

CITY OF WEST TORRENS



Notice of Council & Committee Meetings

NOTICE IS HEREBY GIVEN in accordance with Sections 83, 84, 87 and 88 of the *Local Government Act 1999*, that a meeting of the

Council

and

- **City Finance and Governance Standing Committee**

of the

CITY OF WEST TORRENS

will be held in the Council Chambers, Civic Centre
165 Sir Donald Bradman Drive, Hilton

on

TUESDAY, 17 SEPTEMBER 2019
at 7.00pm

Terry Buss PSM
Chief Executive Officer

City of West Torrens Disclaimer

Please note that the contents of these Council and Committee Agendas have yet to be considered by Council and officer recommendations may be altered or changed by the Council in the process of making the formal Council decision.

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1 MEETING OPENED

1.1 Acknowledgement of Country

1.2 Evacuation Procedures

2 PRESENT

3 APOLOGIES

Leave of Absence

Council Members:

Cr Jassmine Wood

4 DISCLOSURE STATEMENTS

Elected Members are required to:

1. Consider Section 73 and 75 of the *Local Government Act 1999* and determine whether they have a conflict of interest in any matter to be considered in this Agenda; and
2. Disclose these interests in accordance with the requirements of Sections 74 and 75A of the *Local Government Act 1999*.

5 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Council held on 3 September 2019 be confirmed as a true and correct record.

6 MAYORS REPORT

(Preliminary report for the agenda to be distributed Friday, 13 September 2019)

In the 2 weeks since the last Council Meeting of 3 September 2019 functions and meetings involving the Mayor have included:

Wednesday 4 September

- Attended the LGA's Local Government Reform consultation workshop at LGA House.

Thursday 5 September

- Participated in my regular monthly interview on Coast FM with David Hearn.
- Participated in the West Torrens Road Safety Group meeting.

Friday 6 September

- Participated in the Western Adelaide Consultative Group meeting at Adelaide Airport with the Chief Executive Officer.

Saturday 7 September

- Attended the official opening of the Adelaide electorate office of Steve Georganas MP.

Tuesday 10 September

- Attended the City of West Torrens Business Breakfast at the Highway Hotel.
- Met with Stephen Holmes from Holmes Dyer.

Thursday 12 September

- Attended the Immanuel College Showcase at the Adelaide Entertainment Centre.

Friday 13 September

- Along with Mayor Angela Evans participating in a photo shoot in a National Motor Museum vintage car for the promotion of the formal opening of West Beach Road on Friday 20 September.
- Attending the launch of the Adelaide Migrant Resource Centre's 'DriveAbout' App.

Saturday 14 September

- Participating in the Australian Mayoral Aviation Council Executive meeting in Melbourne.
- Attending the SA Public Primary Schools Concert at Adelaide Festival Theatre featuring students from Plympton International College.

Tuesday 17 September

- Attending the Grand Opening by Premier Steven Marshall of TT Fuel's Global Headquarters at 119 Hayward Avenue, Torrensville.

RECOMMENDATION

That the Mayor's Report be noted.

7 ELECTED MEMBERS REPORTS**8 PETITIONS**

Nil

9 DEPUTATIONS

Nil

10 ADJOURN TO STANDING COMMITTEES**RECOMMENDATION**

That the meeting be adjourned, move into Standing Committees and reconvene at the conclusion of the City Finance and Governance Standing Committee.

11 ADOPTION OF STANDING COMMITTEE RECOMMENDATIONS**11.1 City Finance and Governance Standing Committee Meeting****RECOMMENDATION**

That the recommendations of the City Finance and Governance Standing Committee held on 17 September 2019 be adopted.

12 ADOPTION OF GENERAL COMMITTEE RECOMMENDATIONS

Nil

13 QUESTIONS WITH NOTICE

Nil

14 QUESTIONS WITHOUT NOTICE**15 MOTIONS WITH NOTICE****15.1 Fire and Spice Festival 2020**

Cr Kym McKay gave notice of his intention to move the following motion:

MOTION

That following the success of the inaugural Fire and Spice Festival in April 2019, Council approves:

1. The holding of its second Fire and Spice Festival in April/May 2020.
2. The inclusion of \$25,000 in the 2019/20 budget for the Fire and Spice Festival.
3. The inclusion of the Fire and Spice Festival in Council's annual Festival Program.

16 MOTIONS WITHOUT NOTICE

17 REPORTS OF THE CHIEF EXECUTIVE OFFICER

17.1 E-Scooter Trial Update

Brief

To provide Council with an update regarding progress of the e-scooter trial in the Council area and the LGA's completed discussion paper and model permit for shared mobility schemes.

RECOMMENDATION

It is recommended to Council that:

1. The report be received.
2. The Administration continue to work with other Coastal councils to further progress the Request for Tender process for "E-Scooter mobility services" for allowing e-scooters to operate along the Coast Park path.

Introduction

Members may recall that at a meeting of Council held on 4 June 2019, Council considered a report on an E-Scooter trial and a submission to the Local Government Association (LGA) on a discussion paper on Bike Share Schemes and e-scooters, and resolved the following:

1. *The report be received.*
2. *The comments detailed in the report form the Council's submission to the LGA.*
3. *The Administration continue to work with the other Coastal councils to further progress the review of the feasibility of allowing e-scooters to operate along the Coast Park path.*
4. *A trial of e-scooters with the City of West Torrens not be further considered until such time that the LGA have finalised guidelines on the use of e-scooters in South Australia.*

Accordingly, Council's feedback from the "E-Scooter Trial and LGA Submission" report was provided and received by the LGA and the comments were considered prior to the LGA administration submitting the final issues paper to the LGA Board of Directors.

On the 18 July 2019, the LGA Board of Directors endorsed the *Shared Mobility Devices: Issues Paper and Model Permit and Operating Conditions* and both guidance documents were published on the LGA webpage. The *Model Permit and Operating Conditions* was based predominantly on lessons learnt from the experience of the e-scooter trial in the City of Adelaide.

The Administration also continued to work with the other Coastal councils to further progress the review of the feasibility of allowing e-scooters to operate along the Coast Park path. To date the collective councils have developed an Expression of Interest document to operate e-scooters along the coastal park shared path. A map of the proposed route within the City of West Torrens is included in **Attachment 1**.

Discussion

Adelaide's Western Region local governments (the Alliance) economic development alliance is working strategically to manage and support the introduction of a 6 month trial for e-scooters for the coastal area. The Alliance of Councils comprises the Cities of Charles Sturt, Holdfast Bay, Port Adelaide Enfield and West Torrens. These Councils are committed to working collaboratively together on key economic projects to benefit the Western Adelaide communities.

Tender Process

Based on the endorsed and published LGA *Model Permit and Operating Conditions* and Council resolutions, the Administration has continued to work with the Cities of Holdfast Bay, Charles Sturt and Port Adelaide Enfield in developing the tender documents and process based on the LGA *Model Permit*, advice from LGA Procurement and advice from the City of Adelaide administration. The City of Port Adelaide Enfield administration was appointed the lead role in this process in consultation with the other coastal Councils. When the documentation has been finalised, it is recommended that the procurement process will be undertaken by the LGA Procurement team given their specialist expertise in this capacity and allowing for there to be a single point of contact for interested parties.

To progress with the e-scooter trial, in addition to formal Council endorsement, it is necessary to have the trial area gazetted by the Minister of Transport, Infrastructure and Local Government (Minister). The City of Holdfast Bay administration, in consultation with the coastal Councils, have prepared a formal letter to the Minister requesting that the appropriate legislative approvals to legally enable the e-scooter trial be granted for the 6-month trial period. The Chief Executives from all coastal Councils have endorsed and signed the letter to the Minister (**Attachment 2**).

The letter mentions the key drivers for the trial and the potential benefits of the trial for tourism and improving connectivity along the coast. The South Australian Tourism Commission has also voiced support for trialling e-scooters along the coastal trail. West Beach Parks, who were consulted in the process, have also expressed support in having parts of the West Beach shared path included in the e-scooter trial area.

