such as fish retailers and fishing tackle stores.

Trusted, science-based information on algal blooms for communities is important to counter misinformation and theories on the algal bloom, increase and maintain confidence in seafood safety and support tourism and local businesses during and after such these types of events. It will also give communities the confidence in the commitment of all levels of government to support them and manage this crisis, which is important for the mental health of coastal communities and the wider South Australian community.

LGA, ACCN and SACCA could help amplify this type of messaging through to all councils.

Legislation and policy

- amending the *National Emergency Declaration Act 2020* to enable large-scale and far-reaching algal bloom events to be declared a national emergency
- amending the Australian Government Crisis Management Framework (AGCMF) and Disaster Recovery Funding Arrangements (DRFA) to recognise the growing impacts of climate-driven marine disasters, including algal blooms, and ensure there are clear mechanisms in place for rapid, coordinated national response including federal support to affected industries, including tourism, fishing, and aquaculture, as well as affected communities and the councils that support them, ensuring timely relief, recovery funding, and long-term resilience planning
- including harmful algal blooms in the next iteration of the Aquaplan, a national strategic plan for aquatic animal health.

2. Development and delivery of a Community Wellbeing and Resilience Framework to support social and mental health outcomes in communities affected by harmful algal blooms and other large-scale marine mortality events.

The framework should recognise the significant psychological, social, cultural, and economic impacts these events can have on individuals, families, and communities, including First Nations communities, particularly those whose livelihoods and identities depend on healthy marine ecosystems. This would provide:

- embedded, locally delivered mental-health services
- peer support networks
- targeted workforce-retention initiatives
- long-term resilience planning for coastal communities.

3. Accelerate Australia's decarbonisation efforts to reduce greenhouse gas emissions and, in turn, ocean warming

This should include:

- continuing Australia's commitment to net zero, and strongly advocating for carbon mitigation/de-carbonisation internationally
- meeting the current commitment to the Nationally Determined Contribution (NDC) for 2030, under the Paris Agreement and enshrined in the *Climate Change Act 2022*
- making a strong emission reduction commitment as part of the upcoming new NDC for 2035
- ensuring funding is allocated to actions to achieve the above and our national net zero emissions by 2050 commitment.

While temperature anomalies and nutrients are often the main drivers of algal blooms, there is also research overseas showing that increased acidity (dissolved CO₂) promotes the growth and possibly increases the toxicity of *Karenia* blooms. Thus, increased ocean acidity over time could favour the [growth of harmful algal blooms](#).

4. Commit federal funding to establish comprehensive, long-term monitoring and baseline data collection for the Great Southern Reef

This should include sustained State–Federal Government investment in permanent coastal and marine biological and ecological monitoring and baseline data collection covering the Great Southern Reef and other key habitats, building on existing commitments and integrating with national observation networks.

This funding should:

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- support the establishment of local, accredited biotoxin-testing capacity in South Australia with publicly reported turnaround targets (e.g. <48 hours from sample receipt to result)
- provide the ecological baselines needed to measure change, assess impacts of marine mortality events, and track recovery or restoration success, modelled on the Great Barrier Reef Foundation funding arrangements, ensuring it does not place additional financial burdens on affected industries or local governments

The Great Southern Reef Foundation has estimated that such monitoring would cost approximately \$40 million over ten years. This investment is critical to understanding the current health of this vital ecosystem, tracking changes over time, and informing evidence-based management responses to climate change, marine heatwaves, and harmful algal blooms. A national baseline dataset will support both environmental protection and the sustainability of dependent industries such as fishing, aquaculture, and tourism.

In addition, consideration should be given to mobilising community groups to help with monitoring, for example, by enabling them to test coastal and estuarine waters (e.g. grants for the purchase of microscopes¹ and training materials) and upload the results to, for example, the SA Algal Bloom Water Sampling Dashboard to extend water testing across the state.

Scientists cannot be everywhere, whereas people are on beaches across the state each day, are invested in them and the health of coastal and marine waters and want to *do something*. Mobilising citizen scientists to test waters would enable such testing to be extended across the state at a relatively low cost.

5. Commit federal funding to enable councils to respond to climate related events such as algal blooms

SA's coastal councils are increasingly on the frontline of climate change-related events. For example, this winter alone there have been three major storm events coinciding with high tides, which have caused significant storm damage to public infrastructure, private property and natural coastal environments, and the recovery costs exceed many councils' financial capacity.

The Australian Local Government Association and LGA have previously called for an annual [\\$400 million local government Climate Adaptation Fund](#) to support local, place-based solutions to protect communities from the impacts of Australia's changing climate.

¹ Estuarine Ecologist, Faith Coleman, advises that such water testing can be done by anyone with a suitable microscope that can cost as little as \$1700.

In light of this algal bloom event, LGA calls for an expanded local government *Climate Resilience Fund* with additional funding to invest in:

- grey and green infrastructure (e.g. stormwater, wastewater) to reduce nutrient and dissolved carbon pollution discharge to terrestrial waters (including the Murray River) and, in turn, to coastal, estuarine (including the Coorong) and marine waters
- the protection and restoration of coastal and marine ecosystems such as shellfish reefs, seagrass meadows and kelp forests, to increase their resilience to future algal bloom events. Living reefs dominated by Australian flat oysters were common in South Australia's gulfs and bays in the 1800s, spreading across 1,500 km of coastline. Today, no reefs of this kind remain - mainly because of the impact of historical fishing, dredging, water pollution and disease. These lost reefs once acted as natural filters, absorbing excess nutrients that found their way into the ocean. There is evidence that shellfish reefs filter *Karenia mikimotoi* and that seagrass meadows host a bacterium that kills it. Restoring SA's shellfish reefs would restore the important filtration services that the reefs once provided to help mitigate future harmful algal bloom events, as well as increasing biodiversity, blue carbon and fish productivity, and potentially reducing coastal erosion.

OzFish advises that shellfish restoration costs approximately \$150k/ha, and seagrass/kelp restoration approximately \$130k/ha (Cassie Price, pers comms, 18 August 2025).

Conclusion

South Australia's current algal bloom event has caused significant environmental, economic and social impacts on coastal communities and the wider SA community.

LGA, ACCN and SACCA welcome the Federal and State Governments' funding and resources to respond to the algal bloom and acknowledge the agility of the South Australian Government and coastal councils to respond to the current event.

LGA, ACCN and SACCA consider South Australia's current algal bloom event an emergency, and one that is causing nationally significant harm in an offshore area, straddling State and Commonwealth waters, and hence call for a strong national, coordinated response.

In summary, key asks include:

1. A national framework to recognise and manage large scale marine mortality events caused by harmful algal blooms or severe marine heatwaves, including:
 - funding for affected industries, and for councils to assist with environmental clean-up, restoration activities, and safe reopening of affected areas
 - nationally coordinated communication of accurate, science-based information to the public

- amending the *National Emergency Declaration Act 2020* to enable such large-scale and far-reaching algal bloom events to be declared a national emergency
- 2. Development and delivery of a Community Wellbeing and Resilience Framework to support social and mental health outcomes in communities affected by algal blooms and other large-scale marine mortality events.
- 2. Acceleration of Australia's decarbonisation efforts to reduce greenhouse gas emissions and ocean warming.
- 3. Federal funding to establish comprehensive, long-term monitoring and baseline data collection for the Great Southern Reef.
- 4. Federal funding to enable councils to respond to, and recover from, climate related events including algal blooms and build the resilience of councils and communities to climate change generally.

As Professor Martina Doblin, director of the Sydney Institute of Marine Science, said: *"We cannot just treat this as a one-off event that should be monitored. This is a complex problem and we need a coordinated science-industry-governance response"*.

While the current bloom may be affecting South Australia it is likely a portend of what could occur elsewhere around Australia in the face of climate change.

Dr Christopher Keneally from Adelaide University said the toxic bloom's scale, potential to cross state boundaries and long-term ecological legacy placed it *"on par with the bushfires and floods that routinely trigger federal interventions"* while Dr Lucille Chapuis from La Trobe University, argues that, like a bushfire or flooding: *"...we must treat it with the same urgency"*.

Climate change is likely to increase the frequency, extent and duration of algal blooms, as evidenced by the recent blooms off the coasts of Florida and California. California has experienced major harmful algal bloom events in 2015, 2022, 2023, and 2024.

Further Federal Government investment to help South Australia to respond and recover from the current event is an investment in Australia's national capability to respond and recover from such blooms in the future.

LGA, ACCN and SACCA welcome the opportunity to work with the Federal Government as a trusted partner to support South Australian councils and their communities through this crisis, and to emerge from this event better prepared and more resilient for future events.

Appendix 1

Algal Blooms in South Australia Senate Inquiry

Terms of Reference

The causes, frequency, scale and duration of recent algal blooms in South Australian marine and coastal environments, with particular reference to:

- a. contributing environmental, land management or water quality factors;
- b. ecological, economic, cultural and social impacts of algal blooms with particular reference to:
 - i. tourism, commercial and recreational fishing industries,
 - ii. regional and coastal communities, and
 - iii. marine biodiversity and ecosystem health;
- c. the cultural and economic impacts on Indigenous communities, including any loss of access to traditional fishing;
- d. the coordination of state and federal government responses, including support, industry engagement and scientific advice;
- e. the current support and recovery arrangements for impacted industries and communities, including:
 - i. financial support for fishing, tourism and other impacted businesses,
 - ii. community resilience services, and
 - iii. research, monitoring and restoration efforts;
- f. the adequacy of long-term monitoring, forecasting and prevention strategies, including funding and institutional support for marine science and environmental data collection; and
- g. any related matters.

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Item No: 15.5

Subject: **APPOINTMENT OF ALWYNDOR MANAGEMENT COMMITTEE
MEMBERS - TERM DATES CORRECTION**

Summary

At the meeting of 26 August 2025 a report was presented seeking Council's approval to appoint two new members to the Alwyndor Management Committee (AMC). The motion was carried.

It has since been noted that the dates of the appointments were incorrect in the recommendation. This report seeks Council's approval to appoint the new members for the correct dates.

Recommendation

That Council:

1. **appoints Ms Felicity Ryan to the Alwyndor Management Committee for a term of three (3) years, from 1 September 2025 – 31 August 2028.**
 2. **appoints Ms Alice Haynes to the Alwyndor Management Committee for a term of three (3) years, from 1 September 2025 – 31 August 2028.**
-

Background

At the meeting of 26 August 2025, Report No: 249/25 Alwyndor Management Committee Appointments was presented to Council seeking approval for the appointments of Ms Felicity Ryan and Ms Alice Haynes to the AMC. The term dates in the recommendation carried at the time were incorrect and now need to be represented for consideration.

Report

At the meeting Council approved the appointments of Ms Felicity Ryan and Ms Alice Haynes to the Alwyndor Management Committee both for a term of three years, from 1 September 2024 – 31 August 2027.

The correct dates of the appointments are 1 September 2025 – 31 August 2028.

Approval is now sought from Council for the correct dates of appointment.

Budget

Not applicable

Life Cycle Costs

Not applicable

Strategic Plan

Not applicable

Council Policy

Alwyndor Management Committee Terms of Reference

Statutory Provisions

Local Government Act 1999, section 41

Written By: Executive Assistant

General Manager: Alwyndor, Ms B Davidson-Park

Item No: 15.6

Subject: **LOCAL GOVERNMENT FINANCE AUTHORITY ANNUAL GENERAL MEETING – NOMINATION OF COUNCIL REPRESENTATIVE**

Summary

The Local Government Finance Authority of South Australia (LGFA) has provided advance notice of its upcoming Annual General Meeting to be held Friday 21 November 2025 at the Adelaide Convention Centre. This meeting will precede the Annual General Meeting of the Local Government Association of South Australia.

This report seeks Council to nominate a representative for this meeting.

Recommendation

That Council:

- 1. notes the arrangements of the Local Government Finance Authority of South Australia for their Annual General Meeting; and**
 - 2. approves Mayor Wilson to attend the Local Government Finance Authority Annual General Meeting as Council's representative, who will be the voting member, to be held on 21 November 2025.**
-

Background

On 18 August 2025, Administration received correspondence from Davin Lambert, Chief Executive Officer of the Local Government Finance Authority (LGFA) of South Australia to advise that the LGFA Annual General Meeting will be held Friday 21 November at the Adelaide Convention Centre.

Refer Attachment 1

As representative members of the Board hold office for a term of two years and an election took place last year, nominations for members of the Board are not being sought this year.

Report

Council is required to nominate a representative, who will be the voting member, to attend the Local Government Finance Authority (LGFA) of South Australia Annual General Meeting.

This meeting will coincide with the Local Government Association (LGA) of South Australia's Annual General Meeting with the commencement time and other details to be advised closer to the time.

In previous years the Mayor has represented Council at both the LGFA Annual General Meeting and the LGASA Annual General Meeting as the meetings are held on the same day. The nomination form for the appointment of a Council representative must be submitted to the LGFA office no later than **Friday 26 September 2025**.

Refer Attachment 2

Notice of Motion

The LGFA are calling for Notice of Motions which need to be endorsed by councils prior to being submitted to the LGFA. Should an Elected Member of Council wish to place a draft Notice of Motion on the agenda for the LGFA Annual General Meeting, they will need to do so at the Council meeting on or prior to 23 September 2025.

It should be noted that at this time, Administration does not have any suggested motion to put forward. All Notice of Motions are to be submitted to the LGFA no later than **Friday 26 September 2025**.

Refer Attachment 3

Budget

Not applicable

Life Cycle Costs

Not applicable

Strategic Plan

Not applicable

Council Policy

Not applicable

Statutory Provisions

Local Government Finance Authority of South Australia Act 1983

Written By: Executive Officer

Chief Executive Officer: Ms P Jackson

Attachment 1



Local Government
Finance Authority

TO: Chief Executive Officers, Member Councils

RE: Annual General Meeting – Friday 21 November 2025

Advance notice is hereby given that the Annual General Meeting of the **Local Government Finance Authority of South Australia (LGFA)** will be held on **Friday 21 November 2025** at the Adelaide Convention Centre. This meeting will again coincide with the Annual General Meeting of the Local Government Association of S.A. with the commencement time and other details to be advised closer to the time.

1. Appointment of Council Representative

Section 15(1) of the Local Government Finance Authority of South Australia Act 1983, provides that: -

" Every council is entitled to appoint a person to represent it at a general meeting of the Authority."

As the meetings of the Local Government Association of South Australia (LGA) will also be held on the same day, it is suggested that the same person be appointed to represent your council for the LGA and the Authority. It is, however, our requirement that our form provided is filled out and returned to us. A copy of the Council Representative form is attached for your convenience. (Appendix 1)

Please return this form to the Authority **no later than Friday 26 September 2025**.

2. Nominations for Members of the Board

A representative member of the Board currently holds office for a term of two years and, as an election took place last year, nominations for members of the Board are not being sought this year.

3. Notice of Motion

The Rules of the Authority in relation to Annual General Meeting procedures require that a Notice of Motion specifying the resolution which is to be proposed has been given in writing to the LGFA Chief Executive Officer and to comply with this Rule, it is necessary for Notices of Motion to be submitted to the Local Government Finance Authority of South Australia office on or strictly **no later than Friday 26 September 2025**.

Member councils are requested to lodge the Notice of Motion in the following manner: -

- (a) Notice of Motion
- (b) Reason
- (c) Suggested Action

A copy of the Notice of Motion form is attached for your convenience. (Appendix 2)

DAVIN LAMBERT
Chief Executive Officer
Local Government Finance Authority of SA

18 August 2025



APPOINTMENT OF COUNCIL REPRESENTATIVE

LOCAL GOVERNMENT FINANCE AUTHORITY OF SOUTH AUSTRALIA

2025 ANNUAL GENERAL MEETING

I advise that Mayor / Councillor / Officer / or any other person
is appointed council representative to the Local Government Finance Authority of South Australia.

Council Name	
Council Delegate (Full Name)	Mayor / Councillor / Officer
Delegate Home Address	
Delegate Email Address	
Name of Chief Executive Officer	
CEO Email Address	
Signature of Chief Executive Officer	

Please return completed Appointment of Council Representative Form to admin@lgfa.com.au
by CLOSING DATE: **Friday 26 September 2025**

(or post to Local Government Finance Authority of SA, Suite 1205, 147 Pirie Street, Adelaide SA 5000)



NOTICE OF MOTION
LOCAL GOVERNMENT FINANCE AUTHORITY OF SOUTH AUSTRALIA
2025 ANNUAL GENERAL MEETING

NAME OF COUNCIL:

NOTICE OF MOTION:
.....

REASON:
.....
.....
.....
.....

SUGGESTED ACTION:
.....
.....
.....
.....

Please return completed Notice of Motion Form to admin@lgfa.com.au
by CLOSING DATE: **Friday 26 September 2025**

(or post to Local Government Finance Authority of SA, Suite 1205, 147 Pirie Street, Adelaide SA 5000)

Item No: 15.7

Subject: **LOCAL GOVERNMENT ASSOCIATION (LGA) BOARD ELECTION PROCESS**

Summary

On 18 August 2025, correspondence was received from Karen Teaha, Interim CEO of the Local Government Association of SA (LGA) outlining proposed changes to the voting methods employed by the LGA and requesting councils consider the changes proposed.

The proposed changes are in response to a motion raised at the 2024 LGA AGM to consider preferential voting for the LGA President. Additionally, the LGA is taking the opportunity to review the ballot paper voting process.

The report outlines the rationale for the changes and seeks Council's support of the proposed changes.

Recommendation

That Council:

- 1. supports the adoption by the LGA of preferential voting for the Local Government Association (LGA) President to take effect from the 2026 LGA Board elections; and**
 - 2. supports the recommendation by the LGA to treat a council's formal resolution as its official vote, and remove the separate ballot paper voting process.**
-

Background

At the Local Government Association Annual General Meeting in November 2024, a motion was carried by a majority of members requesting the LGA consider adopting preferential voting for the election of the LGA President. The motion noted that this is the voting method used in South Australian elections for the House of Assembly and Legislative Council.

In addition, during the 2024 LGA elections, inconsistencies emerged between the votes recorded in councils' formal meetings and the sealed ballot papers submitted to the LGA creating confusion for nominated representatives and a difficult administrative process.

Report

On 18 August 2025, correspondence was received from Karen Teaha, Interim CEO of the Local Government Association of SA outlining proposed changes to the voting methods employed by the LGA and requesting councils consider the changes proposed.

Refer Attachment 1

The first proposed change is the introduction of preferential voting for the LGA President instead of the current 'first past the post' method. The reasons for this proposed change are detailed in the Frequently Asked Questions sheet included in Attachment 1.

As the LGA are considering this change, the opportunity has also been taken to review the current ballot voting process due to inconsistencies that arose during the 2024 voting process. Further information about the rationale for implementing the change are also detailed in Attachment 1.

By implementing these changes, the LGA can provide a higher level of transparency and administrative efficiency in its voting process.

Subject to member approval at the November 2025 AGM, the changes will apply from the 2026 LGA Board elections.

The LGA is providing three online sessions during August and September to clarify how the preferential voting system would operate in practice; outline potential changes to the ballot process; and examine the associated advantages, challenges and implementation considerations.

Elected Members are able to join the remaining sessions on Wednesday 10 September and Tuesday 16 September if they wish to receive further information.

Budget

Not applicable

Life Cycle Costs

Not applicable

Strategic Plan

Statutory compliance

Council Policy

Not applicable

Statutory Provisions

Not applicable

Written By: Executive Officer

Chief Executive Officer: Ms P Jackson

Attachment 1

Our reference: ECM 848077 AW/KT/ER

18 August 2025

Mayor Amanda Wilson

City of Holdfast Bay

PO Box 19

Brighton SA 5048

Email: awilson@holdfast.sa.gov.au

Dear Mayor Wilson,

Following an Item of Business carried at the 2024 Annual General Meeting (AGM), the LGA is now considering proposed changes to the LGA Board election process. The motion carried was:

That the Annual General Meeting requests the LGA to consider the adoption of preferential voting for the LGA President (subsequent to the 2024 AGM); the voting methods used in South Australian elections for the House of Assembly and Legislative Council to be followed respectively.