To date, the Alliance, through LGA Procurement, is seeking suitable Suppliers to provide shared e-scooter mobility services under the e-scooter permit for each of the four Councils in a confined area along the coast park (shared path) from Outer Harbor to Seacliff including local streets where a path does not exist.

Under Section 222 of the Local Government Act 1999 (SA), e-scooter operators are required to obtain an On-Street Activity permit (Permit) from Council prior to undertaking a business on a public road. This process will also be incorporated through the trial process.

Trial Design

During the trial, the e-scooters will be permitted to operate from 6.00am to 9.00pm, seven days per week. Designated parking areas and go-slow zones have also been identified, with scooters automatically restricted to 5km/hr in these areas. All other areas will have a speed restriction of 15km/hr.

Earth wraps will be placed on the path surface and geotextile grids installed at various locations to ensure scooters are parked properly, and remain upright.

The e-scooter trial is anticipated to run from November 2019 to April 2020 subject to State Government approval, with a review of operations after three months to assess the number of trips taken, any incidents, duration and length of trips, complaints and the success of the geo-fencing.

Conclusion

Based on the Council resolution from 4 June 2019 and the endorsement of the *Shared Mobility Devices: Issues Paper* and *Model Permit and Operating Conditions* by the LGA Board of Directors, the Administration will continue working with the other coastal Councils in seeking the appropriate legislative approvals from the Minister and developing the tender documents and process.

Attachments

- 1. E-Scooter Locality Plan within the City of West Torrens**
- 2. Letter to Minister for Transport, Infrastructure and Local Government**





15 August 2019

Hon Stephan Knoll MP
Minister for Transport, Infrastructure and Local Government
Minister for Planning
GPO Box 1533
ADELAIDE SA 5001

Dear Minister Knoll,

Adelaide's Western Region local governments have formed an alliance to drive an economic development strategic focus to advance the interests of the area. The Western Region Alliance of Councils comprises the Cities of Charles Sturt, Holdfast Bay, Port Adelaide Enfield and West Torrens. These Councils are committed to working collaboratively together on key economic projects to benefit the Western Adelaide communities.

Tourism is a growing economic priority for Western Adelaide, directly employing more than 9,600 people and supporting 4,669 businesses in the region. The Western Adelaide Alliance is committed to optimising tourism opportunities by working with businesses and our communities on the best way forward to improve the destination offerings, and to increase the range, quality and diversity of experiences available.

We write this letter seeking support (subject to formal Council considerations) of a six month trial of legally compliant electric scooters in a confined area along the coast park from Outer Harbour to Seacliff including the granting of the necessary legislative approvals to legally enable such a trial to occur. A ride sharing platform works towards a healthy, creative and connected community; a community which is aware of its impact on the environment. It supports a diverse and resilient local economy and creates lively and safe places to live and visit.

Electric scooters will facilitate engagement with Western Adelaide's culture, coast and iconic attractions encouraging visitors and the community to stay longer and explore different precincts along the coast park.

The Western Adelaide Alliance are working closely with the Local Government Association and Adelaide City Council to coordinate a request for quote to ensure successful operators would be approved through a formal agreement to mitigate any undesirable outcomes, outline responsibilities, operating route, regulations, expectations and key performance indicators.

Please find enclosed a letter from the South Australian Tourism Commission in support of trialling electric scooters along the coastal trails.

The Western Adelaide Alliance look forward to working with State Government to support a sustainable tourism industry that supports local, state and national economies.

Please do not hesitate to call Chris Dunn on 0400 290 233 or email chris.dunn@cityofpae.sa.gov.au to discuss further or to meet to determine the required arrangements to progress further.

Signed by the four CEO's:

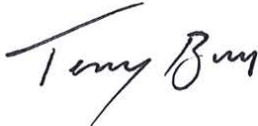
Roberto Bria, Chief Executive Officer City of Holdfast Bay

Date: 15/08/19



Terry Buss PSM, Chief Executive Officer City of West Torrens

Date: 21/8/2019



Paul Sutton, Chief Executive Officer City of Charles Sturt

Date: 19/08/19



Mark Withers, Chief Executive Officer City of Port Adelaide Enfield

Date: 15/08/19



cc: Scott Swain
Acting Manager, Policy and Strategy
Regulation Directorate
Department of Planning, Transport and Infrastructure

17.2 Grant Application - Filipina Network of South Australia

Brief

This report presents a Community Grant application from the Filipina Network of South Australia for sponsorship funding towards the cost of the 2019 Philippine Fiesta of South Australia.

RECOMMENDATION

It is recommended to Council that the request for a \$5,000 Sponsorship grant from the Filipina Network of South Australia for the 2019 Philippine Fiesta of South Australia to be held on 26 October 2019 at Thebarton Community Centre and Kings Reserve be approved.

Introduction

Council's Community Grants Program (Program) provides funding to eligible groups, organisations and individuals to support community projects and initiatives that are in line with Council's Community Plan. The Program comprises community grants, community equipment grants, sponsorship, women in sports grants and junior development grants.

Council approved \$121,000 in the 2019/20 budget for the Program with applications being received all year round.

Since 1 July 2019, twelve (12) grant applications, totalling \$30,311 have been approved by Council.

A sponsorship grant application has been received from the Filipina Network of South Australia to assist in the holding of the 2019 Philippine Fiesta of South Australia (**Attachment 1**). It is time sensitive, being held on 26 October 2019 with the application being received in mid-September, so is being presented directly to Council rather than via the City Advancement and Prosperity Committee.

Discussion

The application from the Filipina Network of South Australia is for the maximum sponsorship grant available, being \$5,000. The Fiesta is being held at Thebarton Community Centre and Kings Reserve on 26 October 2019 and is open to the whole community. It is a cultural celebration that will showcase various aspects of Filipino culture through dance, food and music. Council has sponsored this event to the maximum grant available for the last two years.

The grants budget for 2019/20 is **\$121,000**. The grant applications approved by Council so far this year equal a total of \$30,311, the budget remaining will be \$90,689. If this grant application for \$5,000 is approved the budget remaining for future disbursement will be **\$85,689** for the remainder of the financial year.

Conclusion

This report presents a Sponsorship Grant application from the Filipina Network of South Australia for the 2019 Philippine Fiesta of South Australia being held at Thebarton Community Centre and Kings Reserve on 26 October 2019.

Attachments

1. Sponsorship Application - Filipina Network of SA

Community Grants 2019-20

Community Grants

Application CG000071920 From FNSA - Filipina Network of South Australia
Form Submitted 7 Sep 2019, 3:02pm ACST

Anticipated start date *

26/10/2019

If unknown, provide your best guess or leave blank

Anticipated end date

26/10/2019

If successful, what do you intend doing with the grant funds? *

To assist in the cost of hiring the sound system, portable toilets, skip, marquees, tables and chairs as well as venue hire, generators, stage, administrative costs.

Must be no more than 150 words.

How does your project align to the strategic priorities of Council as outlined by the Community Plan? *

The 2019 Philippine Fiesta of South Australia event will support the Council's vision committed to being the best place to live, work and enjoy life. It will show the Council's aspiration of a community that embraces diversity by supporting events and activities and multicultural programs for people of all ages, abilities and cultural backgrounds. This will facilitate opportunities for community connection and in building a strong relationship with people. The use of the Council's facilities will provide an opportunity for social, recreational and educational interaction with the local community

Must be no more than 150 words.

To refer to the City of West Torrens Community Plan go to <https://indd.adobe.com/view/cdf238c2-6408-493c-b378-4e81069d4783>

Does this application respond to one or more of the program priority areas? *

This Sponsorship Grant will provide support to our community group with local events, activities and programs that celebrate multicultural and indigenous heritage. The 2019 Philippine Fiesta event will showcase a celebration of the various aspects of the Filipino culture, food, dance, music, and talent that will encourage social interaction and linkages. This will provide greater public awareness and appreciation of the cultural diversity of people, old and young, living in the local as well as in the regional community.

Must be no more than 150 words.

For Program Priority areas, refer to Page 2 of the Guidelines for City of West Torrens Grants and Sponsorships.

How does your project demonstrate innovation? Is there evidence and/or a clear reason for why it has been developed? *

In order to encourage migrant communities and uplift the profile of Filipinos living in South Australia, the Filipina Network of SA, together with the active community leaders, develop a plan to bring together and rekindle the solidarity of all Filipinos living in South Australia by providing an opportunity for them to show their talents and skills in the fields of culture and performing arts, business and volunteering. Through various activities, Filipino will be able to use their organizational skills, interpersonal relationships and community connections to encourage socially isolated Filipinos, on income support, unemployed, experienced English language difficulty or have survived domestic violence, to come to an event where they feel more at home and alleviate these bad experiences. Through four years of hosting this annual event, more and more Filipinos gather every year which resulted in improved community involvement and increased resilience in the local community.

Must be no more than 150 words.

How do you plan to engage the groups you are targeting for this project? *

For this year's Philippine Fiesta, the Filipina Network of South Australia Inc. is targeting the involvement of Filipinos living in the regional area by encouraging them to present dance

Community Grants 2019-20

Community Grants

Application CG000071920 From FNSA - Filipina Network of South Australia
Form Submitted 7 Sep 2019, 3:02pm ACST

Main business location 5000 SA

Information retrieved at 11:40pm yesterday

Must be an ABN

What type of not-for-profit organisation are you?

- | | |
|--|--|
| <input type="radio"/> Educational institution (includes pre-schools, schools, universities & higher education providers) | <input type="radio"/> Professional association |
| <input type="radio"/> Religious or faith-based institution | <input type="radio"/> Healthcare not-for-profit |
| <input type="radio"/> Philanthropic organisation | <input checked="" type="radio"/> Community group |
| <input type="radio"/> Peak body | <input type="radio"/> Political party / lobby group |
| <input type="radio"/> Social enterprise | <input type="radio"/> Research body |
| <input type="radio"/> International NGO | <input type="radio"/> General not-for-profit (i.e. none of the sub-types listed above) |

Please choose the option that best applies to your organisation.

What is your organisation's annual revenue?

- | | |
|--|---|
| <input checked="" type="radio"/> Less than \$50,000 | <input type="radio"/> \$1 million or more, but less than \$10 million |
| <input type="radio"/> \$50,000 or more, but less than \$250,000 | <input type="radio"/> \$10 million or more, but less than \$100 million |
| <input type="radio"/> \$250,000 or more, but less than \$1 million | <input type="radio"/> \$100 million or more |

Your revenue includes grants, donations, and other fundraising activities, fees for services, sale of goods, interest, royalties and in-kind donations that have been included in your accounts as 'revenue'. The Australian Charities and Not-for-profits Commission (ACNC) has more detailed information here: www.acnc.gov.au/ACNC/Manage/Reporting/SizeRevenue/ACNC/Report/SizeRevenue.aspx

What is your organisation's legal structure?

- | | |
|--|---|
| <input type="radio"/> Unincorporated association | <input type="radio"/> Organisation established through specific legislation |
| <input checked="" type="radio"/> Incorporated association | <input type="radio"/> Trust |
| <input type="radio"/> Cooperative | <input type="radio"/> Unknown |
| <input type="radio"/> Company limited by guarantee | <input type="radio"/> Other: |
| <input type="radio"/> Indigenous corporation, association or cooperative | |

If your organisation is unincorporated it must have an auspice organisation

Project Details

* indicates a required field

Project title: *

2019 Philippine Fiesta of South Australia

Provide a name for your project/program/initiative. Your title should be short but descriptive

Community Grants 2019-20

Community Grants

Application CG000071920 From FNSA - Filipina Network of South Australia
Form Submitted 7 Sep 2019, 3:02pm ACST

Back-up phone number**Fax number**

If applicable

Primary contact person's email address *

jessica_tomakin@hotmail.com

This is the address we will use to correspond with you about this grant.

Organisation Details

* indicates a required field

Describe why your organisation exists, what does it aim to achieve and how? *

The Filipina Network of South Australia Inc. is a non-profit and non-political organization that provides a formal support network for Filipino women in South Australia and established for the following objectives:

1. to promote general welfare and interests of Filipino women in the local community
 2. to strengthen communication and cooperation within the community in addressing Filipino women's issues and needs
 3. to work with existing community services, government agencies and other entities concerned with women's welfare and interests
 4. to serve as an avenue for Filipino women in accessing relevant information and pursuing activities for personal and skills development
- Must be no more than 100 words.

Does your organisation have an ABN? *

☒ Yes ☐ No

ABN *

54 420 802 903

| Information from the Australian Business Register | |
|---|---|
| ABN | 54 420 802 903 |
| Entity name | Filipina Network Of South Australia |
| ABN status | Incorporated Active |
| Entity type | Other Incorporated Entity |
| Goods & Services Tax (GST) | No |
| DGR Endorsed | No |
| ATO Charity Type | Not endorsed More information |
| ACNC Registration | No |
| Tax Concessions | No tax concessions |

Community Grants 2019-20

Community Grants

Application CG000071920 From FNSA - Filipina Network of South Australia
Form Submitted 7 Sep 2019, 3:02pm ACST

Eligibility and Contact Details

* indicates a required field

Applicants: please note

An online application to our grants program is an acceptance that the applicant agrees to the City of West Torrens conditions for any grant approval.

Incomplete applications and/or applications received after the activity/event date will not be considered.

Privacy Notice

City of West Torrens pledges to respect and uphold your rights to privacy protection under the Australian Privacy Principles (APPs) as established under the Privacy Act 1988 and amended by the Privacy Amendment (Enhancing Privacy Protection) Act 2012. To view our privacy statement, go to [City of West Torrens - Privacy](#)

Applicant Organisation Details

Applicant organisation name *

FNSA - Filipina Network of South Australia

Please use your organisation's full name. Check your spelling and make sure you provide the same name that is listed in official documentation such as with the ABR, ACNC or ATO.

Primary (physical) address *

22 Lipsett Terrace

Brooklyn Park SA 5032 Australia

Must be an Australian postcode.

If your organisation operates in multiple locations or from multiple offices, please pick one as your primary address.

Postal address (if different to above)

22 Lipsett Terrace

Brooklyn Park SA 5032 Australia

Applicant website

If available. Must be a URL

Primary contact person *

Ms Clemen Tomakin

This is the person we will correspond with about this grant

Position held in organisation *

Treasurer

e.g. Manager, Board Member, Fundraising Coordinator

Primary phone number *

0405 179 884

Community Grants 2019-20

Community Grants

Application CG000071920 From FNSA - Filipina Network of South Australia
Form Submitted 7 Sep 2019, 3:02pm ACST

performances and music, and demonstrate their business skills by having their own food and business stalls. We will promote this event by networking through social media, Facebook page of various Filipino organisations and individuals, print flyers to be distributed and posted in shopping malls, community and civic bulletin boards, school/university bulletin boards etc, send emails/letters to all Filipino communities and radio broadcast in our own Radyo Pilipino program as well as word of mouth so that more groups of people will be informed and able to participate in this event (Filipinos and non-Filipinos)
Must be no more than 150 words.

Do you have a plan for how your project will be delivered? Does your plan consider risks involved, and how you will work with partner organisations (if applicable)? *

FNSA Philippine Fiesta Working Group had started planning for the Fiesta preparations and filling up the requirements of the Council as to Site Plan, Public Liability Insurance for about 3,000 expected attendees, and Risk Management plan, which includes lost children, electrical incidents/power failure, installations of temporary structures (like marquees), medical incidents/accidents, food poisoning, crowd control, toilet failure, vehicle parking on site and waste management. We are now writing letters to partner organizations/agencies to support us during this event, like St. John's Ambulance Service, SAPOL, SAMFS, Cancer Council SA, security guards, sanitary officers, qualified electricians, Aussie Party Hire Professionals, qualified sound engineer for amplification, Volunteers and the City of West Torrens Event Team.