The proposed changes would apply from the 2026 LGA Board elections, subject to member approval at the November 2025 AGM. Councils are encouraged to consider the changes at their August or September Council meetings.

The final marked-up constitutional amendments will be presented to Councils in October as part of the LGA Annual General Meeting agenda papers. LGA is outlining the following proposed changes:

- Preferential voting for the LGA President
- Removal of the sealed ballot process, with the Council's formal meeting resolution constituting its vote

Further information is provided in the attached FAQ sheet.

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Three online webinars will be held in August to support the discussion:

Lunchtime sessions

Monday 25 August
12:30 to 1:30 pm ACST

Tuesday 16 September
12:30 to 1:30 pm ACST

Evening session

Wednesday 10 September
6:00 to 7:00 pm ACST

These sessions will explain how the preferential voting system would operate in practice, outline potential changes to the ballot process, and examine the associated advantages, challenges, and implementation considerations. Each session will include time for questions, and both will cover the same content. Mayors and elected members are encouraged to attend.

We appreciate any questions or comments as we explore options for a more consistent, inclusive, and efficient voting process. If you have any questions regarding the webinars or FAQs, please contact Andrew Wroniak, Executive Director, Corporate Services, at feedback@lga.sa.gov.au or on 8224 2020.

Yours sincerely,



Karen Teaha

Interim Chief Executive Officer

Local Government Association of South Australia

Copy to – Chief Executive Officer – Pamela Jackson ceo@holdfast.sa.gov.au

FAQ – Preferential Voting Review

Introduction

At the 2024 Annual General Meeting, a motion was carried by a majority of members, requesting the LGA to consider adopting preferential voting for the election of the LGA President. The motion noted that this is the voting method used in South Australian elections for the House of Assembly and Legislative Council.

The specific resolution was:

That the Annual General Meeting requests the LGA to consider the adoption of preferential voting for the LGA President (subsequent to the 2024 AGM); the voting methods used in South Australian elections for the House of Assembly and Legislative Council to be followed respectively.

As LGA is considering implementing these changes, the consultation is being extended to also cover potential changes to how councils submit their votes, with the aim of improving transparency and administrative efficiency.

What is Preferential Voting ?

There are many different types of voting systems in use across Australia and the world. To differentiate between some of these methods, explanations summarised from information on the [Parliament of Australia](https://www.parliament.gov.au) website are included below.

The current method used is *First-Past-The-Post*, which is a simple form of voting as it requires the voter to indicate a vote for only one candidate, and the candidate with the greatest number of votes is elected.

The LGA is considering changing to *Preferential Voting* that allows voters to rank candidates in order of preference (1st, 2nd, 3rd, etc.). If no candidate secures an outright majority of first-preference votes, the candidate with the fewest votes is excluded. Their votes are then redistributed according to the next preferences indicated. This process continues until one candidate achieves a majority.

Example: If there are three candidates for LGA President and none receives more than 50% of first preferences, the candidate with the lowest number of votes is excluded. Councils that selected that candidate will have their second preferences counted. This method helps ensure the elected candidate has broad support across the membership.

Impacts and Risks of Preferential Voting

In many cases, preferential voting is seen as a fairer method of selecting a preferred candidate. In the case of the President, with 68 councils voting (i.e., one vote per council), preferential voting provides a greater chance that the overall preferred President will be elected. Over the past 20 years, it has been rare for any President to be elected with a clear majority under the first-past-the-post method, so preferential voting may have influenced the outcome had it been used.

Why change the sealed ballot process?

During the 2024 Local Government Association of South Australia elections, inconsistencies emerged between the votes recorded in councils' formal meetings, which often occur in a public meeting, and the sealed ballot papers submitted to the LGA. These discrepancies created confusion for nominated representatives and made the process more difficult to administer.

To address this, the LGA is considering options to simplify and clarify the process by treating a council's formal resolution as its official vote, thereby removing the need for a separate ballot paper. While individual vote counts will not be disclosed, the overall result will be publicly announced on the designated results day.

Next Steps

If councils, mayors, elected members, or council staff have any questions or concerns, early advice is welcomed. Information can be shared during the webinars, emailed to feedback@lga.sa.gov.au, or provided by phone on 8224 2020.

LGA is currently working on the amendments and will consider any input in the final version that will be available for voting at the AGM.

If no changes are approved, the existing first-past-the-post method will remain in place for the LGA Presidential election in 2026.

Item No: 15.8

Subject: **PROPOSED LOCAL GOVERNMENT ELECTION REFORM CHANGES**

Summary

The State Government will soon release its proposed Local Government (Elections) Amendment Bill, setting out significant reforms that will impact the way local council elections are run in South Australia.

The Local Government Association has invited feedback from councils in relation to the State Policy Proposal.

Council can choose to support the LGA's proposal in total, or to provide comment on individual elements of the proposal.

Recommendation

That Council:

1. supports the Local Government Association's position on the State Policy Proposal.

OR

2. supports the Local Government Association's position on the State Policy Proposal, except _____.

Background

Following each Local Government Periodic Election, the Electoral Commission SA provides a report on the election process and makes recommendations for legislative change. The report from the 2022 periodic election made 16 such recommendations.

The Local Government Association (LGA) made a submission in response to the recommendations.

The State Government will soon release its proposed Local Government (Elections) Amendment Bill, setting out significant reforms that will impact the way local council elections are run in South Australia.

Report

On Monday 1 September, Administration received notification from the LGA that urgent feedback is being sought to inform a sector-wide submission to the state government on the proposed Local Government (Elections) Amendment Bill, with feedback to be provided by Friday 12 September.

The Bill is proposed to include major changes across integrity, efficiency, and participation in local elections. Some of the most important proposals include:

- **Publishing nominations:** ECSA will be required to publish the number of candidate nominations within each ward on its website as soon as possible.
- **Restricting the voting franchise:** only those on the State's House of Assembly roll (Australian citizens) would be eligible to vote in council elections, with ECSA responsible for maintaining checks against the roll.
- **Stronger accountability and conduct rules:** new standards and penalties for scrutineers, plus requirements for candidates to disclose adverse findings from oversight bodies.
- **Streamlined election processes:** more consistent election signage rules, earlier updates to the voters roll, and improvements to vote counting and roll access.
- **Boosting voter and candidate participation:** expanding telephone voting for people with disabilities, publishing nominations in real time, and potentially requiring councils to host candidate forums.

The LGA's position on 22 State Policy Proposals is detailed in Attachment 1.

Refer Attachment 1

Council can choose to support the LGA's proposal in total, or to provide comment on individual elements of the proposal.

Budget

Not applicable

Life Cycle Costs

Not applicable

Strategic Plan

Not applicable

Council Policy

Not applicable

Statutory Provisions

Local Government (Elections) Act 1999

Written By:

Executive Officer

Chief Executive Officer: Ms P Jackson

Attachment 1

LGA Comments on proposed Local Government (Elections) Amendment Bill inclusions

State Policy Proposal	Previous consultation?	LGA Guidance	LGA Comment	Council response
Integrity and Efficiency Measures				
Requiring all voters in local government elections to be enrolled on the House of Assembly roll for South Australia (and therefore to be Australian citizens).	Yes	LGA Participation and Election Review Submission 2024 LGA Recommendation 13: The LGA notes the appetite for a restriction of the voting franchise in local government elections and recommends the establishment of a working group with OLG, CSA and the LGA to consider options and make recommendations to the Minister.	Support in principle. The LGA has been invited to participate in the Bill drafting process and looks forward to address council concerns during those deliberations. The LGA notes: <ul style="list-style-type: none"> There will still be a supplementary roll maintained by councils. A person on this roll will need to also be on the House of Assembly Roll. The task of checking against the House of Assembly Roll should be an ECSA task. 	
Introducing standards of conduct for scrutineers and offence with penalties for obstructing the exercise of electoral duties.	No	Strengthening Local Democracy in Council Elections LGA heard anecdotal evidence and member feedback of poor scrutineer behaviour during the 2022 elections.	LGA supports changes which assist the appropriate management of unacceptable or inappropriate behaviour	
Prohibiting people and groups from misleading or deceiving electors in relation to how they should mark their ballot papers and/or exercise their vote.	No	Strengthening Local Democracy in Council Elections	LGA supports changes that assist the appropriate management of misleading information.	
Ensuring the roll is brought up-to-date three weeks after the roll close date and therefore prior to nominations opening to ensure that the eligibility of people who	No	Strengthening Local Democracy in Council Elections LGA defers to ECSA's expertise on this technical recommendation.	LGA supports changes that would help ensure that the eligibility of people who nominate for election can be assessed efficiently, noting that the proposed change would alter the closing date for the voters roll.	

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State Policy Proposal	Previous consultation?	LGA Guidance	LGA Comment	Council response
nominate for election can be assessed efficiently.				
Allowing candidates to request a copy of the voters roll at any time between the declaration of nominations and polling day from the returning officer.	No	Strengthening Local Democracy in Council Elections LGA is generally supportive of this recommendation. It would reduce the administrative burden on councils during the election period and streamline roll distribution.	LGA supports requests for the voters roll being directed to the Returning Officer, a responsibility of ECSA. Provision of the voters roll only after close of nominations will help avoid candidates nominating/withdrawing for the sole purpose of accessing the voters roll, and support existing penalty provisions.	
Making the ability to appoint a deputy returning officer (DRO) for an area solely the returning officer's responsibility.	No	Strengthening Local Democracy in Council Elections LGA is generally supportive of this recommendation.	Legislative change should not explicitly preclude a returning officer from appointing a council officer to any position considered appropriate in the circumstances of the election. This may include a remote location with limited availability of suitable officers to perform relevant tasks.	
Allowing the draw for positions on the ballot paper to be conducted on the day following the close of nominations at a time determined by the returning officer (as soon as practicable after 9.00 am) and allowing the declaration of candidates elected unopposed to be conducted at the same time as the draw for position on the ballot paper.	No	Strengthening Local Democracy in Council Elections LGA defers to ECSA's expertise on this technical recommendation.	LGA is generally supportive of this recommendation, noting the particularly high workload for electoral officers in the period immediately before and after the close of nominations.	
Providing for consistency of regulation of election advertising posters (EAPs) under	No	Guidelines for State and Commonwealth Election Signs	The prohibition of election signs through three separate legislative amendments to two Acts	

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State Policy Proposal	Previous consultation?	LGA Guidance	LGA Comment	Council response
the <i>Electoral Act 1985</i> and s 226A of the LG Act, so far as is possible.		Local Government Election - Moveable Signs (corflutes / electoral advertising posters)	provides differing prohibitions and exceptions for Local Government, State and Commonwealth elections. Acknowledgement and intention to resolve provides opportunity to make consistent and simplified election signage rules.	
Allowing an additional business day between close of voting and commencement of the scrutiny and counting of votes to allow adequate time for the Electoral Commission of South Australia (ECSA) to prepare for scrutiny and count processes whilst supporting staff health and wellbeing.	No	Strengthening Local Democracy in Council Elections LGA defers to ECSA's expertise on this technical recommendation.	LGA is generally supportive of this recommendation, acknowledging the sound rationale for the proposed change on health and wellbeing grounds, and the logistical challenges of securely transporting materials to council offices across the state. Consideration could also be given to the conduct of the most complex and/or remote counts, which are repeatedly impacted by transporting issues, in Adelaide, acknowledging the implications for scrutineer attendance.	
Simplifying disclosure and lodgement periods for campaign donations returns and replacing the automatic triggering of a casual vacancy for non-compliance with campaign donations returns requirements with a suspension for members until requirements are met.	No	LGA Participation and Election Review Submission 2024 LGA noted support for current legislation, with punishment being too severe, supporting suspension from office) Strengthening Local Democracy in Council Elections	LGA supports the proposed amendments that simplify candidate requirements and provide a more fitting penalty for non-compliance. However, LGA strongly encourages the state government to ensure these requirements are clearly communicated and supported by improved candidate education and guidance materials in the lead-up to future elections.	

State Policy Proposal	Previous consultation?	LGA Guidance	LGA Comment	Council response
		LGA acknowledges the intent to improve clarity and consistency in disclosure and lodgement framework.		
Participation Measures				
Require councils to hold a public meeting to enable candidates to speak to voters unless a council resolves otherwise within the context of its caretaker policy.	No	LGA Participation and Election Review Submission 2024 Feedback was that councils already often play a role in hosting 'meet the candidate' sessions and widespread recognition of the importance in council remaining unbiased and not playing a greater role. Caretaker Model Policy Caretaker Guidelines	LGA is cautious of amendments that have potential to create or result in: <ul style="list-style-type: none"> • conflict or perception of advantage to a candidate or group of candidates. • use, or equal use, of council resources by candidates for campaign purposes. • a further blurring, rather than clarity, of what is acceptable use of council resources for election purposes. 	
Expand telephone voting to include all people with disabilities.	No	Strengthening Local Democracy in Council Elections LGA is generally supportive of reasonable changes that assist people with disabilities to engage in the election processes in an efficient manner.	The LGA will focus on ensuring the process is efficient, to minimise resulting costs to councils.	
Require ECSA to publish numbers of nominations received for each election on its website as soon as practicable.	Yes	LGA Participation and Election Review Submission 2024 LGA Recommendation 8:	Proposed amendments strike a balance that minimizes, but does not eliminate, the two issues of insufficient candidates to fill vacant positions in an election and 'ward shopping'.	

State Policy Proposal	Previous consultation?	LGA Guidance	LGA Comment	Council response
		<p>The LGA supports ECSA retaining management of the nomination process, and that accepted nominations be made public in real time.</p> <p>Feedback highlighted that the benefits of publishing nominations as soon as they have been accepted by ECSA outweighed the potential for 'ward shopping'.</p>	whilst retaining anonymity of candidates until the declaration of nominations.	
Require councils to provide a prescribed amount available to all members to claim for expenditure on prescribed community activities (which cannot include election campaigning activities).	No	<p>LGA Participation and Election Review Submission 2024</p> <p>LGA Recommendation 3: The LGA recognises the general need for an increase to support for elected members and supports additional allowances for elected members which should include (but should not be limited to) superannuation, allowances for out-of-hours work, and further statutory criteria which would compensate elected members for defined additional service.</p> <p>Recommendation 4: The LGA supports more flexible regulatory arrangements that enable councils to provide elected members with the tools of trade useful for performing their duties.</p>	<p>LGA acknowledge potential benefits of the proposed amendments, avoiding councils needing to determine such broadened support to elected members.</p> <p>It would also provide advance clarity to elected members on reimbursements.</p> <p>However:</p> <ul style="list-style-type: none"> a one-size-fits all may not be appropriate activities could be inconsistent with councils strategies / priorities activities could benefit an elected member while not 'technically' being election campaign activities. <p>LGA is cautious about a mechanism that, despite prescription and limitations, has potential to cause further, rather than reduce or manage, conflict between elected members and</p>	

State Policy Proposal	Previous consultation?	LGA Guidance	LGA Comment	Council response
			<p>decision makers (whether Council, CEO or other subdelegate) with respect to what comprises:</p> <ul style="list-style-type: none"> council business (that should be managed in all aspects by Council and may otherwise be reimbursable under existing legislative and policy provisions), a members community activity under this amendment, and election campaigning (which could occur at any time during an elected members term of office). <p>LGA supports a more holistic consideration to the determination of member allowances that represent a full and exhaustive payment (e.g. inclusive of discretionary expenses, superannuation etc) to elected members, with the exception of:</p> <ul style="list-style-type: none"> reimbursements under section 77(1) for performing or discharging official functions and duties. Facilities and Support (provided by council) under section 78, and Training and development in accordance with section 80A 	
Provide for a limited period (before the 2030 periodic elections) in which 'pre-poll' locations can be established to allow voters to vote in person for a supplementary election.	No	Further clarity to be sought from Office of Local Government on the intent and purpose and necessity of this proposed amendment.		

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State Policy Proposal	Previous consultation?	LGA Guidance	LGA Comment	Council response
Require candidates to disclose if they have been the recipient of adverse findings by the Behavioural Standards Panel, Ombudsman or Independent Commission Against Corruption.	Yes	<p>LGA Participation and Election Review Submission 2024</p> <p>LGA Recommendation 7: The LGA supports the introduction of mandatory screening arrangements but remains wary that too many obstacles will result in reduced nominations for council. The LGA supports the exploration of flexible arrangements, such as a requirement for screening to occur before a councillor takes their oath of office.</p> <p>LGA formed no position or recommendation on question of <i>'What information should candidates be required to include with their nominations?'</i></p>	<p>LGA generally supports the proposed amendment in the interest of encouraging appropriate behaviours through calling out inappropriate behaviours.</p> <p>It is noted that pending matters by oversighting agencies, and matters not the subject of a public council meeting agenda item, would remain of a confidential nature and not be appropriate to be a disclosure requirement.</p> <p>However, adverse findings under the previous 'Code of Conduct' process, should be disclosed.</p>	
Other (non-election) Measures				
<p>Amend s 302B of the LG Act to allow the Minister to publish notices that vary or suspend any part of the LG Act to apply to all declared emergencies, not only public health emergencies as is currently the case.</p> <p>Provide a practical way to support councils to respond to other emergencies that affect local government.</p>	No	<p>LGA acknowledges the practical reasoning for the proposed amendment and provides cautious support for a broadening of Ministerial exercise of power in varying or suspending parts of the Local Government Act, for specific emergency related purposes only after consultation with the LGA.</p> <p>The LGA will work to ensure increased Minister powers are limited to temporarily responding to the emergency, and should not used to as a means to address other state-local government disputes.</p>		

State Policy Proposal	Previous consultation?	LGA Guidance	LGA Comment	Council response
Retain requirement within s 302B(5) for the Minister to consult with the LGA before making any notices under this section.				

LGA comments on other Election/Participation related reform opportunities

Proposal	Previous Consultation?	LGA Guidance	LGA Comment	Council response
Legislative changes that shift Council elections to a year different from the year in which State Elections are held.	Yes	<p>2024 AGM resolution</p> <p>LGA Participation and Election Review Submission 2024</p> <p>The LGA recommends legislative change to ensure council elections are held in a different year to the State Government elections. The LGA supports transitional arrangements to</p> <p>extend the term of current elected members for approximately one year, to give effect to this change.</p>	LGA supports local government elections being in November of the year following a state election and would seek changes to take effect with the next election in 2026.	

Proposal	Previous Consultation?	LGA Guidance	LGA Comment	Council response
		Strengthening Local Democracy in Council Elections South Australian councils have formally endorsed the need for legislative changes which changes council elections to a year different from the year in which state elections are held. It is recommended this be achieved through transitional provisions to extend the next term of elected members to five years.		
Amendment to the <i>Local Government (Elections) Act 1999</i> with respect to section 78(2), to remove reference to costs being awarded against the council in situations where the Electoral Commission's actions, acts or omissions are at fault.	No	2025 OGM resolution	A council (and its community) should not be required, without recourse, to underwrite the faulty actions, acts or omissions of the Electoral Commission of SA as a service provider over which council has no discretionary choice.	
LGA Funding as Partner Promotional Role LGA recommends the state government recognise and support a formalised partnership role for LGA in the advertising and promotion of local government elections.	Yes	LGA Participation and Election Review Submission 2024 Recommendation 15: The LGA recommends that, given the role and expertise of the LGA, that current legislative provisions be invoked so that the LGA is provided with the funds and the capacity to play the primary role in the promotion of local government elections.	An expanded role for LGA, working alongside ECSA, would: <ul style="list-style-type: none"> leverage trusted council networks and communication channels enable consistent yet locally adaptable messaging across councils position the sector to address ongoing challenges with voter turnout, candidate attraction and election awareness. 	