Must be no more than 150 words.

Reporting your success

How will you know if you have achieved your intended outcomes? *

The effectiveness of this year's event will depend on attendance figures as compared to last year's event with an increase in the participation of various multicultural community organisation (Filipino and non-Filipino), business and food stallholders, entertainment, general attendance particularly children's participation in the planned introduction of Filipino games, zero/nil accidents, waste management and feed backs / comments from attendees.

Must be no more than 150 words.

Will the project be carried out in partnership with other relevant organisations? *

☒ Yes

☐ No

| Name of organisation | Contact person | Role/contribution |
|--|--------------------------------|---|
| Multicultural Grants SA | Dept. of Multicultural Affairs | Provides support to community events, activities and other multicultural programmes |
| Filipino Settlement Coordinating Council of SA | Ben Hur Winter | Peak body of the Filipino organisations in SA through its membership contact (contribution is physical support) |
| | | |
| | | |

Partner organisation funding

Community Grants 2019-20

Community Grants

Application CG000071920 From FNSA - Filipina Network of South Australia
Form Submitted 7 Sep 2019, 3:02pm ACST

What is the amount to be funded by your partner organisation (if applicable)?

\$15,000.00

Must be a dollar amount.

What will the grant funds be spent on?

| Equipment (specify) | Materials (specify) | Other (specify) |
|--------------------------------------|-------------------------------------|---|
| Hire of Sound System | Hire of 3-4 generators | Travel subsidy for regional participants |
| Hire of Portable Toilets | Hire of Temporary Stage/Stage cover | Documentation and administrative expenses |
| Hire of Skip | Purchase of rubbish bags/liners | Public Liability Insurance |
| Hire of 30 marquees, tables & chairs | | Workshop Expenses |
| | | Petrol subsidy for Volunteers |
| | | |
| | | |

What is the total cost of the proposed purchases? *

\$25,000.00

Must be a dollar amount.

What is the amount sought from Council? *

\$5,000.00

Must be a dollar amount.

What is the amount to be funded by your organisation? *

\$2,000.00

Must be a dollar amount.

Publicity and Promotion

How will you promote your project, initiative or resource? *

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Signage | <input checked="" type="checkbox"/> Email distribution | <input checked="" type="checkbox"/> Network Meetings |
| <input type="checkbox"/> Official Launch | <input checked="" type="checkbox"/> Flyers | <input checked="" type="checkbox"/> Social Media |
| <input type="checkbox"/> Newsletters | <input type="checkbox"/> Letterbox Drop | <input checked="" type="checkbox"/> Other: radio, word-of-mouth |

Documentation checklist and further information

Attached is:

Supporting documents that may be appropriate (maximum of two pages)

Filename: Risk management.jpg

File size: 190.1 kB

Filename: thumbnail_Risk Management Plan 2.jpg

Community Grants 2019-20

Community Grants

Application CG000071920 From FNSA - Filipina Network of South Australia
Form Submitted 7 Sep 2019, 3:02pm ACST

Contact phone number * +61 405 179 884
Must be an Australian phone number.

Mobile number +61405179884

Contact Email * jessica_tomakin@hotmail.com
Must be an email address.

Date * 07/09/2019
Must be a date

Applicant Feedback

You are nearing the end of the application process.

Before you review your application and click the **SUBMIT** button please take a few moments to provide some feedback.

This section is not mandatory

Please indicate how you found the online application process:

☐ Very easy ☐ Easy ☒ Neutral ☐ Difficult ☐ Very difficult

Please provide us with your suggestions about any improvements and/or additions to the application process/form that you think we need to consider.

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Community Grants

Application CG000071920 From FNSA - Filipina Network of South Australia
Form Submitted 7 Sep 2019, 3:02pm ACST

File size: 203.3 kB

Filename: thumbnail_Risk Management Plan 3.jpg

File size: 109.1 kB

Filename: thumbnail_Risk Management Plan0.jpg

File size: 222.6 kB

Maximum 25mb, recommended size no bigger than 5mb

Three quotes for purchases of any items more than \$1000

Filename: 20190907145256825.pdf

File size: 295.1 kB

Maximum 25mb, recommended size no bigger than 5mb

Previous Grants received from Council

If applicable, please list all grants received from the City of West Torrens in the past three years.

| Amount | Date received | Project, initiative or resource |
|------------|------------------|---------------------------------|
| \$5,000.00 | 29 November 2017 | 2017 Philippine Fiesta of SA |
| \$5,000.00 | 31 October 2018 | 2018 Philippine Fiesta of SA |
| | | |
| | | |

Certification and Feedback

* indicates a required field

Certification

I certify that to the best of my knowledge the statements made within this application are true and correct.

I also confirm that I have read and understood the conditions for funding as outlined in the Guidelines for City of West Torrens Grants and Sponsorships and accept and agree to abide by the conditions therein.

I also accept and agree to abide by any additional conditions outlined in any approval letter.

I agree *

☒ Yes ☐ No

Name of authorised person *

Ms Clemen Tomakin
Must be a senior staff member, board member or appropriately authorised volunteer

Position *

Treasurer
Position held in applicant organisation (e.g. CEO, Treasurer)

Community Event Risk Management Plan

Civic Centre
165 Sir Donald Bradman Drive
Hilton, SA 5033
Tel (08) 8416 6333
Fax (08) 8443 5708
Email csu@wtcc.sa.gov.au
Website westtorrens.sa.gov.au

City of West Torrens
Between the City and the Sea

| | | |
|--|--|--|
| Event name: Philippine Fiesta 2018 | Date: Saturday, 3 November 2018 | Event location: King's Reserve, Western Oval |
| Number of attendees/participants: approx. 3,000 | Event set up: 7AM | Event run time: 11AM - 4PM |
| Organiser: Filipina Network of SA, Inc. | Responsible person: Leticia De La Cerna- FNSA Chairperson | |
| Telephone: | Mobile: 0404183497 | Email: lettydc53@hotmail.com |
| Brief description of event: <p>In order to encourage migrant communities to live up to South Australia as a Festival state, the South Australian Government has provided funding to the Filipina Network of South Australia, Inc. (FNSA) to organize the Philippine Fiesta for a period of 3 years, showcasing Filipino tradition and culture. The event is also a recognition of the proven leadership of FNSA to uplift the profile of Filipino women and their families who have called South Australia as their home.</p> <p>Philippine Fiesta 2018 will promote the tribal communities in the Philippines featuring their traditional dances and songs and Filipino foods and delicacies. There will also be a multicultural participation of all service providers, businesses and performers. The event will also honor the presence of Special Guests from the South Australian Government who support the Filipino Community for so many years.</p> | | |

Last printed 15/06/2018
Last reviewed 1/10/2016

Page 1 of 5

Reviewed by:

Date approved:

Follow up required:

| Risk register | | | | |
|--|---|--|---|--|
| Risk issue (What could go wrong?) | What are the Implications if this occurred? | How will you manage this risk? | Person responsible | |
| Lost children/things | <ul style="list-style-type: none"> PA system available for announcements Provide a marquee clearly signed "Lost & Found" Walkie-talkies provided to event organisers and staff Secure fenced location | Phil Fiesta Working Group (PFWG) to: <ul style="list-style-type: none"> -Employ a qualified Sound Engineer to manage sound and PA system -Hire Security Officers -Designate Volunteers | EMCEE AUS PHIL PASystem Security Officers Volunteers | |
| Temporary Marquees - Collapse | <ul style="list-style-type: none"> Ensure all temporary structures are safely installed and secured Employ professional/ experienced staff to erect marquees safely Evacuate and secure Incident area | <ul style="list-style-type: none"> -Hire professional/experienced marquee installer -Designate Security Officers and Volunteers around the area | AUSSIE PARTY HIRE St. John's Ambulance SAPOL | |
| Temporary electrical installations/incidents/Power failure | <ul style="list-style-type: none"> Hire generators installed by professional staff for temporary power supply Provide fire extinguishers around the area, in case of fire Evacuate and secure Incident area | <ul style="list-style-type: none"> -Hire 4 generators for power supply -Employ Professional Electrician to install power supply in every stall -Designate Security Officers | Onkaparinga Electrical Services Generator Hire Company SAMFS/SAPOL | |
| Food Poisoning | <ul style="list-style-type: none"> Comply to Food Hygiene and Handling Training provided by CWT online Display Certificate of Compliance/ License in stall area Provide sanitation equipments Report any incident | <ul style="list-style-type: none"> -Require all food stall holders to undergo online training on Food Hygiene and Handling provided by CWT -Request CWT Health Inspectors Team on site -Designate First Aiders/Volunteers | All food stall holders St John's Ambulance CWT Health Inspectors First Aiders/Volunteers | |

Last printed 15/06/2018
Last reviewed 17/10/2016

Page 3 of 5

Reviewed by:

Date approved:

Follow up required:

Risk register

| Risk issue (What could go wrong?) | What are the Implications if this occurred? | How will you manage this risk? | Person responsible |
|---|--|---|--|
| Crowd Control/Vehicle Parking | <ul style="list-style-type: none"> • Direct traffic control on Parking, ENTRY and EXIT areas • Provide Maps/site plans to direct incoming and outgoing traffic of vendors, service providers and participants to their designated areas • Ensure minimal vehicles on site and no vehicle movement during event time | <ul style="list-style-type: none"> -Contact SAPOL to patrol area from time to time -Hire Licensed Security Guards -Designate responsible volunteers to monitor crowd behaviour | Licensed Security Guards Volunteers as Marshalls SAPOL |
| Medical Incidents/Accidents (trips, falls, injuries, cuts, dehydration, sunburn, etc.) | <ul style="list-style-type: none"> • Ensure area is clear of any hazards for public safety • Ensure cables are flown or covered in mat tracks • Ask all food stall holders to use disposable plastic wares only – no breakables • Warn the public to use hats, sun blocks and other skin protection | <ul style="list-style-type: none"> -Ensure presence of St John's Ambulance at the Event -designate First Aiders -display WARNING posters around the area | St. John's Ambulance First Aiders |
| Temporary Toilet Installations/ failures | <ul style="list-style-type: none"> • Portable toilets are provided around the area to meet demands • Request CWT Council to open public toilets available in the area • Report any incident of toilet failure | <ul style="list-style-type: none"> -Hire 4 portable toilets and Sanitary officers -Ensure public toilets are clean and in good working conditions -Provide extra toilet papers -Put necessary signs in case of toilet failure/ blockage | Sanitary Officers CWT Council Event Team |

last printed 15/06/2018
last reviewed 1/10/2016

Page 4 of 5

Reviewed by:

Date approved:

Follow up required:

| | | | |
|--|--|---|---|
| <p>Rubbish/recyclables/ waste water and oil Disposal</p> | <ul style="list-style-type: none"> • It is the PFWG's condition to all food stall holders to take their rubbish with them • Request CWT Council to provide extra bins for rubbish and recyclables • Provide waste water/oil tanks at a designated area • Sanitary Officers are engaged to tidy around the area | <p>-Hire Sanitary Officers to clean up the area throughout the day</p> <p>-Designate Volunteers to see to it that stall holders tidy up their area</p> <p>-Hire 1X1,000 litres Waste Water Tank for waste water and oil</p> | <p>Sanitary Officers</p> <p>CWT Council Event Team</p> <p>Waste water Tank Supplier</p> |
| | | | |

Last printed 15/06/2018
Last reviewed 1/10/2016

Page 5 of 5

Reviewed by:

Date approved:

Follow up required:

AUSSIE

HIRE & EVENTS

TAX INVOICE

FILIPINA NETWORK OF SOUTH AUSTRALIA

2018 invoice - indicative of
costs for 2019.

Invoice Date
12 Sep 2018

Invoice Number
INV-2981

Reference
Letty

ABN
52 439 404 193

Aussie Hire & Events
13-15 Main Street,
Beverley SA 5009
M: 0411 434 549
www.aussiepartyhire.com.au

| Description | Quantity | Unit Price | GST | Amount AUD |
|--|----------|------------|-----|------------|
| 6m x 3m Pop Up Marquee / weighted / walled | 2.00 | 200.00 | 10% | 400.00 |
| 3m x 3m Pop Up Marquee / pegged / walled | 28.00 | 130.00 | 10% | 3,640.00 |
| Delivery / Collection Deliver Saturday 3.11.2018 (set up by 9am) Collect Saturday 3.11.2018 (from 4pm) Deliver to: Western Oval - Kings Oval, Torrensville Corner Ashwin Parade & South Road Philippine fiesta of SA 2018 | 2.00 | 200.00 | 10% | 400.00 |
| Discount | 1.00 | (470.00) | 10% | (470.00) |
| 1.8m Trestle | 30.00 | 10.00 | 10% | 300.00 |
| White Bistro Chair | 200.00 | 2.00 | 10% | 400.00 |
| 6m x 3m Stage Cover / walled / weighted (stage size 6.1m x 2.4m x 600mm high) | 1.00 | 450.00 | 10% | 450.00 |
| Toilet Hire (subhired by viking rentals) | 4.00 | 220.00 | 10% | 880.00 |
| INCLUDES GST | | | | 545.44 |
| TOTAL AUD | | | | 6,000.00 |

Due Date: 29 Oct 2018

Electronic Banking Details
NAME: Aussie Party Hire
BSB: 805-050
ACC: 61264653
Reference: *Invoice number*

We require a 20% deposit to secure your booking. Full payment is due prior to delivery. We accept cash, bank cheques, EFT and credit card payments. Hire equipment to be returned in the same condition it was sent out in or a cleaning fee will apply. Please read our terms and conditions which are displayed on our website before payment.

ABN: 52 439 404 193. Registered Office: 13-15 Main Street, BEVERLEY, SA, 5009, Australia.



Edwin Ganzon
29 Conmurra Court
Craigmore SA 5114

298 invoice - indicative of
costs for 2019.

BUSINESS NO. 04 04 03 4E
ABN. 17 085 208 957

Mobile. 041 230 5098
Email: ausphilprod@gmail.com

TAX INVOICE / STATEMENT

Bill To. Fillpina Network of South Australia

Date. 03/11/2018

Contact Person. _____

Invoice no. B915

Mobile Phone. _____

Home Phone. _____

Office Phone. _____

DESCRIPTION

2018 Philippine Fiesta of South Australia

Event Location. Western Oval, Kings Reserve,
Torrensville corner Ashwin Parade and South Road

Event Date. 03/11/2018

Full Time Event - 7:00am to 5:00pm

FRONT OF HOUSE - GROUND STUCK OUTDOOR LINE ARRAY SOUND SYSTEM

- | | | |
|-----|-----|---|
| 01. | x 8 | FS Audio 108P Line Array Speaker System |
| 02. | x 4 | DB Technologies 18" Powered Subwoofer |
| 03. | x 2 | SAE PQM8 Digital Line Array Power Amplifier |
| 04. | x 2 | RCF 15" Powered Speakers – Stage Monitor Speaker |
| 05. | x 1 | Yamaha MPG32x 32 Channel Hybrid Mixer |
| 06. | x 1 | 30 Metre Multicore Cable |
| 07. | x 2 | Laptop Computer |
| 08. | x 2 | Pioneer DJ CD Players |
| 09. | x 1 | Yamaha 120 - DJ Mixer |
| 10. | x 2 | DB Technology Stage Cordless Microphones |
| 11. | x 6 | Shure SM 58A Stage Cordless Microphones - (No charge backup only) |
| 12. | x 1 | Complete set - Drum Kit Microphones - (No charge backup only) |
| 13. | x 0 | Sound System and Electrical Cables all supplied |
| 14. | x 6 | 2 Microphone Stands - (4 Stand no charge backup only) |
| 15. | x 3 | Ausphil Production – Full time Sound System Crew - (Volunteer Crew) |

Please note: Sound equipment requires 4 hours of installation before the event starts
Electrical Equipment Test Tags - 02/09/2018 to 02/09/2019 – Licence No. PGE-145962

Thank you for your business

Total \$ 1,800.00
GST \$ 180.00
Total GST Include \$ 1,980.00

Fully paid by Cheque received 03/11/2018

17.3 Environment Protection Agency review of the Local Nuisance and Litter Control Act 2016

Brief

This report presents proposed feedback as part of the minor review of the *Local Nuisance and Litter Control Act 2016* by the Environment Protection Agency (EPA).