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Proposal	Previous Consultation?	LGA Guidance	LGA Comment	Council response
		<p>Strengthening Local Democracy in Council Elections</p> <p>While ECSA is responsible for delivering elections, as the peak body for local government LGA is uniquely positioned to engage local councils, support council election communication requirements, and promote participation in ways which reflect the diversity and needs of each region.</p>	<p>LGA seeks to work collaboratively with the state government and ECSA to develop a shared communications framework for future elections which recognises the value of sector-driven outreach and invests in its delivery.</p> <p>-</p>	
<p>ECSA Recommendation:</p> <p>Consider the nomination eligibility criteria and whether the LGE Act, COA Act or regulations should be amended to introduce any further eligibility criteria.</p>	No	<p>LGA Participation and Election Review Submission 2024</p> <p>LGA Recommendation 7:</p> <p>The LGA supports the introduction of mandatory screening arrangements but remains wary that too many obstacles will result in reduced nominations for council.</p>	<p>The LGA supports the exploration of flexible arrangements, such as a requirement for screening to occur before a councillor takes their oath of office.</p> <p>e.g. to align nomination eligibility with avoidable casual vacancy grounds in s54(1).</p>	

Item No: 15.9

Subject: HOODED PLOVER PROTECTION

Summary

This report is responding to motion C221024/7904 put forward by Councillor Lindop on 22 October 2024. The report provides details of all actions taken to protect the hooded plovers that breed in the City of Holdfast Bay. It also provides the details of other potential actions to be considered as part of the 2026-27 annual business planning process.

Recommendation

1. That a new initiative be prioritised through the 2026-27 annual business planning process for:
 - a. an additional foreshore officer (\$35,000), and/or
 - b. extension of the patrol season (\$11,700 for one officer, \$23,400 for two officers), and/or
 - c. a trial installation of two wet zone signs at both ends of the hooded plover breeding zone where dogs must be leashed (\$10,000).
 2. That Administration undertakes a by-law review to explore additional controls by the end of 2026.
-

Background

Hooded plovers are Australia's most endangered shorebird. It was considered a major achievement when they returned to the Adelaide metropolitan coastline, after a long absence, and began breeding at Seacliff in 2016. Since that time council, in partnership with Green Adelaide and Birdlife Australia, has put in considerable effort to protect the breeding pair and their chicks each year.

However, these efforts are hindered by both natural predators (such as kestrels, gulls and snakes) and disturbances from dogs off leashes, humans and pests such as foxes.

On 22 October 2024, Councillor Lindop put forward motion C221024/7904, which reads:

That Administration review the enforcement of City of Holdfast By-laws in relation to Hooded Plover breeding areas, including the current inspection patrols for general compliance of the by-laws, and provide a report to Council. The report should include recommendations to improve responsible dog ownership; increase general awareness and education of the Hooded Plovers; and suggested changes to Council By-laws.

Report

Actions to protect hooded plovers to date

Since 2016, when hooded plovers returned to the Adelaide metropolitan coast at Seacliff, council has tried many actions to attempt to protect the breeding pair that is present on our beaches between August and March every year.

These actions fall into four broad categories: signage and education; pest control (predominantly foxes); the use and enforcement of by-laws; and the use of physical protection infrastructure.

Signage and education

As well as fencing around the breeding zone, there are multiple signs of different sizes and types around and near to the breeding area. These include corflutes and large mesh signs on the beach, the use of a solar-powered variable message sign near the Nest Cafe and A-frame signs on the coast path.

Ongoing challenges with signage include:

- residents do not want too much signage
- there are comments that there are not enough signs
- there are comments that people cannot see the signs
- the birds move to different areas so the signs cannot be permanent
- the signs cannot be installed close to the water because at high tide they will be washed away.

Education is provided in various ways, including:

- the provision of information about hooded plovers by the Birdlife Australia volunteers on the beach
- the provision of information at the Dogs' Breakfast events held by volunteers
- permanent hooded plover signs at the main nesting sites – near Young Street Seacliff, in Minda Dunes, North Brighton, and near the Nest café, Kingston Park.
- Birdlife Australia hang a small corflute sign near the fenced area, which they update regularly with new information about what is happening with the hooded plover nest and family
- flyers at various outlets, including the Brighton Civic Centre
- regular social media posts during the breeding season
- sign about responsible dog ownership on Brighton Jetty
- stories in the Our Place newsletter
- stories in the Holdfast News email
- on the council website.

Physical protection infrastructure

Each year, council installs ropes around the hooded plover breeding zone to make it more obvious to beachgoers.

Just before each clutch hatches, the Coastal Conservation Officer puts out three small wooden 'huts' inside the fenced area for the chicks to use. These serve two purposes: 1) the provision of shade on hot days; and 2) protection from aerial predators such as seagulls and kestrels. The chicks do use these, so they contribute to fledgling success.

In the past council also tried closing off dune paths that led to areas close to the birds. However, this caused significant frustration in the community and so this is no longer implemented.

Pest control (predominantly foxes) and predators

Council works with Green Adelaide to undertake searches for dens using a specially trained conservation dog. If found, dens are treated by a qualified contractor. The dens are not always found, presenting a risk that cannot always be controlled.

There are other natural predators of the hooded plover eggs and chicks including snakes, kestrels and seagulls, however, these cannot be prevented or controlled. A seagull was responsible for the death of at least one of the chicks during the last season.

Changes to and enforcement of by-laws

In 2019, Council's Dogs By-law was updated to include new provisions about keeping dogs on leashes near the hooded plover breeding zone. Since that time, council has gone to considerable effort to enforce this new provision.

In 2019-20 Council provided funding for a new initiative to trial an additional dedicated beach patrol during the summer season. The purpose of the additional beach patrol was to improve general compliance along the coast, improve animal management and to enforce the new Dogs By-law.

The trial was successful and in 2020, Council noted the inclusion of \$40,000 in the operating budget for 2020-21 to continue an additional beach patrol for five months during the 2020-21 summer season. This budget has become a permanent addition to the operating budget, reduced to \$35,000, for the Community Safety team, specifically to support a foreshore officer.

This budget funds a foreshore officer for approximately three days per week, usually two weekdays and one weekend day, between September and February each year.

Beach patrol is a high-risk activity with exposure to potentially aggressive dogs and humans, and the weather. It is difficult for the foreshore officer to fine a dog owner on the beach due to the following factors:

- dog owners do not always provide their details for the officer to draw up the fine
- dog owners are not always willing to let the officer scan their dog for a microchip, which would provide the details needed to draw up the fine. This also presents a risk to the officer's safety
- the potential for aggressive and abusive behaviour from the dog owner and/or their dog.

The City of Holdfast Bay hands out approximately 60-100 fines per summer season. This is the highest rate of fining for dogs off leash of any council in South Australia as there is an expectation from the community to enforce. There are also many verbal warnings given a few weeks into the season to give dog owners plenty of notice.

The Community Safety team occasionally use a zoom camera, which can be effective to catch offenders. Officers wear body cameras, which can be useful in cases of abuse or aggression but still has limitations. Officers have also tried working undercover; however, this approach can result in people feeling defensive. Sometimes this is necessary because some people put their dog on the lead when they see an officer. Whilst it is good that they comply at the time, it does not prevent further offences.

The recent introduction of an e-bike for the foreshore officer has been beneficial in terms of enabling better coverage.

Potential future actions

While each of these potential actions has some merit in increasing protection, it should be noted that none of these options guarantee any increase in fledging success.

Improve responsible dog ownership and increase general awareness and education

Birdlife Australia volunteers and Administration already provide information via multiple communication channels, events and signage.

Maximising enforcement reach

Despite varying the times of day and days that enforcement occurs, three four-hour shifts per week will be limited in impact. Notwithstanding, it does influence compliance when the officer can get the dog owner's details.

There is an opportunity to use two officers, rather than the current single officer, working together on the foreshore patrol to improve the safety and effectiveness of the beach patrol, noting there will still be people that ignore the demands of the officers.

Another way to increase enforcement would be to increase the seasonal presence of officers by two months from September to February, to August to March.

However, it should be noted that despite having tried heavy enforcement presence during the previous Christmas and New Year period, this year's chicks still did not survive due to natural predation, about which we have little control.

Casual staff

Currently, we employ contractors, which presents challenges. Many staff are either not interested in the job or, if they are, they move on to higher-paying positions. The City of Charles Sturt employs casual animal behaviorists to enforce regulations, with a focus on education rather than enforcement. Even in this "friendlier" role, they still face abuse, which can have mental health implications.

We have explored working with the City of Charles Sturt casual staff, but there is no appetite for collaboration with staff resources at this time, however we will continue to share ideas about improving enforcement and education.

Suggested changes to Council By-laws

The City of Holdfast Bay By-laws, and Dog and Cat Management Plan, are expiring at the end of 2026. Administration has begun the process to review these, with Council workshops seeking feedback on improvements.

Initial ideas include:

- extending the hooded plover zones from 100m to 300-500m
- introducing exclusion areas excluding dogs (and people) temporarily in sections of the beach
- banning retractable leads.

Additional signage

Due to the large distance between the high tide area (where the hooded plover fencing is) and the low tide area, at low tide it is feasible that dog walkers walking near the water cannot see the signs that are around the hooded plover breeding zone, which is above the high tide area, due to the large beach width. Temporary signs for this large intertidal area would be ideal.

Administration has explored the possibility of using 'wet zone' signs installed in the intertidal area. This would mean that dog owners will be fully aware of warning signs and their responsibility to keep their dogs on-leash. The signs would only be installed once chicks hatch and remain until the chicks successfully fledge - usually a five-to-six-week period. The installation process involves digging the posts into the sand to a depth between 0.8 – 1 metre.

It is recommended that this option is pursued with a plan to trial one or two of these at each end of the hooded plover breeding zone, where dogs must be on-leash.

Permanent dogs-on-leash zone at Minda

Minda clients previously used their section of beach a lot prior to the installation of the Coast Park Path. However, it is now rarely used due to the high number of people and dogs off leash. A permanent dogs-on-leash zone on this section of beach could provide more safety for the hooded plovers, however, this would require a high level of additional enforcement with a significant budget increase.

Algal Bloom

The impact of the algal bloom on the Hooded Plovers and their food sources is currently unknown. The impact will be monitored during the 2025-26 breeding season.

Budget

The existing budget for enforcement is \$35,000. In addition, the following costs are estimated based on the above options. These costs are to support a new initiative to be considered through the Annual Business Planning process 2026-27:

- maximising enforcement reach with an additional foreshore officer: additional \$35,000 per year
- increase seasonal presence by two months: additional \$11,700 per year for the existing officer, \$23,400 per year for two officers
- wet zone signs: Two signs, varied cost dependent on material selection and life (permanent or sacrificial) estimated \$10,000.

Any combination of the above options could be supported through the Annual Business Planning process.

Should Council wish to progress the new initiative with all options, the inclusion of the additional foreshore officer (\$35,000), extension of two patrol season (\$23,400) and the trial installation of two wet zone signs (\$10,000), it would result in a total budget requirement of \$68,400 per annum. An ongoing operating expense of \$68,400 is equivalent to a rate increase of 0.15%.

Life Cycle Costs

To be determined with selection of options through the annual business planning process.

Strategic Plan

Our Holdfast 2050+ - Sustainability – Increase levels of biodiversity
Environment Strategy – Our Nature

Council Policy

Not applicable

Statutory Provisions

Environment Protection and Biodiversity Conservation Act 1999

Written By: Team Leader Environment and Coast

General Manager: Assets and Delivery, Ms C Hughes

Item No: 15.10

Subject: DRIVEWAY CROSSOVERS, FOOTPATHS, TREES AND VERGES POLICIES

Summary

The *Local Government Act 1999* (the LG Act) requires any person who wishes to undertake an activity on a public road, which includes the footpath and verge, to first obtain a permit. There are a number of existing Council policies relating to these matters, and a number of current policy gaps. The full policy suite relating either directly related or closely associated with Section 221 of the LG Act includes a wide range of policy instruments, however, this report provides four core policies for Council's consideration, to fill the most significant gaps (driveways and footpaths) and confirm the most significant, underpinning policy positions (verges and trees). Additional policies will be provided for Council's consideration at future meetings.

Recommendation

It is recommended that Council:

1. adopts the Driveway Crossovers Policy as provided in Attachment 1
 2. adopts the Footpaths Policy as provided in Attachment 2
 3. adopts the Verges Policy as provided in Attachment 4, as a replacement for the previous Verge Management Policy (refer Attachment 3)
 4. adopts the Trees Policy as provided in Attachment 6, as a replacement for the previous Tree Management Policy (refer Attachment 5)
 5. endorses the adoption of the City of Melbourne Amenity Value Formula as Council's methodology for calculating the value of trees lost (replacing the Revised Burnley Method), noting this will be reflected in Council's current Schedule of Fees and Charges, and
 6. approves the exploration of a support program for property owners in relation to verge management and related matters, which may be further considered as part of the 2026/2027 Annual Business Planning process.
-

Background

The *Local Government Act 1999* (the LG Act) requires any person who wishes to undertake an activity on a public road, which includes the footpath and verge, to first obtain a permit. A permit is required pursuant to Section 221 of the LG Act and includes activities such as:

- the construction of a new driveway or footpath across the road;

- installation of structures (including pipes, wires, cables etc) in, on, across, over or under a road;
- the placement of a hoarding on a road;
- changes to the materials or construction of a road;
- changes or removal of a structure associated with a road; and
- planting or removal of a tree or vegetation on a road.

There are a number of existing Council policies relating to these matters, and a number of current policy gaps.

To improve clarity for officers making decisions on Council's behalf, a comprehensive policy review has been underway for some time. The first four policies which have been created or reviewed in this suite are presented in this report. Additional policies will be provided for Council's consideration at future meetings.

Report

The full policy suite relating either directly related or closely associated with Section 221 of the LG Act includes a wide range of policy instruments, however, this report provides four core policies for Council's consideration, to fill the most significant gaps (driveways and footpaths) and confirm the most significant, underpinning policy positions (verges and trees).

All of the policies have:

- been written, and named, in plain language, to be easily understood and found
- undergone an internal governance review, and
- undergone an external legal review.

The legal review did not make substantive changes to the policies as drafted, but did result in the inclusion of the word 'generally' throughout the policies. The advice was that this was required because policy cannot fetter Council's statutory discretion to consider applications on a case-by-case basis. Policies can only act as a guide for decision makers rather than militate a particular outcome, and therefore all provisions are general in nature.

Driveway Crossovers Policy

To date, Council has not had a published policy relating to driveway crossovers.

Members of the public may not be aware that the creation or construction of an access point across a verge and/or footpath to private property is not an automatic right, and requires permission from Council. However, once an approval is granted, ongoing maintenance is the responsibility of the property owner, and the condition of the driveway crossover must remain safe.

A new Driveway Crossovers Policy has been drafted to assist property owners to understand their obligations and the conditions under which Council may approve a driveway crossover.

Refer Attachment 1

The intention of the policy is to protect the quality and safety of the public realm, which is Council's paramount concern, while ensuring that approval conditions are clear, fair and consistent.

An important principle is that Council's preferred treatment for driveway crossovers is either plain grey concrete or pavers, to tie into the prevailing footpath. This position provides aesthetic consistency, as well as ease of footpath maintenance, and assurance of public safety. However, it is acknowledged that property owners may desire different treatments, and, as long as technical engineering and safety specifications are met, assessing officers may approve different driveway crossover treatments pursuant to the Policy.

While maintenance of driveway crossovers is generally the property owner's responsibility, in circumstances where Council staff or contractors undertake any works on a driveway crossover, matching of existing materials will not be undertaken – works will be undertaken in plain grey concrete or pavers (if the prevailing footpath is paved).

Footpaths Policy

To date, Council has not had a published policy relating to footpaths.

Footpaths are vital infrastructure in the public realm and underpin Council's strategic aspiration for our city to be "the healthiest city in South Australia".

A new Footpaths Policy has been drafted, which aims to ensure that Council provides safe corridors for the movement of people throughout the city. It sets out when Council will provide footpaths and design criteria, as well as information for property owners about their obligations and what they can expect in relation to construction in their area.

Refer Attachment 2

This policy is closely related to the Driveway Crossovers Policy, as the most common interruption to footpaths is driveway crossovers.

Verges Policy

Council has had a Verge management Policy in place since May 2015, last reviewed in December 2021.

Refer Attachment 3

The current version was scheduled to be reviewed in December 2024, and has now been reviewed in conjunction with the development of the Driveway Crossovers and Footpaths policies.

While substantive changes have not been made to existing policy positions, the document has been re-formatted to Council's new template and written in plain English. Due to the magnitude of this editing, a marked-up version is not provided, but a new version has been drafted.

Refer Attachment 4

The intent of the Verges Policy is to maximise the safety and amenity of verges, in partnership with property owners. It is recognised that the appearance of verges is important to property owners, and that verges can provide amenity, social, environmental and economic benefits.

Council must balance these potential benefits against considerations such as public and traffic safety, and parking availability and accessibility.

While verges are Council land, property owners may request, at no cost, permission from Council to modify their verge. The Policy outlines the conditions under which permission may be granted, and the subsequent obligations of property owners.

Three matters of note have been codified in the new policy, which were previously absent. While these matters are consistent with existing practice, it was determined that, for clarity, they should be explicit in policy. They are:

1. Where Council undertakes works that necessitate the alteration of a verge that has been modified by a property owner, the affected area will be reinstated with topsoil (if previously vegetated) or compacted quarry sand (if previously not vegetated). While compacted quarry sand is not a preferred treatment, the nature of soils in the city are such that they generally cannot be left uncovered. Installing or maintaining green treatments by Council is not currently costed into budgets. If a green treatment cannot be installed or maintained by a property owner, the safest and most fiscally appropriate treatment is compacted quarry sand.
2. While green and/or permeable solutions are preferred, compacted quarry sand may be approved if requested by a property owner. This acknowledges Council's preference for high quality street scapes and greening, while accommodating community members who may not be able to maintain green verges.
3. No statues or similar decorations are permitted, as these can create tripping and other public safety hazards.

Some councils provide either grants or rebates, to encourage property owners to green and maintain their verges. The City of Holdfast Bay does not currently have such programs, however, this can be explored further, and presented for consideration as part of the 2026/2027 Annual Business Planning process.

Trees Policy

Council has had a Tree management Policy in place since July 2010, last reviewed in December 2021.

Refer Attachment 5

The current version was scheduled to be reviewed in December 2024, and has now been reviewed in conjunction with the development of the Driveway Crossovers and Footpaths policies.

While substantive changes have not been made to existing policy positions, the document has been re-formatted to Council's new template and written in plain English. Due to the magnitude of this editing, a marked-up version is not provided, but a new version has been drafted.

Refer Attachment 6

The intent of the Trees Policy is to protect street trees and increase canopy. This has been strengthened with the addition of statements to make clear that the removal of trees is

considered a last resort and that Council will *actively* enforce the protection of public trees from damage or unauthorised removal.

One change to note is the methodology by which lost amenity value is calculated. The current Tree Management Policy stipulates the use of the Revised Burnley Method of Tree Valuation. This methodology calculates amenity value only. In future, it is intended that the City of Melbourne's Amenity Value Formula will be used. This methodology includes both amenity value and removal/reinstatement costs, which more accurately quantifies the financial impact of trees that are lost. Furthermore, it is administratively simple while still being standardised and defensible. To date, the methodology has been stipulated in the policy. From this point forward, based on legal advice, the methodology will be referenced in the Council's Fees and Charges Schedule, rather than expressly named in the policy.

At present, Council's liability in relation to damage caused to private property by public trees is limited within legislative provisions. This may, at times, create perceived or apparent injustice where a property owner incurs costs for actions taken by Council, however, it is not recommended that this be in any way amended in policy. Council's insurer reviews all cases on their merit, and Council may also (either directly or via delegation to officers) make special considerations when necessary. This does not need to be enshrined in policy, and doing so without creating unreasonable expectations is, at best, difficult and at worst, disingenuous, as accounting for every possible condition is not feasible.

All supporting web pages and collateral will be updated on the basis of these policies after Council's adoption.

Budget

There are no direct cost implications arising from these policies as presented. Any programs to support the greening of verges or to transfer liability costs to Council for any matters herein require separate, detailed assessments before policy positions should be considered for change. While a verge program can be investigated within existing resources, for further consideration as part of the 2026-2027 Annual Business Planning process, any changes to existing liabilities would require specialist assessment. Such a specialist assessment would require a budget bid of its own.

Life Cycle Costs

Support programs or changes to current acceptance of liability would have ongoing life cycle costs, which could be potentially substantial. Such policy changes should not be made until further assessments are made.

Strategic Plan

These policies comply with, and further, sustainability and wellbeing objectives and aspirations from the Strategic Plan. The relationship between the strategic plan and each policy is noted individually within each policy document.

Council Policy

As well as the four policies presented, other related policies (which will be the subject of future reports) include the Hoarding Policy and the Enforcement Policy.

Statutory Provisions

Primarily the *Local Government Act 1999*, although a number of other Acts also apply, as noted in each policy.

Written By: Program Director, Target Operating Model

General Manager: Assets and Delivery, Ms C Hughes

Attachment 1

Driveway Crossovers

Council Policy

1. Purpose

To enable access to properties via the installation of driveway crossovers across Council land, while protecting the quality and safety of the public realm.

2. Scope

This policy applies to the construction of driveway crossovers (crossovers), typically for vehicular access to private property, in the City of Holdfast Bay.

It should be read in conjunction with Council's Footpaths, Verges, Trees and Enforcement Policies.

3. Roles and Responsibilities

Property Owner	<p>Property owners must:</p> <ul style="list-style-type: none">- seek approval from Council prior to installing driveway crossovers- must meet Council's conditions in constructing the driveway crossover- not damage any Council, significant, and/or regulated trees in the process of installing a driveway crossover without approval, and- maintain their driveway crossover in good repair. <p>Failure to comply may result in Council exercising its powers, which can include undertaking rectification works at the property owner's cost.</p>
Council	Establish the conditions by which driveway crossovers will be approved.
General Manager Assets and Delivery Manager Engineering	Ensuring delivery of this policy and efficiency in the capital works program.
Assets and Delivery staff	Ensuring compliance with this policy.

4. Policy Statement

- 4.1 Driveway crossovers are built on Council's land. Therefore, property owners must generally request Council's approval to build a driveway crossover at least seven (7) working days prior to the commencement of any works, via a Section 221 Application. A hoarding permit is also likely to be required and this must generally be lodged at the same time (refer to Council's Hoarding Policy).
- 4.2 There is a fee for an application to construct a driveway crossover. Applications lodged in retrospect are charged a higher rate. (Refer to Council's Fees and Charges Schedule.)
- 4.3 Driveway crossovers must generally be constructed by a qualified contractor with demonstrated experience in constructing driveways and civil works. Prior to works commencing, the property owner must provide the contractor's details to Council as part of the permit application process. Council reserves the right to refuse applications or request an alternative contractor if the nominated contractor is deemed unsuitable.
- 4.4 Where practical, properties will be limited to one single driveway crossover not exceeding 3.5 metres width at the property boundary or invert to protect the integrity of the footpath network, maximise on-street parking availability, maintain the streetscape character, and minimise impacts on street trees, including regulated and significant trees.
- 4.5 Other than where required to provide access to an approved development, double crossovers and/or a second crossover will only generally be considered if the property owner can demonstrate that the proposed crossover:
- is essential to provide adequate vehicle access to the property
 - will not compromise pedestrian safety, existing street infrastructure, on-street parking availability, or the health and stability of nearby street trees, and/or private regulated and significant trees as defined under the *Planning, Development and Infrastructure Act 2016*.
- 4.6 Council will generally require any existing driveway crossovers and inverts that become redundant due to the construction of a new driveway crossover to be removed and replaced with standard kerbing, in keeping with the type of kerbing present along the remainder of the street, within a timeframe specified at the Council's discretion. The property owner is responsible for the costs of any kerbing reconstruction works. If the works are not completed within this timeframe, Council may issue a formal order requiring this work to be undertaken. If the order is not complied with Council may undertake the works or engage an independent contractor to carry out the removal and rectification at the property owner's expense. Historic redundant crossovers may be rectified by Council at the next capital/maintenance program opportunity.
- 4.7 Council officers will inspect completed works. Council may require unapproved, or non-compliant works to be removed or rectified within a specified timeframe at Council's discretion. If the works are not completed within this timeframe, Council may undertake the works or engage an independent contractor to carry out the removal or rectification at the property owner's expense.

Design Principles

- 4.8 Acceptable materials are generally limited to pavers and concrete meeting safety and engineering requirements.
- 4.9 Council's preference is that driveway crossovers match the prevailing footpath material or plain grey concrete, however, other concrete or paver types may be approved as long as they meet safety and engineering requirements.
- 4.10 Street trees will not generally be permitted to be removed or re-planted to facilitate a new crossover, nor will they be removed or re-planted to facilitate the widening of an existing crossover. Property owners accept the risk of driveway damage from street trees (refer to Tree Management Policy).
- 4.11 Driveway crossovers must generally meet the following minimum requirements to protect public infrastructure, maintain safety, and preserve the streetscape, as well as any other technical standards that form conditions of the permit:
- 4.11.1 On-Street Parking Spaces: Sufficient space must be preserved for on-street parking, with each parking space measuring a minimum of 6.0 metres in length in accordance with AS 2890.5 – On-Street Parking.
 - 4.11.2 Corners and Intersections: The minimum distance between a driveway crossover and a corner must be 6.0 metres, measured from the point where the kerb straightens, in accordance with AS 2890.1:2023 – Parking Facilities, Part 1: Off-Street Car Parking.
 - 4.11.3 Street Trees: Driveways must be designed and constructed to avoid interference with street trees, including maintaining a minimum setback equal to the Structural Root Zone (SRZ) of the tree, in line with AS 4970 – Protection of Trees on Development Sites.
 - Any works impacting the Nominal Root Zone (NRZ) require Council approval prior to commencing, and must use non-destructive excavation methods, such as hand excavation, under the supervision of a qualified arborist.
 - Any proposed driveway crossover that impacts the SRZ of a regulated or significant tree will not be approved unless an independent arborist report demonstrates that the works will not cause lasting damage to the tree.
 - Materials used for driveways near trees must allow for adequate water and air permeability where practical, such as permeable paving or other suitable treatments.
 - Council reserves the right to refuse applications or require design modifications to protect the health and longevity of street trees and the broader urban canopy.
 - 4.11.4 Infrastructure Assets: All new/altered driveway crossovers must maintain a minimum distance of 1.0 metre from stobie poles, side entry pits, and other utility infrastructure.
 - 4.11.5 Bus Stops and Shelters: Driveway crossovers must comply with the minimum clearance requirements set out in the Austroads Guide to Road Design, Part 4: Intersections and Crossings to ensure safe pedestrian access and bus stop functionality.
 - 4.11.6 Footpath level and gradient: Driveway crossovers must align with the existing footpath level and gradient, comply with AS 2890.1 for gradients and crossfalls to support accessibility, and maintain a continuous pedestrian path where practical, in line with ARG (Rule 75) and

Australian Standards. Any proposal to alter the footpath gradient requires Council's consent prior to works commencing.

4.12 Non-compliant applications will not be approved.

Maintenance

4.13 Property owners are responsible for the ongoing maintenance of driveway crossovers, including any sections that form part of the footpath network.

4.14 If driveway crossovers are damaged, deemed unsafe or in poor repair, Council can require a property owner to repair or replace them at their own expense, within a timeframe specified. If the works are not completed within this timeframe, Council may undertake the works or engage an independent contractor to carry out the removal or rectification at the property owner's expense. Repairs undertaken or commissioned by Council will usually be undertaken in grey concrete (regardless of the driveway treatment) unless the driveway crossover matches a paved footpath, in which case matching pavers will be used.

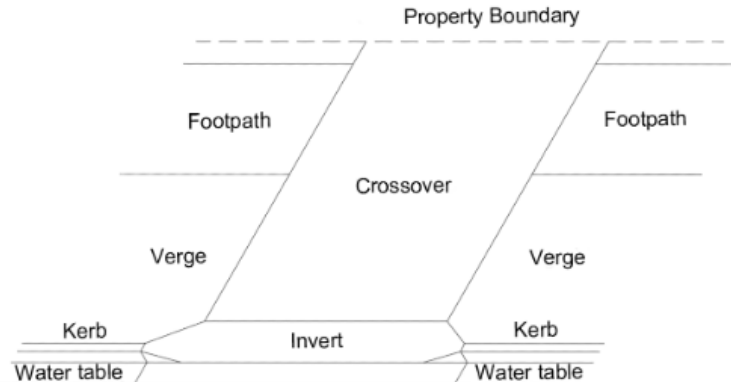
4.15 During council works (such as footpath or kerb construction or renewal), existing driveway crossovers in good repair will generally be retained unless Council determines otherwise.

4.16 If sections of a driveway crossover need to be replaced during council works (such as footpath or kerb construction or renewal), Council will generally do so using grey concrete, or where relevant, materials that match the footpath, not the original driveway.

4.17 Any replacement driveway crossovers installed by Council will generally be plain grey concrete, or where relevant, match the footpath treatment, not the original driveway. Ongoing maintenance becomes the responsibility of the property owner.

5. Definitions

Key term or acronym	Definition
Footpath	A paved pedestrian path along one or both sides of a street, made of materials such as brick, concrete, bitumen, or compacted material, provides a safe walking space separated from vehicular traffic.
Verge	The area between the property boundary and the kerb on one or both sides of the street and includes the footpath.
Driveway	A private access point from a street or road to a property, designed for vehicle use, which may include a crossover across the footpath and verge.
Driveway Crossover	<p>The section of the driveway connecting the property boundary to the road, providing vehicle access between the property driveway and public roadway.</p> <p>A single driveway crossover is a vehicle crossover not exceeding 3.5 metres width, where the crossover abuts a rollover or layback kerb and where the kerbing is not altered, the distance is measured between the outer edges of the crossover where it adjoins the kerb.</p>

	<p>A double driveway crossover applies to a crossover exceeding 3.5 metres width where it meets the kerb.</p> 
Condition	Condition assessment is based on the Institute of Public Works Engineering Australasia (IPWEA) Practice Note 1. Condition Assessment & Asset Performance Guidelines, Footpaths & Cycleways.
AS 1428.1 Design for access and mobility	New driveway crossover must meet requirements under AS 1428.1 and council requirement for safe access by all users, including those with mobility impairments.

6. Administration Use Only

Reference Number:			
Strategic Alignment:	Council's strategic sustainability objectives include promoting quality infill development, ensuring shady pathways and increasing tree canopy. Design choices relating to housing and property access can support or hinder the achievement of these objectives. This policy seeks to balance private needs, with Council's plans for public wellbeing and community good.		
Strategic Risk:	SC02 Poor or ineffective planning systems and processes		
Responsible Officer(s):	Manager Engineering		
Approval Date and Council Resolution Number:	XX/XX/25, CXX/XX		
Approval History (Council), including GM approval:	<table border="1"> <tr> <td><u>Council</u> XX/09/25</td><td><u>General Manager</u> XX/08/25</td></tr> </table>	<u>Council</u> XX/09/25	<u>General Manager</u> XX/08/25
<u>Council</u> XX/09/25	<u>General Manager</u> XX/08/25		
Review Cycle:	Three years		
Applicable Legislation:	<p>Section 221 of the <i>Local Government Act 1999</i> provides Council with the power to permit alteration of a road. Other relevant sections include, but are not limited to, sections 217, 218 and 233.</p> <p><i>Road Traffic Act 1961</i></p>		
Related Policies:	<p>Verge Policy Footpaths Policy Trees Policy Hoarding Policy</p>		

Other Reference Documents:	
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Attachment 2

Footpaths

Council Policy

1. Purpose

Council has a strategic aspiration for the City of Holdfast Bay to be ‘the healthiest city in South Australia’. Adoption of this policy is consistent with Council’s aim to provide safe corridors for the movement of people throughout the City.

2. Scope

This policy applies to all footpaths and shared paths on public land (roads and reserves) in the City of Holdfast Bay.

This Policy does not deal with the use and occupation of footpaths. Separate policies and by-laws deal with uses such as hoarding, outdoor dining, outdoor trading, display of moveable signs and busking on footpaths.

3. Roles and Responsibilities

Council	Constructing and maintaining footpaths throughout the City of Holdfast Bay.
General Manager Assets and Delivery Manager Engineering Manager Field Services	Ensuring delivery of this policy, and efficiency in the capital works and maintenance programs.
Property Owner	Maintaining their driveway crossover in good repair, ensuring a continuous footpath network.

4. Policy Statement

- 4.1. Footpaths are a vital part of the City’s streetscapes and civil infrastructure, contributing to a high quality of life for residents and visitors. Council supports walking, cycling, and other active transport to promote health and reduce environmental impacts. Council is committed to maintaining a safe, accessible footpath network that meets community needs while aligning with budget and maintenance priorities.
- 4.2. Council is responsible for constructing, upgrading, and maintaining footpaths in the City of Holdfast Bay, in accordance with the *Local Government Act 1999* and *Road Traffic Act 1961*. No person may remove, alter, or interfere with a footpath on Council land without prior written authorisation. Authorisation is only granted to those contracted by Council, or permitted under Section 221 of the Act to install driveways or carry out compliant works.

4.3. Where practical, Council will provide footpaths on the road network.

4.3.1. Footpaths on Both Sides of Roads

Council will consider footpaths on both sides where:

- The area is a medium to high activation zone (e.g. commercial, sporting, or educational precincts).
- The road is classified as medium to high movement (collectors, distributors, arterials).

4.3.2. Footpaths on One Side of Roads

Council will consider footpaths on one side in the following cases, to support safety and connectivity:

- Local roads: Prioritised considering existing infrastructure, trees, and street lighting for better nighttime visibility.
- Cul-de-sacs:
 - Over 60m in length to the court bowl.
 - Over 30m in length to the court bowl in new developments.
- Well-used links: Where they connect to the existing footpath network.

4.3.3. No footpaths for laneways

Footpaths will not be provided for laneways, as they are narrow and primarily serve vehicles

Design Principles

4.4. Footpaths and associated cycleways shall be designed in accordance with Australian Standards, Austroads Guidelines and relevant Council documents, and must prioritise user safety.

4.5. Footpath design must consider slip resistance of materials, visibility, lighting, and the interaction with verges, driveways, and roads. Where practical, all new footpaths and upgrades should ensure usability by all community members, including those living with disability or mobility impairments. Features such as Tactile Ground Surface Indicators (TGSIs), handrails, and kerb ramps will be installed where practical.

4.6. Footpath materials must be distinct from road materials (except in shared zones or pedestrian plazas) to clearly delineate pedestrian spaces and promote safe use. Unless a different treatment is specified in a Council-endorsed document, all footpaths must be constructed using either approved pavers or plain/neutral grey concrete. Renewals and repairs will be undertaken on a like-for-like basis where practical.

4.7. To protect tree health and reduce root damage, Council may use treatments such as:

- Permeable paving for water infiltration
 - Flexible rubberized soft-fall materials
 - Tree pits and inlets that support root growth and protect footpaths
- Implementation will be based on cost, practicality, and expected benefits to urban ecology and infrastructure.

4.8. Footpath widths are to be, where practical, as follows:

- Minimum Standard: New footpaths should be at least 1.5 m wide, built to relevant standards for accessibility with alignment adjusted to avoid trees or obstacles if necessary. Localised pinch points may narrow to 900 mm if necessary.
- Residential Streets: 1.5 m wide, starting 200 mm behind the property boundary, with approved infill material between the boundary and path.

- High Pedestrian Areas: Preferred width 2.0 m wide, where practical.

Footpaths and Driveway Crossovers

- 4.9. During footpath construction or renewal, existing driveway-crossovers will generally be retained unless Council determines otherwise. For clarity, this does not relate to repairs of crossovers, which are subject to Council's Driveways Policy.
- 4.10. If sections of a driveway-crossover need to be replaced during footpath works, Council will generally do so using grey concrete, or where relevant, materials that match the footpath, not the original driveway crossover.
- 4.11. Any replacement driveway-crossovers installed by Council will generally be plain grey concrete, or where relevant, match the footpath treatment, not the original driveway crossover. Ongoing maintenance becomes the responsibility of the property owner.

Construction

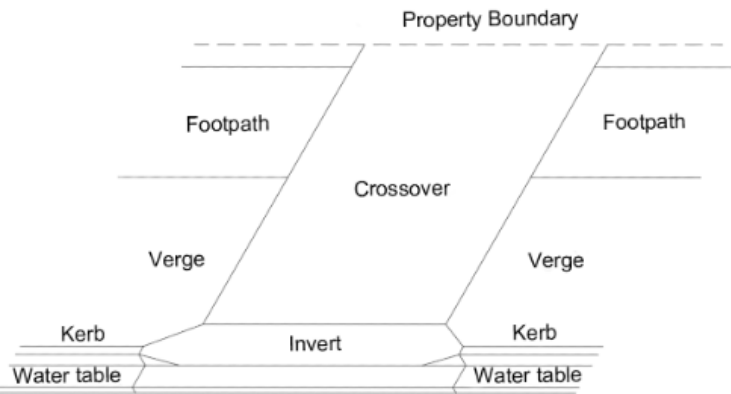
- 4.12. Residents will receive written notice 7–14 days before capital works begin, to provide the opportunity to remove irrigation or landscaping encroaching on the road reserve. If these are not removed, Council contractors may remove irrigation. Any disrupted landscaping will not be reinstated (refer Council's Verge Policy).
- 4.13. The notice of capital works (whether for new construction or renewal) will include details on:
- whether driveway crossovers will be retained or replaced
 - impacts on property access
 - advice about expected inconvenience.
- 4.14. Before construction near trees, Council's Arborist must undertake an inspection for potential impacts. Works must protect root zones using Arborist-recommended methods and materials.

Maintenance

- 4.15. Footpath maintenance will prioritise safety.
- 4.16. Council undertakes regular condition audits of footpaths and kerb access ramps. Paths and ramps are rated between 1 (very good) and 5 (very poor), in accordance with IPWEA Practice Note 1 Condition Assessment & Asset Performance Guidelines, Footpaths & Cycleways.
- 4.17. Reported hazards are inspected promptly and repairs are scheduled based on available resources and service levels. Repairs and upgrades are prioritised by condition, usage, and safety.
- 4.18. The renewal of existing footpaths will be prioritised based on the following factors:
- safety, condition, pedestrian volume, and usage
 - network importance, including connectivity and the road hierarchy
 - ongoing maintenance needs
 - alignment with other capital works, including streetscape upgrades.

4.19. Footpath maintenance includes tree management, with a minimum 2.4 m canopy clearance maintained where practical.

5. Definitions

Key term or acronym	Definition
Footpath	A formed/paved pedestrian path along one or both sides of a street, made of materials such as brick, concrete, bitumen, or compacted material, provides a safe walking space separated from vehicular traffic.
Reserve Path	A path located within a reserve or park area, designed for pedestrian use. These paths are typically made of materials like gravel, compacted earth, or asphalt, and are intended to provide access to natural areas while minimising environmental impact.
Shared Path	A path designed to accommodate both pedestrians and cyclists. Shared paths are typically paved, concrete, or asphalt. They are physically separated from motorised vehicular traffic and are intended to minimise interactions between different types of users
Verge	The area between the property boundary and the kerb.
Driveway crossover	<p>A private access point from a street or road to a property, designed for vehicle use, which may crossover the footpath.</p> 
Condition	Condition assessment is based on the Institute of Public Works Engineering Australasia (IPWEA) Practice Note 1. Condition Assessment & Asset Performance Guidelines, Footpaths and Cycleways.
Accessibility standards	<p>New and reconstructed footpaths will be designed and constructed to meet at least the following standards:</p> <ul style="list-style-type: none"> • Australian Standard AS1428 Part 1: Design for Access and Mobility – General requirements for access – New building work • Australian Standard AS1428 Part 4: Design for Access and Mobility – Means to assist the orientation of people with vision impairment: Tactile ground surface indicators

6. Administration Use Only

Reference Number:		
Strategic Alignment:	Wellbeing aspirations to have the highest physical activity rates and be the healthiest city in SA and the Sustainability objective to prioritise active transport and improve walkability to support healthy ageing.	
Strategic Risk:	AD02 Insufficient or ineffective Asset Management Planning	
Responsible Officer(s):	Manager Engineering	
Approval Date and Council Resolution Number:	XX/XX/25, CXX/XX	
Approval History (Council), including GM approval:	<u>Council</u> XX/09/25	<u>General Manager</u> XX/08/25
Review Cycle:	Three years	
Applicable Legislation:	Section 212 of the <i>Local Government Act 1999</i> provides Council with the power to construct and maintain footpaths within the City. <i>Road Traffic Act 1961</i>	
Related Policies:	Verge Policy Trees Policy Driveway Crossover Policy	
Other Reference Documents:		

Attachment 3

ECM Document Number:	4243544
First Issued / Approved:	May 2015
Last Reviewed:	14 December 2021 C141221/2498
Next Review:	14 December 2024
Responsible Officer:	Manager Engineering
Date Placed on Web:	20 December 2021

1. PREAMBLE

The Verge Management Policy provides a framework for verge management within the City of Holdfast Bay (the Council).