RECOMMENDATION

It is recommended to Council that the feedback contained in **Attachment 2** to the Agenda report be approved and submitted to the Environment Protection Agency as Council's response to the review of the *Local Nuisance and Litter Control Act 2016*.

Introduction

The Environment Protection Agency (EPA), in undertaking a review of the *Local Nuisance and Litter Control Act 2016* (Act), has requested feedback from councils by 4 October 2019 on issues that have arisen in administering the Act.

Discussion

The Act allows councils to manage various nuisance issues in the community. Nuisances covered under the Act include environmental nuisances (e.g. smoke and noise), insanitary conditions and more general amenity nuisances (e.g. unsightly premises).

The EPA has posed a number of questions for local governments and other organisations which carry responsibilities under the Act (**Attachment 1**).

The information sought by the EPA poses the following questions.

1. Should noise and other nuisances, other than those related to entertainment and patrons, that are common to licensed and non-licensed premises be dealt with under the Act?
2. Should the Act be amended so that outdoor events can be subject to the local nuisance provisions despite the fact that some or all of the event space also requires a liquor licence?
3. Would there be benefit in amending the nuisance provisions of the Liquor Licensing Act 1997 to better align with the Act?
4. Is the current suite of exclusions related to other legislation that deals with local nuisances sufficient or are there other Acts that also address local nuisance issues that should be considered for exclusion under Part 3 of Schedule 1?
5. Is there any need to set a definition for natural habitat?
6. Should the exclusion for noise and associated nuisances from sporting or associated activities at sporting venues be amended to remove motorsports venues from the exclusion allowing such activities to be regulated under the Act only in cases where they are not already regulated under a development approval or EPA licence?
7. Should light be included as an agent causing local nuisance that can be regulated under the Act and if not, what issues would prevent its inclusion?
8. Should the exclusion relating to noise from vehicles be amended to ensure nuisance from vehicles that is not associated with use on roads is able to be regulated as local nuisance and are there any other examples that should be considered?

9. Should dust from unsealed roads be considered 'not local nuisance' for the purposes of the Act and if not, what circumstances would justify allocation of responsibility to a council?
10. Should the exclusion of noise from public infrastructure be extended to also exclude vibration from public infrastructure?
11. Should the exemption for public infrastructure be limited to activities where nuisance cannot reasonably be avoided or managed?
12. Should provision be included to allow for early morning concrete pours during extremely hot weather?
13. If allowance was made, what are relevant considerations regarding applying limitations such as temperature and start time?
14. Should the Act apply to waste transport vehicles operating on private property as well as when operating on roads and road-related areas?
15. Would any of the options discussed improve the assessment of noise nuisance under the Act?
16. Are there any other suggestions to improve the assessment of noise nuisance under the Act?
17. Should a retrospective costs order be made available to councils where immediate clean-up of litter is required because it is causing a hazard?
18. Should car park owners be able to commence proceedings for distribution of bills on their premises?
19. Should there also be an expiation for the offence of authorising bill posting?
20. Are there any suggested changes to the LNLC Act that would assist in tackling illegal dumping?
21. Are general litter provisions sufficient to manage abandoned trolleys and if not, what would be the preferred approach for local government and why?
22. Have councils considered use of existing bylaw making provisions in the *Local Government Act 1999* to regulate the abandonment of trolleys on council roads?
23. How do you suggest the issue of social disadvantage and trolley use is addressed?
24. Should the Act be amended to allow councils to register a notice on land when it is considered that the source of a nuisance on a property requires ongoing regulation?
25. What other mechanisms for cost recovery should be considered for the Act?
26. What are the views of local government regarding the current jurisdiction that the Act falls within, and what are the positives and negatives for changing the jurisdiction to the Magistrates Court?
27. Does the specialist nature of the ERD Court provide benefits when hearing appeals against notices that would outweigh any cost benefits associated with moving appeals to SACAT?

28. Are there any opportunities for improvement to the exemption process which reflects a balance between excessive exposure for neighbours, and the reality of some activities that cause local nuisance lasting longer than three months?
29. Are there any legislative, non-legislative or administrative suggestions that you would like to have considered as part of the review of the Act?

Proposed responses to these questions are attached (**Attachment 2**) for Council's consideration, approval and submission to the Environment Protection Authority by the closing date of 4 October 2019.

Conclusion

The Environment Protection Agency is seeking feedback on the administration of the *Local Nuisance and Litter Control Act 2016*. Feedback has been prepared by the relevant departments for Council's consideration, approval and submission.

Attachments

1. **Local Nuisance and Litter Control Act - Discussion Paper**
2. **Local Nuisance and Litter Control Act 2016 - City of West Torrens Responses**

Legislation

Public consultation

Review of the *Local Nuisance and Litter Control Act 2016* discussion paper

Issued June 2019

EPA 1115/19: This discussion paper outlines issues being considered in a review of the Local Nuisance and Litter Control Act 2016.

1 Introduction

The *Local Nuisance and Litter Control Act 2016* (LNLC Act) passed Parliament on 18 May 2016 and the Governor in Executive Council gave assent on 26 May 2016. The Act commenced in two parts. The Regulations and all elements of the LNLC Act except for those specific to local nuisance offences commenced on 1 February 2017. The local nuisance offences commenced on 1 July 2017.

The LNLC Act provides the community with a more effective and consistent local service for the management of nuisance complaints and heightened deterrence for littering and illegal dumping.

The LNLC Act provides a modern legislative scheme for litter control in South Australia including tiered offences depending on the type of litter (small versus large quantities, dangerous and hazardous litter); improvements in the use of surveillance for evidence gathering in the case of illegal dumping (linking an offence to the registered owner of a vehicle); allowing non-government organisations to undertake compliance activities (subject to approval); and for public reporting of littering and illegal dumping.

The first anniversary of the full commencement of the LNLC Act was 1 July 2018. This milestone provides a useful prompt to undertake a minor review of the operation of the LNLC Act. Feedback from councils, the community, and other stakeholders indicate that there is potential to fine-tune elements of the legislation. This minor review will consider the functionality of the legislation and the effectiveness of the legislation within the context of whether the scope of the legislation is appropriately addressing nuisance complaints, littering and illegal dumping issues in the community.

This paper discusses issues that have been identified as requiring review. In addition to comment on the issues presented in this paper, the Environment Protection Authority (EPA) welcomes any further feedback from stakeholders on the legislation. All issues raised during consultation will be considered by the EPA and responded to through a report on the consultation. Following the consultation period a report will be submitted to the Minister for Environment and Water, Hon David Speirs MP for his consideration. The EPA will assist the Government with any amendments that they seek to progress.

Comments on the review are due by **Friday, 4 October 2019**.

Environment Protection Authority



Review of the Local Nuisance and Litter Control Act 2016

Comments may be forwarded by mail or email to:

Review of the Local Nuisance and Litter Control Act 2016
Environment Protection Authority
GPO Box 2607
ADELAIDE SA 5001
Email: epainfo@sa.gov.au (mark subject as Review of Local Nuisance and Litter Control Act)

Emailed submissions are preferred.

All submissions received by the EPA during the consultation period will be acknowledged and treated as public documents unless provided in confidence, subject to the requirements of the *Freedom of Information Act 1991*, and may be quoted in reports.