1.1 Background

Verges are part of the public road and consist of the land between the nearest edge of a road carriageway (i.e. kerb) and the property boundary on both sides of the road. The verge may include a footpath, street trees, bus stops, street furniture, underground and overhead services, etc.

The Verge Management Policy refers to, in particular, that part of the verge, excluding the footpath, that may currently be landscaped or undeveloped or is proposed to be planted/landscaped.

A landscaped verge can provide amenity value and add character whilst providing a range of environmental, social and economic benefits.

From August 2019, artificial turf was not permitted on verges and this policy was amended to reflect this. Artificial turf is not considered environmentally friendly as it has a significant carbon footprint during manufacture, it contains plastics, is not permeable and creates a high heat load.

1.2 Purpose

The Council recognises that the appearance of a verge is important to property owners/ occupiers and can improve the amenity of the locality and provide environmental benefits.

This policy provides advice and guidance on the constraints and opportunities residents should take note of when improving and maintaining Council verges.

Council has an overarching requirement that verges are maintained in a safe condition for community use.

1.3 Scope

This policy applies to the Council's verges. A separate policy for trees is in Council's Tree Management Policy.

1.4 Definitions

Public road:	the area between a property boundary (often front fence) which may include the road carriageway, kerb and water table, verge, footpath
Verge:	the area between the property boundary (front fence) and the edge of the road in Council ownership or control
Footpath:	the made or unmade area of pathway in the verge that enables the safe and efficient movement of pedestrians
Section 221 application:	under Section 221 of the <i>Local Government Act 1999</i> , property owners must receive authorisation from council to make an alteration to a road, which includes the verge
Service Authority:	any utility service provider responsible for the care and/or control of utility services including water, sewerage telecommunications, natural gas and electricity, which may own infrastructure in the vicinity of the public road

1.5 Strategic References

Our Place 2030
Environment Strategy 2020 - 2025

2. POLICY STATEMENT

2.1 Alteration to a Public Road

- 2.1.1 Section 221(1) of the *Local Government Act 1999* requires property owners to receive authorisation from Council to make an alteration to a road (which includes the verge).
- 2.1.2 Section 221(2) of the *Local Government Act 1999* defines an alteration to a public road as:
 - a) alters the construction or arrangement of the road to permit or facilitate access from an adjacent property; or
 - b) erects or installs a structure (including pipes, wires, cables, fixtures, fittings and other objects) in, on, across, under or over the road; or
 - c) changes or interferes with the construction, arrangement or materials of the road; or
 - d) changes, interferes with or removes a structure (including pipes, wires, cables, fixtures, fittings or other objects) associated with the road; or
 - e) plants a tree or other vegetation on the road, interferes with vegetation on the road, or removes vegetation from the road.
- 2.1.3 Section 221(3) of the *Local Government Act 1999* states authorisations are not required if:
 - a) the person who proposes to make the alteration has some other statutory authorisation to make the alteration; or
 - b) the purpose of the alteration is to permit vehicular access to and from land adjoining the road and the alteration is approved as part of a development authorisation under the *Planning, Development and Infrastructure Act 2016*; or

- c) the alteration is of a kind classified under the regulations as a minor alteration.

2.2 Applications to Undertake Works on the Verge

- 2.2.1 Applicants are required to complete a Section 221 application form to undertake alterations on Council verges. No works can start until approval from Council has been received. There is no application cost for Section 221 approval to landscape verges.
- 2.2.2 Only property owners can submit an application form and only for verges immediately adjacent to their property. If the area is adjacent to a Community Title / Strata Title, then all parties must support the application form. Tenants wishing to alter the verge must have the application lodged by the property owner.
- 2.2.3 Applicants may alter the verge, subject to permit approval, provided the following conditions are adhered to (which may vary from time to time):
 - i) A safe continuous pedestrian access along the verge area is provided with a minimum width of 1.5 metres, regardless of whether a footpath has been constructed or not.
 - ii) There is no obstruction to traffic sight lines, once vegetation is fully established.
 - iii) The existing ground level is maintained.
 - iv) There is access for Council and Service Authorities for installation of new infrastructure and maintaining existing infrastructure (underground and above ground).
 - v) Provision is made for a street tree(s) as per Council's Tree Management Policy. Council may plant street tree(s) at any time at their discretion.
 - vi) Permeable surfaces are strongly preferred and encouraged.
 - vii) Compacted quarry sand, or similar, is not preferred and can only be used when permeable options are not considered appropriate
 - viii) Street trees are protected and permeable material is placed in the vicinity of trees.
 - ix) The property owner understands that the ongoing maintenance rests with them and that any alterations may be removed by Council.
 - x) If the verge plan changes to what was originally proposed in the application, then an amended approval is required.
- 2.2.4 The applicant is responsible for all costs and works associated with the alterations, including the replacement of existing verge material with the appropriate specified items and the disposal of any excess material. Financial grants through Council may be available from time to time.
- 2.2.5 The applicant is responsible for locating any underground services prior to the commencement of any works. Any costs incurred in repairing damage to utility services are to be charged to the person responsible for the damage and will not be payable by the Council.

2.3 Service Authorities and Council Assets

- 2.3.1 Service Authorities have access rights over services contained within a verge. The verge area may be occupied (above or below ground) by the following:
- i) Electricity – wiring, pits and poles
 - ii) Telecommunications wiring, pits and poles
 - iii) Gas mains
 - iv) Water mains and connections
 - v) Sewer mains and connections
 - vi) Survey marks.
- 2.3.2 When any verge is altered or removed by a Service Authority, reinstatement will be a direct negotiation between the property owner and the Service Authority.
- 2.3.3 The Council have access rights to the verge for items such as:
- i) Stormwater drainage systems
 - ii) Footpath
 - iii) Street furniture
 - iv) Signage
 - v) Bus shelters
 - vi) Street trees
 - vii) Vegetation
- 2.3.4 When any verge is altered or removed by Council for Council works, it will be restored to a reasonable standard and vegetation / lawn replaced with loam. Damaged artificial turf will not be replaced.

2.4 Verge Treatments

Verge treatments should be installed and maintained to provide safe areas for the community and to prevent runoff of sediment and pollutants into the kerb and ultimately into Councils drainage network.

All verge treatments must consider the need for passengers, especially those with limited mobility, to enter and exit vehicles safely, if legal on-street parking is permitted.

- 2.4.1 The following verge treatments are permitted,:
- i) Mulch (constructed so that it does not blow or wash off the verge)
 - ii) Low plants - refer to section 2.5 'Planting/ Landscaping'
 - iii) Permeable paving
 - iv) Lawn – refer to section 2.6 'Lawn'
 - v) Below-ground irrigation to support landscaping
- 2.4.2 The following items are not permitted:
- i) Items and vegetation that may obstruct footpaths, pedestrian movement or vehicles
 - ii) Raised edges or sharp edges that may form a trip hazard or injury
 - iii) Plants that cannot be maintained to a suitable height or width. Hedging should be maintained so that it does not encroach over paths or the road or create sight line obstructions. Refer to section 2.5 'Planting/ Landscaping'

- iv) Plants with spines or thorns
- v) Plants that are declared as pest plants under the *Landscape SA Act* 2019
- vi) Concrete, except for driveways and paths and bin pads
- vii) Loose stones / scoria
- viii) Non-permeable paving, except for driveways and paths
- ix) Fences
- x) Letter boxes
- xi) Synthetic lawn / artificial turf
- xii) Weed matting

2.5 Planting/ Landscaping

- 2.5.1 If no street trees are present, refer to Council's Tree Management Policy. New trees requested by the property owner within the verge shall comply with Council's Tree Management Policy and owners are encouraged to participate in Council's Adopt-a-Tree program.
- 2.5.2 Planting (except for street trees) is to be maintained to a manageable height that does not affect or block line of sight for vehicles and pedestrians, or look untidy. Council recommends a height not more than 500 mm.
- 2.5.3 The Council encourages plantings that are drought tolerant and suited to hot, dry summers and with an emphasis on suitable indigenous species. A list of suitable local plants can be found on the Council's website.
- 2.5.4 No planting of anything that may cause an obvious hazard to road users or pedestrians, such as thorny roses, prickly cacti or plants.
- 2.5.5 Any planted areas are to be kept neat and tidy and generally free of weeds. No vegetation is to encroach onto the footpaths or road.
- 2.5.6 When planting or landscaping the verge area, it is advised that residents should leave a space for waste bins.
- 2.5.7 Planting shall allow adequate room for access to / from a parked car if legal on-street parking is permitted.

2.6 Lawn

- 2.6.1 The height of lawn shall not be allowed to exceed 100mm and must not be allowed to grow over the kerb or footpath.
- 2.6.2 The Council encourages the use of drought tolerant lawns.
- 2.6.3 Mowing of lawn is the resident's responsibility and not a service that is provided by Council.
- 2.6.4 When residents are maintaining lawn on their verge it is important not to damage Council street trees by the impact of whipper snippers, etc. It is encouraged to construct a definitive edging and buffer distance between trees and lawn. This buffer will allow for ease of maintenance when caring for lawn on verges and eliminate risk of damaging trees. Alternatively, removing the grass adjacent to trees by hand is an option.
- 2.6.5 Property owners with existing lawn and who do not wish to maintain the area can request Council to slash and weed spray and to be placed on Council's weed spraying program (undertaken as per clause 2.11).

2.7 Irrigation

- 2.7.1 Applicants may install below-ground irrigation systems (pop-up sprinklers, below-ground drippers, etc.) provided the ongoing maintenance and repairs are carried out by the property owner.
- 2.7.2 Irrigation systems should not spray onto footpaths or roads and watering should occur off peak to minimise inconvenience to the public road and footpath users.

2.8 Footpaths

- 2.8.1 Any alteration to a Council verge that does not have an existing concrete or paved footpath must allow for the possible future construction of a footpath by Council.
- 2.8.2 Any proposal to alter an existing footpath in conjunction with developing the verge requires specific Council approval and will be required to meet Council standards.
- 2.8.3 Any damage to footpath caused by verge alterations will need to be repaired in accordance with Council standards at the property owner's expense.

2.9 Removal or Modification to an Existing Verge

- 2.9.1 Council recognises that verges within the City have been altered before the adoption of this policy. Existing verge alterations do not require the application form to be completed; however, the verge must comply with the guidelines listed within this policy.
- 2.9.2 If Council finds that the existing verge alteration could cause or is causing a hazard, obstruction or does not comply with the specifications listed in this policy, then the verge will be required to be modified to meet the guidelines contained within this policy. This is required to be undertaken by the property owner at their expense, except where Council Administration determines otherwise.
- 2.9.3 If the condition of the verge is to be substantially altered, a new section 221 application form must be completed and approved and works undertaken by the property owner.
- 2.9.4 Existing artificial turf installed on the verge prior to August 2019 can be retained whilst in good condition but is not permitted to be replaced at the end of its life or as part of any verge alteration and it is encouraged that it be removed.

2.10 Existing Quarry Sand (Dolomite) Surfaces

Council will only top up an existing dolomite surface to remediate any trip hazards or to match into existing dolomite surfaces following maintenance or construction works.

2.11 Council Weed Spraying Program

- 2.11.1 Council operates a weed spraying program and spraying is undertaken up to three times a year.
- 2.11.2 Where there are established lawns, gardens or areas that appear to be maintained by residents, Council will not spray.
- 2.11.3 A *No Spray Register* is also maintained for residents who choose not to have the verge sprayed and are willing to maintain the area themselves.
- 2.11.4 If the area is not maintained by the resident, Council reserves the right to remove all vegetation and maintain the area as part of the weed spraying program.

2.12 Infrastructure

Applications or requests for semi-permanent infrastructure (e.g. electric vehicle charging stations, outdoor dining, etc.) to be installed on Council verges will be assessed on a case-by-case basis against any other relevant Council policies and the *Planning, Development and Infrastructure Act 2016*.

2.13 Reinstatement

Any cost incurred by the Council in reinstating the verge as a result of the property owner not complying with this policy, will be charged to the property owner pursuant to Section 213 of the *Local Government Act 1999*.

3. REFERENCES

3.1 Legislation

Disability Discrimination Act 1992
Local Government Act 1999
Landscape SA Act 2019
Planning, Development and Infrastructure Act 2016

3.2 Other References

Tree Management Policy
Section 221 Application Form

Attachment 4

Verges

Council Policy

1. Purpose

This policy explains how verges are managed in the City of Holdfast Bay, to achieve our aim of keeping our streets safe, attractive, and environmentally healthy. It sets out guidelines for property owners who wish to change or landscape the verge outside their property

2. Scope

This policy applies to all verges within the City of Holdfast Bay. It specifically addresses the area situated between the property boundary and the kerb (or, where no kerb exists, the edge of the roadway).

This policy excludes kerbing protuberances, which are Council's responsibility to maintain, as well as footpaths and trees, which are addressed in the Footpaths Policy and Trees Policy, respectively.

3. Roles and Responsibilities

Council Members	As members of the governing body, to provide clear guidance on the management of verges.
Property owner	<p>Property owners must:</p> <ul style="list-style-type: none">- seek approval from Council prior to making any changes to the verge- must meet Council's conditions in modifying the verge- not damage (including via pruning) any Council, significant and/or regulated trees in the process of modifying the verge without approval, and- maintain any verge modifications. <p>Failure to comply may result in Council removing verge modifications, at the property owner's expense.</p>
Assets and Delivery staff	Ensuring compliance with this policy.

4. Policy Statement

- 4.1. Council recognises that the appearance of a verge is important to property owners/occupiers, and that a landscaped verge can provide amenity value and add character whilst providing a range of environmental, social and economic benefits.

- 4.2. Verges are Council land but property owners may improve them, subject to approval. Pursuant to the *Local Government Act 1999*, property owners must obtain authorisation from Council prior to undertaking any alternations to a public road. The definition of a public road includes the verge. Therefore, property owners must seek Council's approval to undertake any landscaping work on their verge which must generally be received by Council at least seven (7) working days prior to the commencement of works, via a Section 221 Application. If a hoarding permit is required, it should be lodged at the same time (refer to Council's Hoarding Policy).
- 4.3. Property owners are generally responsible for all costs associated with verge modifications, including undertaking initial approved works, ongoing maintenance and future removal (if required or desired).
- 4.3.1. Property owners are also responsible for any damage to footpaths, utilities or other infrastructure caused by their modifications, either at the time of installation or subsequently.
- 4.3.2. Any cost incurred by the Council in reinstating the verge as a result of the property owner not complying with this policy, will be recovered from the property owner pursuant to the *Local Government Act 1999*.
- 4.3.3. Property owners are not authorised to undertake street tree pruning without specific written approval from Council, but are welcome to provide supplementary watering (refer to Council's Tree Policy).
- 4.4. Responsibility for ongoing verge maintenance extends to future owners of properties. If a subsequent owner does not wish to maintain existing verge modifications, they may apply to Council to make changes per this policy.
- 4.5. Regardless of any modifications approved and made, Council retains its rights of access to the verge for the purpose of any activities relating to:
- Stormwater drainage systems
 - Road
 - Footpath (pavements)
 - Kerbing
 - Council infrastructure (including but not limited to street furniture, signage, bus shelters)
 - Street trees
 - Other Council-managed vegetation

Applications to modify a verge

- 4.6. There is no charge for an application to modify a verge.
- 4.7. Applications can only be made by property owners, and only in relation to verges directly bordering their property.
- 4.7.1. For properties under Community Title or Strata Title the application must be supported by all relevant parties.
- 4.7.2. Tenants wishing to undertake verge modifications must have property owners submit an application on their behalf.
- 4.8. Applicants may be granted permission to modify the verge, which will usually be subject to the following general conditions, and any specific conditions included in the permit:
- a. Pedestrian access – a safe pedestrian route must be maintained at all times, regardless of whether there is a footpath in place.
- b. Traffic sight lines – vegetation, structures, or any other installations (including temporary works) must not block traffic sight lines, unless separately approved under a hoarding permit.

- c. Ground levels – the existing ground level of the verge must be preserved.
- d. Access to infrastructure – unimpeded access must be provided for Council and Service Authorities to install, inspect, maintain, and repair underground and above-ground infrastructure.
- e. Street trees –street trees must be protected during any works, and permeable materials used around them to ensure water can soak in.
- f. Surface materials – permeable surfaces are strongly preferred and will generally be approved. Non-permeable materials (for example, compacted quarry sand) are discouraged and may only be considered if permeable options are clearly unsuitable, with reasons provided in the application.
- g. Ongoing maintenance – the property owner is responsible for maintaining any approved alterations, including lawn mowing. Council does not undertake lawn mowing on verges or vegetation management, other than the maintenance of street trees. Council may require alterations to be removed if they are not maintained or become non-compliant.
- h. Changes to approved plans – if your verge works differ from the originally approved plan, you must obtain amended approval before proceeding.
- 1. Utilities – applicants must confirm the location of all underground services before starting works.

Permitted and prohibited verge treatments

4.9. Verge treatments must generally:

- a. be safe
- b. comply with the provisions of the *Disability Discrimination Act 1992* concerning access
- c. prevent surface water runoff into the Council's drainage network
- d. allow for safe and unrestricted vehicular access to and from properties where on-street parking is permitted, and
- e. allow adequate space for the placement and collection of waste bins.

4.10. Any alteration to a verge that does not currently have a footpath must generally be undertaken in a manner that allows for the future construction of a footpath by the Council without requiring significant modification.

4.11. The following verge treatments are generally permitted, subject to application and approval:

- 4.11.1. Mulch
 - Must be stable and contained so it does not blow or wash away.
- 4.11.2. Low-growing plants
 - Must be species that can be kept under 500 mm in height and width.
 - Plants must not encroach on paths, roads, or sightlines.
 - Species must be safe (no thorns, spikes, or irritant plants).
 - Indigenous and drought-tolerant species are encouraged.
- 4.11.3. Natural lawn
 - Must be maintained in a neat, healthy condition and under 100mm in height.
 - Drought-tolerant turf varieties are encouraged.

- Edges must be kept tidy and not spread into footpaths, kerbs, or the road.
- A buffer between street trees and lawn is strongly recommended for ease of maintenance and reduce the risk of damage to trees during lawn maintenance activities.

4.11.4. Permeable paving

- Must allow water to infiltrate into the soil.
- Surfaces must be even, stable, and non-slip.

4.11.5. Below-ground irrigation

- Systems must be designed to prevent overspray, water pooling, and damage to infrastructure.
- Property owners are responsible for ongoing maintenance and repairs.

4.11.6. Bin pads

- Not exceeding a reasonable size to accommodate the placement of Council-supplied bins.

4.12. In accordance with section 221 of the *Local Government Act 1999*, before Council authorises the erection or installation of a structure on a verge Council must give consideration to whether the structure will unduly obstruct the use of the road, unduly interfere with the construction of the road, or have an adverse effect on road safety.

4.13. Under section 232 of the *Local Government Act 1999*, before Council authorises or permits or permits the planting of vegetation, on a road, Council will, in addition to the other relevant matters set out in this Policy, give consideration to whether the vegetation is, on balance, appropriate to the proposed site taking into account environmental and aesthetic issues, the use and construction of the road (including the potential for interference with the construction of the road or with structures (including pipes, wires, cables, fixtures, fittings or other objects) in the road and road safety matters.

4.14. Under section 232 of the *Local Government Act 1999*, consultation in accordance with Council's Public Consultation Policy will be required before Council authorises or permits the planting of vegetation on a verge, if Council considers the vegetation proposed to be installed may have a significant impact on residents, the proprietors of nearby businesses or advertisers in the area. Consultation will also be required under section 221 of the *Local Government Act 1999* in respect of any proposal that would result in any part of a road being fenced, enclosed or partitioned so as to impede the passage of traffic to a material degree, however as set out below fencing will generally not be permitted.

4.15. The following verge treatments will not be permitted:

- 4.15.1. Any items or vegetation that obstruct footpaths (pavements), pedestrian movement, or vehicles
- 4.15.2. Raised or sharp edges or materials that may pose a risk of injury to pedestrians or animals
- 4.15.3. Plants that cannot be reasonably maintained within the specified height and width restrictions
- 4.15.4. Plants with spines, thorns, or other potentially harmful features, including thorny roses or prickly cacti
- 4.15.5. Plants officially classified as pest plants under the *Landscape SA Act 2019*
- 4.15.6. Concrete or non-permeable paving, except for Council-approved driveway crossovers, access paths, and bin pads
- 4.15.7. Loose stones, pebbles, decorative stones, gravel, or scoria,
- 4.15.8. Fences or any other form of permanent or semi-permanent boundary demarcation
- 4.15.9. Letterboxes (these must be located within the property boundary)

- 4.15.10. Synthetic lawn or artificial turf
- 4.15.11. Weed control matting (unless fully concealed beneath an approved permeable surface).
- 4.15.12. Statues and similar decorations.

Compacted Quarry Sand

- 4.16. Compacted quarry sand is not Council's preferred treatment, however, Council recognises that some property owners require a low-maintenance verge.
- 4.17. While strongly encouraging green verges, Council will:
 - a. consider applications for the installation of compacted quarry sand by property owners, at their own cost and subject to all the other conditions of this policy and any permit issued, and
 - b. top up existing quarry sand to match into existing surfaces following its own maintenance or construction works.
- 4.18. Like any other verge modification, property owners are responsible for the ongoing maintenance of compacted quarry sand to keep the surface in good condition, and free of hazards.

Management of existing verge modifications

- 4.19. Amendments to existing verge modifications require an application and permit, as outlined in this policy.
- 4.20. If an existing verge alteration is deemed by the Council to constitute a hazard, an obstruction, or is otherwise non-compliant with a condition of approval, the property owner will be formally notified in accordance with relevant *Local Government Act 1999* provisions and must modify the alteration to meet the requirements within a specified timeframe, unless the Council determines otherwise, in writing. Failure to comply with such any formal notice issued may result in the Council undertaking the necessary works at the property owner's expense.
- 4.21. Existing artificial turf installed prior to August 2019 may be permitted to remain at Council's discretion, provided it is maintained in good condition and does not adversely impact amenity or safety. However, the replacement of existing artificial turf is prohibited, and any existing artificial turf should be removed at the end of its serviceable life and replaced with an approved treatment.
- 4.22. Where Council undertakes works that necessitate the alternation of a verge that has been modified by a property owner, the affected area will be reinstated with:
 - a. topsoil (if previously vegetated), or
 - b. compacted quarry sand (if previously not vegetated).

Council's weed spraying program

- 4.23. Council operates a weed-spraying program on verges, to supplement property owner's maintenance activities.
- 4.24. Council will not intentionally spray areas that are clearly established as lawns or gardens or areas that are visibly being maintained by property owners, nor areas where a valid hoarding permit is in place and the hoarding structure is present.
- 4.25. Property owners who prefer to manage weed control on their verge themselves can register for the Council's "No Spray Register." If areas on the No Spray Register are subsequently not maintained to a satisfactory standard (free of excessive weeds and overgrowth), Council reserves the right to remove all vegetation from the area and include it in

the standard weed-spraying programme without further notice. This will not apply to the footprint of a permitted hoarding during the permit's validity

- 4.26. Property owners who do not wish to maintain their verge lawn may formally request that the Council include their verge in the weed spraying program, however, subsequent removal and replacement of the lawn is the responsibility of the property owner, following application and approval of a permit to undertake the modifications.

Liability

- 4.27. Authorisations granted by Council will generally include provisions setting out that Council is not liable for any injury to persons, damage to property, or financial or other loss that results directly or indirectly from:
- the granting of verge development permits, or
 - activities, or the presence of any equipment or materials related to the approved verge development on the road, Council land, or any adjacent land.

Service Authorities

- 4.28. Service Authorities retain their rights of access to their services located within the verge. The verge may contain, but is not limited to:
- Electricity infrastructure
 - Telecommunications infrastructure
 - Gas mains
 - Water mains and connections
 - Sewer mains and connections
 - Survey markers
- 4.29. Council is not responsible for the reinstatement of any verge modifications that are altered or removed by Service Authorities (or their contractor).
- 4.30. If a property owner (or their contractor) damages any infrastructure belonging to a Service Authority, all matters relating to repairs (including costs) are between the property owner and the Service Authority.

5. Definitions

Key term or acronym	Definition
Compacted quarry sand	Dolomite and similar products
Driveway Crossover	The section of the driveway connecting the property boundary to the road, providing vehicle access between the property and public roadway.

Footpath	A path designed for pedestrian use, located within the verge area.
Road reserve	The total area of land dedicated for road purposes, which includes the road itself, and associated areas such as the verge
Service authority	Any utility service provider responsible for the care and/or control of utility services including water, sewerage telecommunications, natural gas and electricity, which may own infrastructure in the vicinity of the public road
Section 221 Application	Under Section 221 of the Local Government Act 1999, property owners must receive authorisation from council to make an alteration to a road, which includes the verge
Verge	The area of land situated between the property boundary and the kerb (or, where no kerb exists, the edge of the roadway).

6. Administration Use Only

Reference Number:		
Strategic Alignment:	Council's strategic sustainability objectives include increasing tree canopy, and ensuring community wellbeing by prioritizing active transport and improving walkability to support healthy ageing. Verges provide an opportunity to green and beautify the city, as well as ensure safe routes for active transport, such as walking and cycling.	
Strategic Risk:	SC02 Poor or ineffective planning systems and processes	
Responsible Officer(s):	Manager Engineering	
Approval Date and Council Resolution Number:	XXXX	
Approval History (Council), including GM approval:	<u>Council</u> XX/09/25	<u>General Manager</u> XX/08/25
Review Cycle:	Three years	
Applicable Legislation:	<i>Disability Discrimination Act 1992</i> <i>Electricity Act 1996</i> <i>Environment Protection Act 1993</i> <i>Gas Act 1997</i> <i>Landscape South Australia Act 2019</i> <i>Local Government Act 1999</i> <i>Native Vegetation Act 1991</i> <i>Planning, Development and Infrastructure Act 2016</i> <i>Road Traffic Act 1961</i> <i>Telecommunications Act 1997</i> <i>Water Industry Act 2012</i>	
Related Policies:	Trees Policy Footpaths Policy Driveways Policy	
Other Reference Documents:		

Attachment 5

ECM DSID Number:	4243520
First Issued / Approved:	July 2010
Last Reviewed:	14 December 2021 C141221/2497
Next Review:	14 December 2024
Responsible Officer:	General Manager –Assets and Delivery
Date Placed on Web:	20 December 2021

1. PREAMBLE

The Tree Management Policy provides a framework for tree management on Council land in the City of Holdfast Bay (the Council).

1.1 Background

The trees in the Council area provide and support neighbourhood character, human health and wellbeing, waterway health, biodiversity, shading, cooling, beautiful streetscapes, amenity, tourism and business vitality.

This policy is designed to protect and grow a flourishing urban forest and aligns with Council's Environment Strategy 2020 - 2025, which has an objective to significantly increase tree canopy coverage across the Council area. This will beautify streetscapes and open spaces, while also cooling the environment.

1.2 Purpose

The purpose of this policy is to manage and protect Council's trees as part of an urban forest, which includes street trees and trees on land owned by Council or land under Council's care and control.

This policy ensures consistency in future public tree planting, tree care and management, and provides guidance regarding best practice, ensuring reasonable decisions are applied when managing risks related to trees.

1.3 Scope

This policy applies to residents, property owners, businesses, visitors, developers, Elected Members, employees, service providers, contractors and volunteers of the Council.

A separate policy exists for the management of street verges (Verge Management Policy).

1.4 Definitions

For the purpose of this policy the following definitions apply:

Amenity tree	means a public tree by virtue of its size, species, location or aesthetic qualities that provides amenity and / or significant environmental benefit.
Development	as defined in the <i>Planning, Development and Infrastructure Act 2016</i> .

Open space	means land that is publicly accessible and provided for community benefit (e.g. park, nature reserve, linear trail, sportsground).
Regulated Tree	means a tree with size and characteristics as specified in the <i>Planning, Development and Infrastructure Act 2016</i> .
Significant Tree	means a tree with size and characteristics as specified in the <i>Planning, Development and Infrastructure Act 2016</i> .
Section 221 Application	means under Section 221 of the <i>Local Government Act 1999</i> , property owners must receive authorisation from Council to make alteration to a public road, including the verge.
Verge	means the portion of land that lies between a road and adjacent property line.

1.5 Strategic References

- a. Our Place 2030
- b. Environment Strategy 2020-2025
- c. Open Space and Public Realm Strategy 2018 - 2030

2. POLICY STATEMENT

2.1. Street Tree Species

- 2.1.1 When selecting and planting street tree species, Council must give consideration to s.232 of the *Local Government Act 1999* (the Act), must consider relevant information from utility providers and must comply with the *Landscape SA Act 2019*.
- 2.1.2 Tree species are selected by the relevant Council officer to meet specific criteria and tolerances, and for their ability to perform in our changing environment, as well as complying with s.232 of the Act. Considerations are made of the following criteria when selecting street tree species:
 - i) Complement existing avenues of established and heritage trees
 - ii) Compatibility with the local environment
 - iii) Ability to provide habitat and food for native fauna
 - iv) Availability of commercial quantity and quality of stock
 - v) Allergies, berry/nut drop, and infrastructure impacts
 - vi) Diversity of species
 - vii) Suitability around existing services and infrastructure
 - viii) Environmental impact
 - ix) Amenity of the area
- 2.1.3 Tree species that have been selected for a location on public land will not be changed due to:
 - i) Potential scenic view obstruction
 - ii) Tree species is disliked
 - iii) Potential nuisance by way of berry/ nut drop
 - iv) Shading of private property
 - v) Potential upheaval of private infrastructure
 - vi) Potential to attract wildlife

2.2 Tree Planting

- 2.2.1 Trees may be planted in accordance with s.232 of the Act and as per the guidelines in Appendix 1.
- 2.2.2 Council has a strong preference for block planting in areas to allow more efficient watering and maintenance and create improved amenity through consistent tree species and growth rates.
- 2.2.3 Council formulates an annual tree planting program in selected streets, to work towards Council's target of increasing canopy coverage. Streets are selected annually based on the condition of existing tree stock, surrounding development or infrastructure, or areas identified as an urban heat island.
- 2.2.4 The number and location of trees is at the discretion of the relevant Council officer, and takes into consideration all points listed in section 2.1.2.
- 2.2.5 Council plants trees in the cooler months, usually from May to September but may fall slightly outside of these times.
- 2.2.6 Where an unauthorised tree planting is identified the relevant Council officer will determine whether the planting be retained or removed considering compliance with this policy. Where removal of an unauthorised tree is determined, the resident will be given reasonable opportunity to relocate the tree onto their private property prior to removal.
- 2.2.7 To maintain a consistent tree portfolio and ownership responsibility, private property owners and occupants cannot plant their own trees on public land, including the verge, without prior Council approval, given via a Section 221 Application under the Act. See section 2.8 and the Verge Management Policy.
- 2.2.8 At the discretion of Council Administration, street trees may be individually planted by Council to replace damaged or dead trees. Sites will be reviewed on a case by case basis. There is a strong preference for individual trees to be 'adopted' as per section 2.3
- 2.2.9 Any property owner can place a request for a street tree to be planted in front of their property, providing they have applied to do so via Council's 'Adopt-a-Tree Program' (see Section 2.3).

2.3 Adopt-a-Tree Program

- 2.3.1 Property owners who wish to have a street tree planted in front their property, can apply to Council via the 'Adopt-a-Tree' program.
- 2.3.2 All requests must be in writing via the Adopt-a-Tree form on the Council website.
- 2.3.3 The Senior Urban Forest Officer will determine if the location is suitable and will determine the tree species. This will be done in consultation with the property owner.
- 2.3.4 The number of trees included in this program is capped to 100 trees for every calendar year. If the list is full upon receipt of the application, the registration then moves to the next available year.
- 2.3.5 Planting will occur during Council's planting season.
- 2.3.6 Applicants must agree to water the street tree weekly during the warmer months (nominally from November to April) for the first three to four years of its life.

- 2.3.7 Council is responsible for the pruning and maintenance of the tree, including pruning, staking, mulch, etc.
- 2.3.8 If the tree dies, is stolen or vandalised, Council will not replace it unless there is a resubmission of the 'Adopt-a-Tree' form. These are assessed on a case by case basis at the discretion of the Senior Urban Forest Officer.
- 2.3.9 Existing trees can also be adopted.

2.4 Tree Watering

- 2.4.1 Council will ensure summer watering for the first three to four years for all trees it has planted via planned planting. Property owners and occupants are also encouraged to water street trees.
- 2.4.2 Trees planted via Council's 'Adopt-a-Tree Program' are the responsibility of the resident to water.

2.5 Public Tree Pruning

- 2.5.1 Council is responsible for all maintenance pruning of public trees.
- 2.5.2 Service providers (i.e. utilities) may undertake clearance pruning, under specified legislative powers, to accommodate their infrastructure. However, Council must be notified prior to works to negotiate the best possible outcome.
- 2.5.3 Council will generally only prune street trees to the clearances outlined in Appendix 1.
- 2.5.4 Open space trees are only pruned to minimise risk.
- 2.5.5 Pruning will only be performed to maintain tree health, provide clearances or mitigate risk.
- 2.5.6 The following reasons will not warrant consideration for pruning:
 - i) too tall
 - ii) aesthetic reasons
 - iii) perceived risk
 - iv) nuisance by way of berry or nut drop, leaf litter, bark, twigs, sap, etc.
 - v) tree shading lawns, gardens, houses, pools, solar panels, etc.
 - vi) unsubstantiated damage to infrastructure
 - vii) to enhance clear views, including advertising signage
 - viii) attracting wildlife
 - ix) to prevent animal defecation
 - x) due to allergies or health problems
 - xi) to accommodate clearance for larger vehicles beyond clearance guidelines
 - xii) for the installation of non-essential services.
- 2.5.7 Property owners or occupants are not authorised to prune trees on Council property. Where Council street trees are overhanging private property, residents should contact Council for Council to prune, to ensure that trees can exist without adverse effects on property owners and occupants.
- 2.5.8 Pruning of Council trees will typically be carried out in accordance with Australian Standard 4373, Pruning of Amenity Trees. This Standard aims to provide a guide, defining uniform tree pruning procedures and practices in order to minimise adverse or negative impact of pruning on trees.

- 2.5.9 Where practicable, Council will attempt to maintain a 1 metre clearance minimum between canopy and privately owned infrastructure, e.g. homes, carports, swimming pools, etc.
- 2.5.10 Where new developments are constructed under existing canopies, the tree canopy will not be pruned to the detriment of the tree.
- 2.5.11 Where trees on private property encroach into required clearance zones, as specified in Appendix 1, or other public safety issues have been identified, the matter will be brought to the attention of the relevant property owner or occupant for remedial action. If the property owner or occupant fails to comply with a reasonable request Council may commission a contractor to carry out necessary works. The property owner will then be invoiced for the cost of the required works to reimburse Council.

2.6 Damage to Private Property from Public Trees

- 2.6.1 Council is generally not liable for damage to private property from a tree planted on public land unless the property owner or occupant of the damaged property has made a written request to the Council to take reasonable action to avert the risk of damage to property from the tree and the Council fails to take reasonable action in response to the request (s.245 of the *Local Government Act 1999*). Council acts as a 'caretaker' of trees but does not have an absolute responsibility for them due to the volume of trees and community expectation to continue to plant and grow trees.
- 2.6.2 Claims are to be addressed to Council's insurance officer with details of the claim and why Council is considered negligent and should be accompanied with sufficient information, which should include photos, and that may include an arborist's report and/or an engineer's report to support the claim.
- 2.6.3 Removal of trees that are considered to be healthy, in the opinion of the relevant and qualified Council officer, will not be considered where alternative measures are reasonable and practicable. These may include:
 - i) Root barrier, which can be used in circumstances where installation is considered effective and not detrimental to tree health and stability. Council can offer root barrier material, where appropriate, and installation on private property is at the property owner's expense.
 - ii) Root pruning, which can be considered to accommodate root barrier installs or to suppress root development in areas of concern. Details of root pruning parameters will be set by the relevant and qualified Council officer to outline proximities and root size limitations. Roots of concern within private properties are to be carefully exposed prior to an appointment with the Senior Urban Forest Officer, at the cost of the property owner or occupant, to enable a clear determination of actions to be taken.
 - iii) Minor maintenance.
- 2.6.4 Council may, for public amenity trees, regulated or significant trees, implement works in the public realm to reduce tree impact on private properties. This may include foliage pruning and/or installation of permeable pavers and tree inlet pits.

- 2.6.5 Property owners or occupants are encouraged to seek the advice of a qualified arborist at their own cost prior to undertaking works on private property that may affect the health of a tree on public land. For regulated or significant trees on public land that may be affected by works on private property, development approval may also be required.

2.7 Public Tree Removal

- 2.7.1 Generally the community has an expectation that all public trees be retained and only removed if there are compelling reasons to do so. Public trees will only be removed by Council if they meet one or more of our assessment criteria, with priority given to trees assessed as having the highest risk of failure. Trees that are healthy and structurally sound will not be removed for the following reasons:
- i) The tree obscures or potentially obscures views (other than traffic and pedestrian sight lines).
 - ii) The tree variety is disliked.
 - iii) The tree variety causes nuisance by way of leaf, fruit or bark shedding, etc.
 - iv) The tree provides habitat to wildlife that causes nuisance by way of droppings, tree litter, etc.
 - v) The tree is in the way of a non-essential crossover or crossover widening.
 - vi) The tree shades private gardens, solar installations, etc.
- 2.7.2 Removal will not be considered for any tree because it is lifting up public infrastructure around it. Council continually aims to eliminate trip hazards and to construct more favourable environments for trees to support the urban forest.
- 2.7.3 Trees may be considered for removal when they are:
- i) Dead, dying, diseased, and/or structurally unsound.
 - ii) Are an unauthorised planting.
 - iii) Determined to be a declared species as listed under the *Landscape SA Act 2019*.
 - iv) Considered to create an unacceptable risk.
 - v) Restricting sight distances or safe access to existing dwellings, as determined by Council's traffic engineer or similar.
- 2.7.4 Property owners or occupants are not authorised to remove or relocate public trees from Council land. Council will use relevant provisions of the Act, specifically section 221, to protect the value of its urban forest where trees have been damaged or removed without Council authority. Refer to section 2.9.
- 2.7.5 Any trees defined as Significant or Regulated under the *Planning, Development and Infrastructure Act 2016* will be subject to a development application. Prior to submitting a development application, owner's consent will be sought via a report to Council.
- 2.7.6 All requests for removal or significant pruning of a public tree must be in writing to Council, including details of the reason for the request. All such requests will be assessed by the General Manager Assets and Delivery, or a person nominated by the General Manager Assets and Delivery. Retention of the tree is the first priority when undertaking the assessment.
- 2.7.7 Replacement trees will be planted by Council for any public tree removed. Replacement trees will be in addition to Council's normal tree

planting program and will achieve no net loss of tree numbers in the locality. Significant and regulated trees will be replaced at the rate as per the *Planning, Development and Infrastructure Act 2016* with a minimum of three trees.