2 Implementation of the Local Nuisance and Litter Control Act 2016

As part of consultation with the Local Government Association (LGA) during development of the LNLC Act, the EPA agreed to provide a range of support services designed to assist local government with the transition to managing local nuisance issues. A service level agreement (SLA) was entered into for the provision of support services for environmental nuisance matters.

Under the terms of the SLA the EPA, since commencement of the LNLC Act, has provided:

- one staff member to manage and coordinate implementation of the LNLC Act in close consultation with the LGA and individual councils
- access to operational staff to directly assist councils in the areas of operational administration, application of compliance standards and dealing with difficult issues
- equipment to assist councils to respond to nuisance issues
- training to council staff
- a suite of fact sheets, guidelines and standard operating procedures for use by councils;

The EPA has attended all regions of the state and provided training to 330 council staff in relation to local nuisance, in addition to 220 council staff trained in litter provisions of the LNLC Act.

Councils continue to be in regular contact with the EPA. The types of issues addressed have ranged from basic training and information around roles and responsibilities and introduction of the LNLC Act, through to more complex issues including field-based assistance and training in use of noise meters.

3 Local nuisance discussion points

The local nuisance provisions of the LNLC Act allow councils to manage various nuisance issues in their community. Nuisances covered by the legislation include environmental nuisances (eg smoke and noise), insanitary conditions and more general amenity nuisances (eg unsightly premises). These nuisances were previously addressed using the *Environment Protection Act 1993* (EP Act), *Local Government Act 1999* or the *South Australian Public Health Act 2011*. Since the commencement of the local nuisance elements of the LNLC Act on 1 July 2017 there have been various minor issues raised with the EPA. These issues are outlined in the sections below and comment is invited as to whether change is required, and if so, what changes would be most suitable.

3.1 What is and is not local nuisance?

The LNLC Act describes the meaning of local nuisance in section 17 with the ability to further refine the definition of what is and is not local nuisance through Schedule 1 of the LNLC Act. The definition was refined following consultation feedback from councils on the draft Bill which had light and heat within the meaning of local nuisance. These were removed to ensure the starting point for regulation of nuisance was manageable by councils and not too broad. Further

Review of the Local Nuisance and Litter Control Act 2016

consideration of the addition of light and heat at a later date once the Act had been implemented was noted in the consultation report for the draft Bill. As an alternative the Act provides the ability to prescribe specific types of nuisance that might include light or heat in the regulations with the agreement of local government to do so. An example of this is 'vibration', prescribed in Part 2 of Schedule 1.

A number of determinations as to what is not local nuisance are also included in Part 3 of Schedule 1 of the LNLC Act. These listings fall within three categories. The first category of listings is where the issue of nuisance is adequately managed under alternative legislation. This is where an activity is approved under other legislation, the approval or conditions of the approval adequately minimise or prevent nuisance impacts, and those conditions are complied with.

An example of this is a development authorisation with conditions of approval related to time of operation that effectively limits noise to reasonable business hours [covered by Clause 5(d)]. In this circumstance the noise from the day time operation would need to be considered reasonable for the approved activity. This ensures that the development system takes precedence in determining the appropriateness of a land use for a certain location. By comparison, if an approved development had no relevant noise controls in place through condition of approval or had conditions relating to noise control but these conditions were not being complied with, both the Development Act 1993 and LNLC Act could be applied to gain compliance.

The second category of listings is where another Act contains a resolution or complaints process for nuisance issues. An example of this is the *Strata Titles Act 1988* that contains remedies for nuisance within a strata management group. A further example of this type, the *Liquor Licensing Act 1997*, is discussed in detail later in this paper as to whether the provisions of that Act are appropriate to cover all forms of nuisance or are better limited to entertainment type nuisances from established premises.

The third category of listings is where the nuisances are considered a reasonable feature in the community. These include noise from a school or kindergarten, or emergency vehicle sirens.

4 Review of current inclusions and exclusions

4.1 Local nuisance management and liquor licensing

The Liquor Licensing Act 1997 (section 106) provides a complaints process for most forms of nuisances from premises licensed under that Act. So as to avoid conflict between this legislation and the LNLC Act, any form of nuisance that can be dealt with under the Liquor Licensing Act is excluded from being regulated under the LNLC Act through Schedule 1 ('things that are not local nuisance'). As a result, councils have no ability to apply the LNLC Act for most forms of nuisance, and complaints can only be managed by the Office of Liquor and Gambling, under the Liquor Licensing Act.

4.1.1 Bricks and mortar licensed premises

In the context of bricks and mortar licensed premises this means nuisance noise from air conditioners or other plants on the property that would be addressed under the LNLC Act by councils on any other type of commercial premises cannot be addressed. While the process under the Liquor Licensing Act can address nuisances that are not specific to licensed premises the LNLC Act provides a more timely response in these scenarios. Council officers would be more familiar with addressing them than officers from the Office of Liquor and Gambling, who would generally deal with music and patron noise issues.

4.1.2 Outdoor events with a liquor licence

There are also issues with the application of the exclusion to the management of outdoor events. Firstly, the application of the exclusion in circumstances where only part of an event space has a liquor license is problematic. The exclusion only applies to the area that is licensed and therefore the remainder of the event is able to be dealt with under the LNLC Act. This creates problems where council compliance staff are unable to address complaints about nuisances emanating from a licensed area of an event.

Review of the Local Nuisance and Litter Control Act 2016

A further issue specific to outdoor events is caused because they are inevitably annual or one-off and of a short duration. For outdoor events that are licensed (in part or full), the process under section 106 of the Liquor Licensing Act does not provide for immediate compliance intervention and therefore provides limited deterrence and compliance options in these circumstances. Section 106(3a)(b) provides that no conciliation meeting or other hearing may be held on the complaint until the period of 14 days has elapsed from the day that the licensee is served with a copy of the complaint. This leaves the community with no reasonable avenue to address a nuisance.

Possible solutions

These issues could be easily resolved by amending the exclusion in the LNLC Act to better reflect the specific types of nuisance that are envisaged to be dealt with under the Liquor Licensing Act 1997 being noise associated with the service of alcohol, such as entertainment and patron noise from 'bricks and mortar' licensed premises. This would ensure that common nuisances that are not linked to the service of alcohol and those associated with outdoor events (not associated with bricks and mortar venues) are able to be managed under the LNLC Act.

As an example, a noisy compressor at a hotel is no different to a noisy compressor from a supermarket, has no relationship with the service of alcohol, and should be regulated in the same manner. Events, that will usually have council involvement (eg food inspections, road closures, etc) can also be managed by council in a more responsive manner that meets community expectations if such an amendment were to be made. The Liquor Licensing Act may also benefit from greater clarity as to types of nuisance that its nuisance process is designed to deal with.

Questions:

Should noise and other nuisances, other than those related to entertainment and patrons, that are common to licensed and non-licensed premises be dealt with under the LNLC Act?

Should the LNLC Act be amended so that outdoor events can be subject to the local nuisance provisions despite the fact that some or all of the event space also requires a liquor licence?

Would there be benefit in amending the nuisance provisions of the Liquor Licensing Act 1997 to better align with the LNLC Act?

4.2 Interaction with other legislation

The LNLC Act sets out a number of exclusions related to different Acts in Part 3 of Schedule 1 where the issue of nuisance is adequately managed under the alternative legislation or where another Act contains a resolution or complaints process for nuisance issues. Comment is sought as to whether the current suite of exemptions related to legislation is sufficient or whether there are other Acts that also address local nuisance issues and should be considered for exclusion.

Question: Is the current suite of exclusions related to other legislation that deals with local nuisances sufficient or are there other Acts that also address local nuisance issues that should be considered for exclusion under Part 3 of Schedule 1?

4.3 Animals living in their 'natural' habitat

Noise, odour or waste from animals living in their natural habitat are declared as not being local nuisance under Schedule 1, Clause 5 of the LNLC Act with the exception to this being where animals have been actively encouraged, by feeding, to gather in a particular area. The term 'natural' is not defined in the Act and takes its common meaning being (Macquarie Dictionary): '1. existing in or formed by nature; not artificial: a natural bridge'.