2.8 Section 221 Applications and Development Applications

- 2.8.1 Council will strongly enforce legislation to protect its street tree population.
- 2.8.2 Under s.221 of the Act a person must not make an alteration to a public road without the permission of Council (permission via a section 221 application). Section 221(2)(e) provides that an alteration to a public road includes the planting of a tree or other vegetation on the road, interfering with vegetation on the road, or removing vegetation from the road.
- 2.8.3 New developments and section 221 applications are to consider any existing street trees and space they require to coexist without conflict. No street tree is automatically removed as part of a development or section 221 application.
- 2.8.4 Trees can only be removed for a development or an approved section 221 application, if the tree has a low useful life expectancy or a very low amenity value (as assessed by the relevant qualified Council officer), and all other possible designs have been considered and are not feasible. Removal will only be considered where there is no net loss of tree numbers in the immediate locality. Additional cost is not an acceptable justification to remove a tree.
- 2.8.5 For all crossovers associated with a new development in accordance with the *Planning, Development and Infrastructure Act 2016*, the prescribed minimum distance to a tree must be maintained.
- 2.8.6 For section 221 applications, the minimum distance from the base of existing trees, will be at the discretion of Council's Senior Urban Forest Officer with guidance provided in Appendix 1.
- 2.8.7 If removal of a tree is approved for the purposes of a development or Section 221 application, the applicant will be invoiced for the following charges and must be paid before commencement:
 - i) Removal fees as outlined in Council's approved Schedule of Fees and Charges for the applicable year. This includes removal costs, replacement trees and tree assessment fee.
 - ii) The lost amenity value of the tree based on the Revised Burnley Method of Tree Valuation calculated by the Senior Urban Forest Officer.
- 2.8.8 Replacement trees will be planted as determined by the relevant Council officer. Replacement trees will be in addition to Council's normal tree planting program and will achieve no net loss of tree numbers in the locality.
- 2.8.9 At the Senior Urban Forest Officer's discretion, the Tree Assessment Fee outlined in Council's Schedule of Fees and Charges, may be applied if the tree is being assessed without an agreement for removal.
- 2.8.10 All money received as a result of street tree removals for development or section 221 applications, will be spent on managing and renewing Council's urban forest.

- 2.8.11 Some developments, or section 221 applications, may require tree protection around the tree. Tree protection will be established prior to any works commencing on site and maintained until all works are complete. All tree protection is to comply with the Australian Standard 4970-2009, Protection of Trees on Development Sites.
- 2.8.12 Works by private owners to protect trees when undertaking works in the vicinity of trees as part of section 221 applications or approved building works, including permeable pavers and tree inlet pits, will be considered favourably.

2.9 Tree Damaging Activity

- 2.9.1 Tree damaging activity applies to all public trees and includes:
 - i) the killing or destruction of a tree; or
 - ii) the removal of a tree; or
 - iii) the severing of branches, limbs, stems or trunk of a tree; or
 - iv) the ringbarking, topping or lopping of a tree; or
 - v) damage to tree roots; or
 - vi) any other substantial damage to a treeand any other act or activity that causes any of the foregoing to occur but does not include maintenance pruning carried out by Council that is not likely to affect adversely the general health and appearance of a tree.
- 2.9.2 Under s.221(2) (e) of the *Local Government Act 1999*, there is a significant penalty for damages to trees. Section 233 of the Act also states that Council can recover costs for any damages. Council will enforce its rights under the Act to recover any costs associated with vandalism to a Council owned tree.
- 2.9.3 Members of the public are encouraged to report tree damaging activities.
- 2.9.4 Council will investigate any reported tree damage and prosecute where possible and necessary.
- 2.9.5 Measures to protect trees under threat of damage will be applied at the discretion of Council's Administration.

2.10 Consultation

- 2.10.1 In accordance with Council's Community Consultation and Engagement Policy, Council will inform relevant property owners or occupants and adjoining landowners in regard to tree removals of healthy and structurally sound amenity trees.
- 2.10.2 Council will also consult with applicants for the Adopt-a-Tree program and communicate with relevant residents, the proprietors of nearby businesses or advertisers in the area and adjoining landowners about block (whole street) tree planting as per the requirements of s.232 of the Act and Council's Community Consultation and Engagement Policy.

3. REFERENCES

3.1 Legislation

- *Disability Discrimination Act 1992*
- *Electricity Act 1996*
- *Environment Protection Act 1993*
- *Gas Act 1997*
- *Landscape South Australia Act 2019*
- *Local Government Act 1999*
- *Native Vegetation Act 1991*
- *Planning, Development and Infrastructure Act 2016*
- *Road Traffic Act 1961*
- *Telecommunications Act 1997*
- *Water Industry Act 2012*

3.2 Other References

- 30 Year Plan for Greater Adelaide
- Australian Standard 4373 -2007 - Pruning of Amenity Trees
- Australian Standard 2303 - 2018 - Tree Stock for Landscape Use
- Australian Standard 4970 – 2009 - Protection of trees on development sites
- Community Consultation and Engagement Policy
- Operational Instruction – Trees in Medians and Roadsides in the Urban Environment (Department for Infrastructure and Transport)
- SA Power Networks - Power Friendly Trees
- SA Water Tree Planting Guide
- Vegetation Removal Policy – Standard Operating Procedure under the Native Vegetation Act 1991 (Department for Infrastructure and Transport)
- Verge Management Policy

Appendix 1: Clearances for tree planting and pruning.

Planting

The following tables are a guideline and may be altered at the discretion of the relevant qualified Council officer. These clearances are not applied retrospectively:

Infrastructure	Recommended clearances
Bus Stop	10m (subject to site conditions)
Corners and Intersections	5m, maintained to provide sight lines
Driveway (non-traffic approach side)	2m
Driveway (traffic approach side)	3m
Stobie Poles	3m
Above ground and underground services	As per service utility guidelines
Stormwater inlet	2m from edge, not over stormwater infrastructure
Stop, Give Way & Speed Signs	5m (front) or 2m (behind), maintained to provide sight lines
Other Signs	2m, maintained to provide sight lines

Verge width	Tree size
Up to 600 mm	Trees cannot be planted. Refer to Verge Management Policy for landscaping alternatives.
600 mm - 2m	Small tree
2 - 3m	Medium tree
3m +	Large tree

Pruning

Council will look to achieve the following vertical clearance envelopes. If clearances cannot be achieved by pruning without damaging the trees health and/or compromising the structural integrity, alternative measures will be investigated. In cases of juvenile tree stock, young growth may occasionally enter clearance envelopes. Tolerance is to be applied in such cases with any such biomass to be considered as a temporary encroachment.

Footpath	Non-Arterial Road	Arterial Road
Footpath – 2.5m	Edge of carriage way - minimum 3 metres or to suit waste collection vehicles.	Refer to DIT Standard Operating Procedure, “Vegetation Removal Policy” under the <i>Native Vegetation Act 1991</i> .
	Centre of road – 5m	

Attachment 6

Trees

Council Policy

1. Purpose

The purpose of this policy is to protect Council's trees and to grow a flourishing urban forest across the City of Holdfast Bay.

2. Scope

This policy applies to everyone interacting with trees located on land owned by Council or land under Council's care, control, and management, including street trees, park trees, and trees in reserves and open spaces. It also invites property owners to consider the importance of trees in the public realm and on private land.

3. Roles and Responsibilities

Council Members	As members of the governing body, to take steps ensure trees are protected in the Council area, in accordance with legal requirements and Council's strategic directions to increase tree canopy coverage across the City.
Urban Forest staff	Provide specialist/technical advice on tree health and tree management.
Field Services Open Space Team	Planning, planting, watering, pruning and removal of public trees.

4. Policy Statement

- 4.1. Council recognises trees as critical living assets that constitute our urban forest. They provide essential ecosystem services and community benefits, including enhancing neighbourhood character and amenity, supporting human health and wellbeing, improving air and water quality, providing vital habitat and biodiversity corridors, delivering shade and cooling effects crucial for climate change adaptation, supporting tourism and economic vitality, and contributing to beautiful, liveable streetscapes and public spaces.
- 4.2. Council prioritises the retention of healthy and structurally sound public trees wherever feasible. Removal is considered a last resort and will only be undertaken after careful, professional assessment. Council is committed to actively enforcing the protection of public trees from damage or unauthorised removal, including due to any activities associated with development or alterations to public roads/verges.
- 4.3. While Council is the custodian of public trees, the community plays a vital role in valuing, respecting, and helping care for the urban forest. Council encourages all residents to provide supplementary watering to

street and park trees adjacent to their properties, especially during extended dry periods, to support the health of the urban forest.

Tree species selection

- 4.4. Tree species selection and planting locations are carefully considered by appropriately qualified officers to maximise benefits and minimise future conflicts with infrastructure and the surrounding environment. Council aims to ensure the right tree is planted for the place available, taking into account all legislative obligations, including the requirements of section 232 of the *Local Government Act 1999*.
- 4.5. Species selection criteria include, but are not limited to:
- a. Suitability for the local climate and soil conditions, including drought and heat tolerance
 - b. Mature size and form appropriate for the location (considering overhead/underground services, road/path clearances, building setbacks)
 - c. Contribution to biodiversity (for example, habitat/food source for native fauna, local provenance where appropriate)
 - d. Desired aesthetic and contribution to neighbourhood character (for example, complementing existing avenues)
 - e. Resilience to pests and diseases
 - f. Availability of quality nursery stock in commercial quantities
 - g. Potential impacts (for example, known allergenicity, fruit/nut drop characteristics, potential for infrastructure conflict – balanced against benefits)
 - h. Water requirements, including the feasibility of applying water sensitive urban design principles
 - i. Contribution to canopy cover and urban cooling targets, and
 - j. Species diversity to enhance the resilience of the urban forest.
- 4.6. Subject to the requirements of the *Local Government Act 1999*, once a species has been selected for a specific location or planting program, the selection will not be altered solely based on:
- a. Potential or actual obstruction of scenic views
 - b. Individual dislike of the species
 - c. Nuisance factors like leaf litter, berry/nut/bark drop (unless exceptionally problematic and unforeseen)
 - d. Shading of private property (including gardens, pools, solar panels)
 - e. Perceived (but unsubstantiated) potential for future infrastructure damage
 - f. Attraction of wildlife

Tree planting

- 4.7. Council is responsible for tree planting on Council land (including on streets, parks and reserves) and will plan its planting program based on factors such as:
- canopy gap analysis
 - urban heat mapping
 - infrastructure program alignment, and
 - availability of stock, and
 - whether the vegetation suits the location.
- 4.8. Planting will generally be undertaken in cooler, wetter periods to optimise establishment success. Block planting (that is planting multiple trees in a street/area) is preferred where possible, to achieve consistent streetscapes and maximise efficiencies in maintenance and watering.
- 4.9. New plantings must maintain required sight line clearances for traffic-related matters, as instructed by relevant officers.

- 4.10. Council supports greening by property owners (see Council's Verge Policy), but planting on Council land, including trees, requires a permit or authorisation by Council. There is no charge for this type of permit.
- 4.11. Where unauthorised planting is identified, an appropriately qualified officer will assess the suitability of the tree/plant based on this policy and the requirements of the *Local Government Act 1999*. If the planting is deemed unsuitable or non-compliant, Council will notify the responsible party (if identifiable) and require its removal. At the discretion of the investigating officer, the party responsible may be given a reasonable timeframe to relocate the tree/plant onto their private property. If the tree/plant is not relocated as required, or if the responsible party cannot be identified, Council may remove the unauthorised planting.
- 4.12. Council may seek to recover the costs of removal from the party responsible, if they can be identified.
- 4.13. Property owners may request that Council plant a street tree on the verge adjacent to their property by applying through the 'Adopt-a-Tree' program.
- a. Applications must be submitted via the relevant form on Council's website. Applications are assessed in order of receipt and the tree species selection is at the discretion of Council's qualified officer(s). There may be limits on how many trees are approved for 'adoption' in a given year.
 - b. As a condition of approval, applicants must agree in writing to provide supplementary watering for the tree, particularly during the warmer months (nominally November to April), for the first three (3) years after planting (for example, a minimum 10-15 litres per week, or as advised).
 - c. Council retains full ownership and responsibility for all other maintenance of adopted trees, including pruning, staking, pest/disease management, and risk assessment.
 - d. If an adopted tree dies, is stolen, or vandalised within the establishment period, replacement by Council is not guaranteed. Replacement will be considered on a case-by-case basis by Council's officers, subject to program capacity and site reassessment, and may require another application to be made. Council may decline replacement if the failure is attributed to lack of agreed watering.
 - e. Existing, young trees may also be 'adopted' by residents, by committing to supplementary watering via the same application process.

Tree pruning

- 4.14. Property owners or occupants are not permitted without specific written approval of Council to prune trees on Council property, including on verges outside their property.
- 4.15. Pruning, removing, interfering with or planting trees on Council-managed land (including verges) without prior approval from the Council is prohibited. Council is solely responsible for the maintenance pruning of all public trees (with the exception of any statutory authorisations – for example, utility companies, who may undertake pruning but must notify Council prior to works being undertaken).
- 4.16. Pruning is undertaken to maintain or improve tree health and structural integrity, provide statutory clearances, mitigate unacceptable risks to safety or property, and shape young trees for future structure, in line with relevant Australian Standards (for example, AS 4373 – Pruning of Amenity Trees). Lopping and topping are not acceptable pruning practices.
- 4.17. Pruning will not generally be undertaken or permitted for the following reasons:
- a. To reduce tree height or spread simply because it is perceived as 'too large'.
 - b. For purely aesthetic reasons or personal preferences.
 - c. Due to natural processes like leaf, fruit, bark, or twig drop, or sap exudation.
 - d. To reduce shading of private property (gardens, lawns, houses, pools, solar panels, etc.).
 - e. To improve or create scenic views or enhance visibility of advertising signage.
 - f. Due to the presence of wildlife (birds, possums, insects) or associated droppings.

- g. For unsubstantiated or unverified claims of infrastructure damage.
- h. Due to unsubstantiated health concerns or allergies (significant allergenic issues may be considered with medical evidence, potentially influencing future species selection).
- i. To provide clearance for oversized vehicles or equipment beyond standard requirements (see Appendix 1).
- j. To accommodate the installation of non-essential private infrastructure.
- k. Based on perceived, but unassessed or low-level, risk.

- 4.18. Where Council street trees are overhanging private property, property owners should contact Council to request a pruning assessment. Where practicable, Council will attempt to maintain a 0.5 metre clearance minimum between canopy and private buildings, subject to tree health and species characteristics.
- 4.19. Where new developments (for example, building extensions, sheds, pools) are approved or constructed close to or beneath the canopy of an existing street or public tree, the tree will generally not be pruned to accommodate the development if doing so would be detrimental to its health, stability, or structure. The development design must accommodate the existing tree.
- 4.20. Where trees on private property encroach into statutory clearance zones over public roads or footpaths (Appendix 1) or otherwise pose a public safety hazard, Council will notify the property owner in writing, requesting remedial action within a specified timeframe. If the owner fails to comply, Council may undertake the necessary pruning works and seek to recover the costs from the property owner.

Damage to private property from public trees

- 4.21. Council's responsibility for damage to private property caused by public trees is set out in section 245 of the *Local Government Act 1999*. Under this section, Council is generally not liable unless:
- a. the property owner or occupant had previously notified Council in writing about a specific risk of damage from the tree, and
 - b. Council failed to take reasonable action to address that risk within a reasonable timeframe.
- 4.22. "Reasonable action" will be considered on a case-by-case basis but may typically include the following steps:
- Inspecting the tree
 - Assessing the risk using qualified personnel and recognised arboricultural methods
 - Documenting the assessment, and
 - Taking appropriate mitigation actions, if needed (such as pruning, root management, or ongoing monitoring, but not necessarily tree removal).
- 4.23. Property owners who believe a public tree has caused damage to their property and that Council has been negligent under Section 245 should lodge a claim with Council. Claims must be in writing, state the nature of the damage, outline the reasons Council is alleged to be negligent, and be supported by evidence (for example, photographs, chronology of communication with Council, expert reports from engineers, plumbers or arborists, as required, etc).
- 4.24. Council will not remove healthy, structurally sound public trees solely because they are associated with infrastructure damage, where reasonable and practical alternatives exist. These alternatives will be assessed by a qualified Council officer and may, at Council's discretion, include:
- a. Root pruning: where roots are confirmed as the cause of damage, pruning may be considered. The extent of pruning, including proximity to the trunk and the size of roots, will be determined by a qualified officer to minimise risk to the tree's health and stability. If the roots of concern are located

on private property, they must be carefully exposed by the property owner, at their own cost, prior to assessment by Council.

- b. Root Barriers: Root barriers may be installed by Council within the verge, where they may be effective and not harmful to the tree. Alternatively, Council may provide root barrier material for installation on private property, with installation to be arranged and funded by the property owner.
- c. Where feasible, Council may consider repairs or minor modifications to infrastructure, such as using modern pipe-lining techniques or adjusting pathways, to avoid the need for tree removal.
- d. Any other tools or techniques that minimize further infrastructure damage, while preserving tree health, at either Council's expense or the owners, to be determined on a case-by-case basis.

4.25. For high-value public trees (for example, amenity, regulated, or significant trees), Council may proactively undertake works in the public realm (for example, root barriers, selective pruning, permeable paving) to minimise potential impacts on adjacent private properties.

Trees and development

4.26. Council will actively enforce legislation designed to protect public trees from damage or unauthorised removal associated with development activities and alterations to public roads/verges.

4.27. To the extent permitted by law, Council encourages and will look favourably upon development proposals that incorporate tree-sensitive design features, such as permeable paving, cantilevered structures, pier footings, or other measures that minimise impact on trees.

4.28. Property owners planning works on their land such as excavation, construction, driveway installation and similar works that could potentially impact the roots or canopy of an adjacent public tree are strongly advised to seek advice from a qualified arborist prior to commencing. Unauthorised damage to public tree roots or canopy may constitute a Tree Damaging Activity under legislation. If a public tree is regulated or significant, development approval under the *Planning, Development and Infrastructure Act 2016* may also be required for works within its vicinity, even if those works are on private land.

4.29. Any person planting, interfering with, or removing vegetation on the verge or road reserve must first obtain written permission from Council via a Section 221 Application (refer to Council's Driveways Policy, Footpaths Policy, and Verges Policy).

4.30. All Development Applications and Section 221 Applications must demonstrate consideration of existing public trees. Council considers designs should generally prioritise the retention and protection of healthy public trees. Trees are not automatically approved for removal to accommodate a development or alteration. A Tree Assessment Fee (refer to Council's Schedule of Fees and Charges) may be applied for assessing trees in relation to development proposals, even if removal is not ultimately approved or requested.

4.31. Generally, no public tree will be approved for relocation more than 12 months after its initial planting date.

4.32. Minimum clearance distances between proposed works (for example, driveway crossovers, excavation, structures) and existing public trees must generally be maintained. Refer to Appendix 1 for guidance. Specific distances that may be required will be determined by a qualified council officer based on the tree's size, species, age, condition, and the nature of the proposed works, adhering to AS 4970 when the Application is assessed.

4.33. Where works are approved near a public tree to be retained, Tree Protection Zones (TPZs) compliant with AS 4970 will generally be required to be established before any site works commence (including demolition and excavation) and maintained throughout the construction period. Details of TPZ requirements will be specified as conditions of approval. Failure to comply may result in stop-work orders and penalties.

Tree removal

- 4.34. Council is committed to retaining public trees wherever possible, and healthy, structurally sound trees will not generally be removed.
- 4.35. Removal of public trees by any unauthorised party is prohibited and constitutes an offence under the *Local Government Act 1999* and/or Council's by-laws. Council will generally pursue enforcement action, including cost recovery (refer to Council's current Schedule of Fees and Charges for information about costs which may be incurred).
- 4.36. All requests for public tree removal must be submitted to Council in writing, detailing the tree location and the reasons for the request based on the criteria in this policy. Requests will be assessed by qualified officers. The decision and reasoning will be documented. Retention is generally the primary objective during assessment. Significant or complex removal decisions may require approval from the relevant Manager or General Manager.
- 4.37. The following reasons are not considered valid grounds for removing a healthy, structurally sound public tree:
- Obscuring or potentially obscuring scenic views (except essential traffic/pedestrian sight lines).
 - Dislike of the tree's species or characteristics.
 - Nuisance from natural shedding of leaves, fruit, bark, etc.
 - Providing habitat for wildlife causing perceived nuisance.
 - Obstructing installation of, or conflicting with, a proposed *non-essential* vehicle crossover or the widening of an existing crossover (alternative locations/designs must be explored first).
 - Shading private gardens, lawns, pools, solar panels, etc.
 - Causing damage to public infrastructure (e.g., footpaths, kerbs) where engineering solutions or tree management practices (e.g., root pruning, root barriers, ramping) can reasonably address the issue.
- 4.38. Public trees may generally only be considered for removal by Council if they meet one or more of the following criteria, following a formal assessment:
- The tree is dead.
 - The tree is diseased or in irreversible decline, with a short life expectancy, and treatment is not viable.
 - The tree is assessed by a qualified Council officer using a recognised methodology (for example, a Quantified Tree Risk Assessment) as posing an unacceptable risk to public safety or property that cannot be practicably mitigated through pruning or other measures.
 - The tree is structurally unsound (for example, major decay, splits, poor form) presenting a high risk of failure that cannot be reasonably managed.
 - The tree is confirmed by a qualified officer to be an unauthorised planting that cannot be retained.
 - The tree is a declared species under the *Landscape SA Act 2019* and requires removal.
 - The tree prevents necessary sight distances for traffic/pedestrian safety, as determined by Council's traffic engineer or similar qualified person, and pruning cannot resolve the issue.
 - Removal is essential to allow for Council capital works or essential infrastructure projects, and all alternative designs or construction methods to retain the tree have been exhausted and documented as unfeasible.
- 4.39. Removal of a public tree will generally only be considered in relation to a Development Application or Section 221 Application if
- the tree meets criteria for removal under this policy, or
 - all feasible alternative designs or construction methods that would retain the tree have been thoroughly investigated by the applicant and are documented as genuinely impractical or unviable, noting that additional cost is generally not sufficient justification for removal.

- 4.40. If the tree is a regulated or significant tree under the PDI Act, its removal requires development approval. Council 'owner's consent' will generally be considered by a relevant delegate based on assessment against legislative criteria and this policy, rather than requiring a report to Elected Members for consent.
- 4.41. If the removal of a public tree is approved as part of a Development Application or Section 221 Application, the applicant must pay the following charges to Council prior to the tree's removal or commencement of approved works.
- a. Tree Removal and Replacement Costs – refer to Council's Schedule of Fees and Charges, to cover the physical removal works and the cost of planting the required replacement trees (minimum 1:1, or 3:1+ for regulated/significant trees), and
 - b. Lost Amenity Value - calculated by a qualified officer using a recognised industry-standard methodology (refer to Council's current Schedule of Fees and Charges).
- 4.42. It is Council policy that all funds received from charges related to tree removal for development/Section 221 applications (amenity value, removal/replacement costs) will generally be quarantined in a specific account dedicated to funding the planting and management of the city's urban forest.
- 4.43. Replacement trees required will be planted at suitable locations determined by qualified officer, in accordance with legislative requirements and are in addition to Council's standard planting program.

Tree damaging activities and enforcement

- 4.44. Damaging or removing public trees is prohibited and constitutes an offence under the *Local Government Act 1999*. Council will generally pursue enforcement action, including seeking cost recovery.
- 4.45. Insofar as resources allow, Council will investigate all reported incidents of alleged damage to public trees. Where sufficient evidence exists, Council will generally pursue enforcement action, which may include:
- a. issuing formal warnings or expiation notices,
 - b. seeking cost recovery for damages, including the tree's calculated amenity value, and costs for remedial works or replacement (refer to Council's current Schedule of Fees and Charges), and/or
 - c. prosecution under relevant legislation.
- 4.46. Damage may include, but is not limited to:
- a. undertaking activities intended to weaken, or kill a tree
 - b. removing a tree or parts of a tree, including severing of branches, limbs, stems or trunk of a tree in the course of anything other than authorised pruning
 - c. ringbarking, topping or lopping of a tree
 - d. interfering with or severing the roots of a tree, or
 - e. any other substantial damage to the tree or its growing environment.
- 4.47. Members of the public are encouraged to report any suspected damage or vandalism to Council as soon as possible, with as much detail as possible.
- 4.48. Council officers may implement protective measures (for example, temporary fencing, signage, surveillance, etc) for public trees identified as being under particular threat of damage.

Consultation

- 4.49. Consultation is required under section 232 of the *Local Government Act 1999*, in circumstances where the planting of vegetation in a road or the authorisation of the planting vegetation in a road may have a significant impact on residents, the proprietors of nearby businesses or advertisers in the area. In addition to statutory requirements, Council will undertake consultation for:

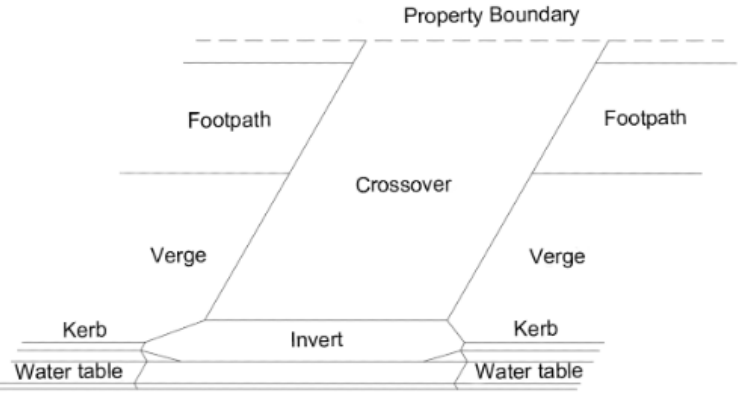
- a. Proposed removal of healthy, structurally sound public amenity trees where removal is being considered for exceptional circumstances not covered by this policy, or
- b. Development of new streetscape planting plans or major park planting programs.

4.50. Consultation will comply with all applicable legislative requirements and Council Policy and may involve notifying adjacent property owners/occupants and potentially wider community engagement depending on the scale and impact of the proposal, and providing the opportunity for community members to express their support or otherwise for the proposal. Consultation must be completed and Council must have considered the outcomes of this consultation before making a decision, and before any work to remove a tree, which clause 4.49 of this policy applies to, is undertaken.

4.51. Consultation, beyond statutory requirements, will not be undertaken for:

- a. the removal of dead, dying, or trees confirmed as posing significant hazard or requiring urgent action,
- b. routine maintenance pruning compliant with this policy and AS 4373, and
- c. planting of individual replacement trees or Adopt-a-Tree program trees (other than via direct liaison with tree adopters).

5. Definitions

Key term or acronym	Definition
Amenity tree	A public tree valued for its contribution to the landscape, environment, or community enjoyment due to its size, species, location, or aesthetic qualities.
AS 4373	Australian Standard AS 4373: Pruning of Amenity Trees.
AS 4970	Australian Standard AS 4970: Protection of Trees on Development Sites.
Canopy cover	The percentage of land area covered by tree crowns when viewed from above.
Council-managed land	Land owned by Council or under its care, control, and management, including roads (including verges), parks, reserves, operational land, and community land.
Development	As defined in the <i>Planning, Development and Infrastructure Act 2016</i> .
Development Application	As defined in the <i>Planning, Development and Infrastructure Act 2016</i> .
Driveway crossover	<p>A private access point from a street or road to a property, designed for vehicle use, which may crossover the footpath.</p> 
Public tree	Any tree located on Council owned or managed land.
Regulated tree	As defined in the <i>Planning, Development and Infrastructure Act 2016</i> .
Risk assessment	A systematic process undertaken by a qualified person to identify,

	analyse, and evaluate risks associated with a tree
Section 221 Application	An application made to Council under Section 221 of the <i>Local Government Act 1999</i> seeking permission to make an alteration to a public road (including the verge).
Significant tree	As defined in the <i>Planning, Development and Infrastructure Act 2016</i> .
Urban forest	The sum of all trees and associated vegetation within the Council area, on both public and private land. This policy focuses on the public component.
Verge	The portion of the road reserve between the road carriageway (kerb) and the adjacent property boundary.

6. Administration Use Only

Reference Number:			
Strategic Alignment:	Council's strategic sustainability objectives include increasing tree canopy, and ensuring community wellbeing by prioritizing active transport and improving walkability to support healthy ageing. Trees are critical to future sustainability of the city and for ensuring a healthy city for all.		
Strategic Risk:	SC02 Poor or ineffective planning systems and processes		
Responsible Officer(s):	Manager Field Services		
Approval Date and Council Resolution Number:	XXXX		
Approval History (Council), including GM approval:	<table> <tr> <td><u>Council</u> XX/09/25</td><td><u>General Manager</u> XX/08/25</td></tr> </table>	<u>Council</u> XX/09/25	<u>General Manager</u> XX/08/25
<u>Council</u> XX/09/25	<u>General Manager</u> XX/08/25		
Review Cycle:	Three years		
Applicable Legislation:	<i>Disability Discrimination Act 1992</i> <i>Electricity Act 1996</i> <i>Environment Protection Act 1993</i> <i>Gas Act 1997</i> <i>Landscape South Australia Act 2019</i> <i>Local Government Act 1999</i> <i>Native Vegetation Act 1991</i> <i>Planning, Development and Infrastructure Act 2016</i> <i>Road Traffic Act 1961</i> <i>Telecommunications Act 1997</i> <i>Water Industry Act 2012</i>		
Related Policies:	Verge Policy Footpaths Policy Driveways Policy		
Other Reference Documents:	Council's Environment Strategy Australian Standard 4373 -2007 - Pruning of Amenity Trees Australian Standard 2303 - 2018 - Tree Stock for Landscape Use Australian Standard 4970 – 2009 - Protection of trees on development sites		

	<p>Operational Instruction – Trees in Medians and Roadsides in the Urban Environment (Department for Infrastructure and Transport)</p> <p>SA Power Networks - Power Friendly Trees</p> <p>SA Water Tree Planting Guide</p> <p>Vegetation Removal Policy – Standard Operating Procedure under the Native Vegetation Act 1991 (Department for Infrastructure and Transport)</p>
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Appendix 1: Clearances for tree planting and pruning.

Planting

The following tables are a guideline and may be altered at the discretion of the relevant qualified Council officer. These clearances are not applied retrospectively:

Infrastructure	Recommended clearances
Bus Stop	10m (subject to site conditions)
Corners and Intersections	10m, maintained to provide sight lines
Driveway (non-traffic approach side)	2m
Driveway (traffic approach side)	3m
Stobie Poles	3m
Above ground and underground services	As per service utility guidelines
Stormwater inlet	2m from edge, not over stormwater infrastructure
Stop, Give Way & Speed Signs	5m (front) or 2m (behind), maintained to provide sight lines
Other Signs	2m, maintained to provide sight lines

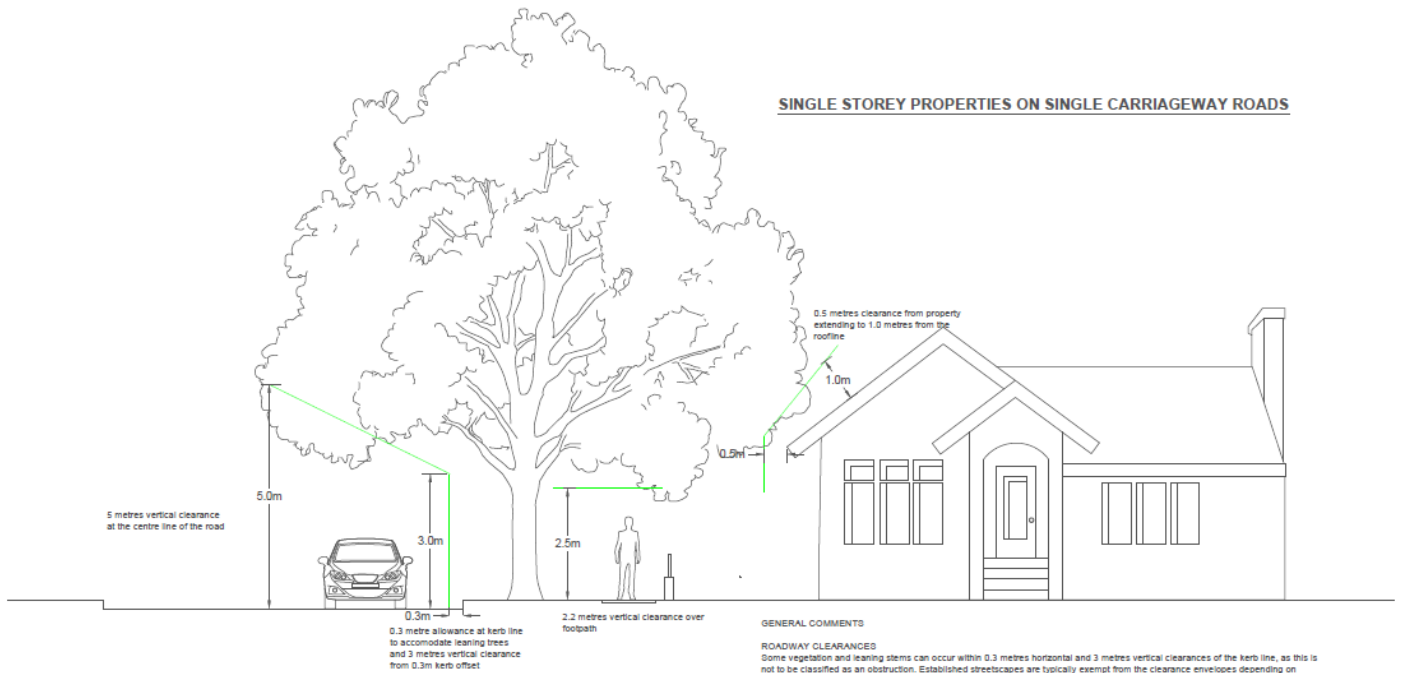
Verge width	Tree size
Up to 600 mm	Trees cannot be planted. Refer to Verge Management Policy for landscaping alternatives.
600 mm - 2m	Small tree
2 - 3m	Medium tree
3m +	Large tree

Pruning

Council will look to achieve the following vertical clearance envelopes. If clearances cannot be achieved by pruning without damaging the trees health and/or compromising the structural integrity, alternative measures will be investigated. In cases of juvenile tree stock, young growth may occasionally enter clearance envelopes. Tolerance is to be applied in such cases with any such biomass to be considered as a temporary encroachment.

Footpath	Non-Arterial Road	Arterial Road
Footpath – 2.5m	Edge of carriage way - minimum 3 metres or to suit waste collection vehicles.	Refer to DIT Standard Operating Procedure, “Vegetation Removal Policy” under the <i>Native Vegetation Act 1991</i> .
	Centre of road – 5m	

SINGLE STOREY PROPERTIES ON SINGLE CARRIAGEWAY ROADS



GENERAL COMMENTS

ROADWAY CLEARANCES

Some vegetation and leaning stems can occur within 0.3 metres horizontal and 3 metres vertical clearances of the kerb line, as this is not to be classified as an obstruction. Established streetscapes are typically exempt from the clearance envelopes depending on amenity value and canopy cover value of the subject tree. Maintaining canopy cover over roadways should be prioritised where possible.

FOOTPATH CLEARANCES

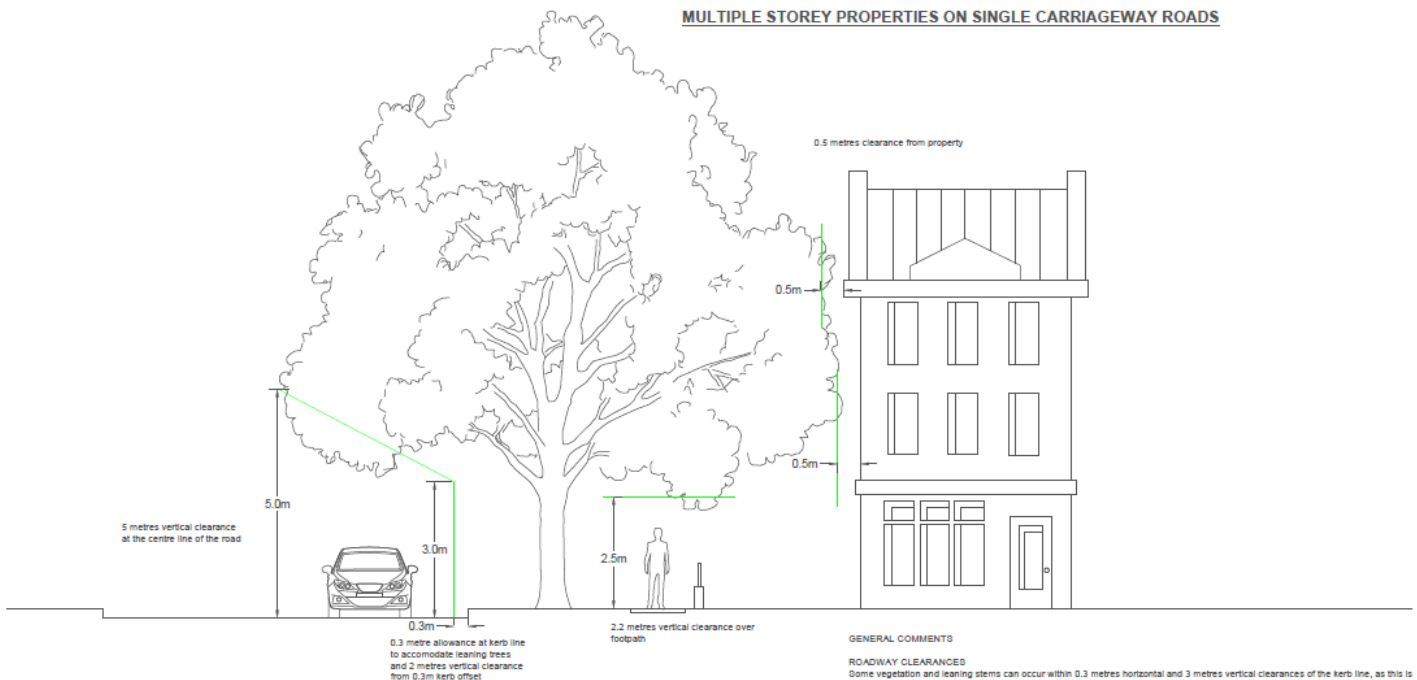
Some obstruction within the specified clearance envelope is acceptable provided sufficient clearance width is available to allow safe passage of pedestrians on the footpath, or there is an alternative footpath on the opposite side of the road.

PRIVATE PROPERTY CLEARANCES

Maintaining appropriate tree canopy structure is the primary objective of tree pruning over private property. A secondary objective is to maintain and/or increase canopy cover within the Council area. Council will adopt a less is best approach to pruning over private property to ensure the structural integrity of the tree is maintained and epicormic regrowth (excessive re-shooting at cut sites) is minimised. Pruning within the specified clearance envelopes will be negotiated in certain circumstances.

Private property clearances are only undertaken based on a customer request.

MULTIPLE STOREY PROPERTIES ON SINGLE CARRIAGEWAY ROADS



GENERAL COMMENTS

ROADWAY CLEARANCES

Some vegetation and leaning stems can occur within 0.3 metres horizontal and 3 metres vertical clearances of the kerb line, as this is not to be classified as an obstruction. Established streetscapes are typically exempt from the clearance envelopes depending on amenity value and canopy cover value of the subject tree. Maintaining canopy cover over roadways should be prioritised where possible.

FOOTPATH CLEARANCES

Some obstruction within the specified clearance envelope is acceptable provided sufficient clearance width is available to allow safe passage of pedestrians on the footpath, or there is an alternative footpath on the opposite side of the road.

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