A query was made by a local government officer to the EPA as to whether this definition may extend to the naturalised habitat of mice, rats and pigeons in human structures. Based on the definition above such naturalised habitat should not be considered the same as natural habitat (mice, rats and pigeons in human structures can be considered a local

Review of the Local Nuisance and Litter Control Act 2016

nuisance) however comment is sought on whether any improvement such as a set definition is necessary.

Question: Is there any need to set a definition for natural habitat?

4.4 Noise from sporting activities – motorsports

Noise or other nuisance from sporting or associated activities at sporting venues is declared as 'not local nuisance' and therefore excluded from regulation under the LNLC Act, on the basis that sports venues are widespread, provide an important community function, and noise, in particular, is incidental to the playing of sport at the venue.

Motorsports is a form of sport that produces considerably more noise than other sports. Motorsports venues, and the noise generated, are mostly already regulated through other legislation (*Development Act 1993*, EP Act and *South Australian Motorsport Act 1984*).

All new and upgraded motorsports venues require a development approval to operate. Development approvals should include conditions to control noise impacts such as limited hours of operation. If a motorsports venue is proposed within 3 km of residential premises not associated with the premises the development application must be referred to the EPA who has the ability to direct refusal or apply conditions to limit impacts. If a motorsports venue is less than 200 metres from a residential premises not associated with the venue it requires a licence under Schedule 1, Activity 8(5) of the EP Act.

If motorsports venues were removed from the exclusion for sporting venues the majority of venues would still not be regulated under the LNLC Act. This is because the Act does not apply to EPA licensed premises or development authorisation approved activities (as discussed earlier) that have conditions to minimise nuisance from the activity (see section 5 and Part 3 of Schedule 1 of the LNLC Act). This reflects the design of the LNLC Act so as not to apply duplication of regulation on activities that are effectively regulated for nuisance impacts under other legislation.

The only motorsports venues that would be able to be regulated by the LNLC Act in this scenario is where development authorisations are lacking conditions that minimise noise impacts on neighbouring residents and those older venues with existing land use rights that do not have a relevant approvals or conditions of approval. The LNLC Act could be used to apply similar controls as would be applied to a new or upgraded facility through the development system with the use of a nuisance abatement notice. Currently the Environment Protection Act 1993 may still be used to regulate such issues.

Question: Should the exclusion for noise and associated nuisances from sporting or associated activities at sporting venues be amended to remove motorsports venues from the exclusion allowing such activities to be regulated under the LNLC Act only in cases where they are not already regulated under a development approval or EPA licence?

4.5 Possible new 'things that are local nuisance'

4.5.1 Light as an agent of local nuisance

Light and heat were included in the definition of local nuisance when the Bill for the LNLC Act was first consulted on in 2015 but subsequently removed prior to the Bill being introduced into Parliament due to feedback from councils that the definition in the Bill was too broad. Since the Act has commenced there have been a number of councils who have indicated that being able to deal with light nuisance under the Act would be useful.

Light is, considered a statutory form of nuisance under Queensland and ACT legislation, is also considered a statutory form of nuisance in the United Kingdom. Light nuisance in a domestic setting is generally easy to resolve through better screening and redirection of lighting or use of timers. Light from larger sources (eg sporting fields and commercial premises) may prove more difficult but, as with all other nuisances regulated by the Act, light nuisance would operate within the due diligence defence provisions in section 27 of the Act where reasonability of actions to ameliorate a nuisance is a relevant consideration. For example, it would be unreasonable for a sporting venue to remove its lights but may be reasonable to adjust direction, upgrade to technology with less light spill or apply a curfew on their use.

Review of the Local Nuisance and Litter Control Act 2016

Question: Should light be included as an agent causing local nuisance that can be regulated under the Act and if not, what issues would prevent its inclusion?

4.5.2 Noise from vehicles – revving, alarms, off-road motorbikes

The LNLC Act currently excludes noise from vehicles other than vehicles operating within, or entering or leaving, business premises and from waste transport vehicles on roads and road-related areas. This is because it is impractical to apply regulation to general traffic noise, including noisy vehicles on roads, at a specific locality because the vehicles that are causing the noise (and the nuisance) are transiting the location irregularly and cannot, individually, be identified as the source of the nuisance associated with the locality. South Australia Police have powers under the *Australian Road Rules* (rule 291) to deal with individual vehicles that are identified on roads as being unreasonably noisy.

Following the implementation of the legislation it is apparent that there are examples where nuisance is emanating from an identifiable individual vehicle at a specific locality that the exclusion may currently apply to. The examples identified to date are revving of engines on residential premises, running of food refrigeration vehicles on domestic premises overnight, faulty car alarms, and recreational use of off-road motorbikes (not associated with primary production activities).

Question: Should the exclusion relating to noise from vehicles be amended to ensure nuisance from vehicles that is not associated with use on roads is able to be regulated as local nuisance and are there any other examples that should be considered?

4.6 Possible new ‘things that are not local nuisance’

4.6.1 Dust from unsealed roads

Some councils receive complaints regarding dust nuisance generated from unsealed roads. There are tens of thousands of kilometres of unsealed roads throughout South Australia, and it is not practical and would be cost prohibitive to seal all roads and maintain them. Councils are able to assist with nuisance dust where the issue is considerable by erecting signage regarding dust nuisance or reducing speed limits in impacted areas. The LNLC Act attributes responsibility for nuisance by applying to a person carrying on an activity that results in nuisance, or through failure to act. To ensure that councils are not deemed responsible for nuisance dust from unsealed roads through a perverse interpretation of ‘failure to act’ as a result of not sealing a road it is suggested that dust from unsealed roads should be prescribed as ‘not local nuisance’.

Question: Should dust from unsealed roads be considered ‘not local nuisance’ for the purposes of the Act and if not, what circumstances would justify allocation of responsibility to a council?

4.6.2 Noise from public infrastructure – application to vibration and extent of the exclusion

Noise from public infrastructure works is prescribed as ‘not local nuisance’ under Schedule 1 of the LNLC Act. It is prescribed so that infrastructure works which benefit the public are not unduly regulated where the nuisance is unavoidable. While dust can be attenuated, noise is often extremely hard to minimise when working on public infrastructure. Examples include evening or overnight roadworks or water infrastructure maintenance where a certain amount of noise is unavoidable and must be carried out overnight to avoid traffic disruption.

It is evident that public infrastructure earthworks such as the examples given may also result in some level of vibration impact caused by compacting of road base associated with the works. The vibration impact would be minimal in most circumstances and it is proposed to prescribe that vibration from public infrastructure works is not local nuisance. Dilapidation reports (used to assess the state of a building before and after an activity that produces vibration to identify any damage and provide evidence for claiming of damages) may also be available as an alternative to regulation prior to commencement of major public infrastructure projects.

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A further issue that has arisen is the extent of the exemption for noise from public infrastructure. While there are roadworks, water pipe repairs and the like that may need to occur late at night and with limited advance notice to fix an issue and avoid disruption to traffic (as discussed earlier). There are other examples of public infrastructure works that may not necessarily need to be conducted at night or in the early morning other than for convenience. One example is concreting works associated with a public hospital redevelopment. Under the terms of the exclusion there are no limits to the nuisance caused to neighbouring properties from this activity whereas the same activity on another site would be regulated by the LNLC Act.

The benefit of applying the Act to such scenarios is that where there is a valid need an exemption (under section 19) can be sought and, as part of that process, neighbours can be informed by the applicant and complaint mechanisms put in place by the applicant such that the council should receive less complaints.

Questions:

Should the exclusion of noise from public infrastructure be extended to also exclude vibration from public infrastructure?

Should the exemption for public infrastructure be limited to activities where nuisance cannot reasonably be avoided or managed?

4.6.3 Early morning concrete pours in hot weather

An occasional source of noise complaints in the community is the early morning commencement of concrete pours associated with construction within residential areas. Early morning pours are done either due to the size of the pour or to accommodate extreme weather conditions that might affect the structural integrity of the concrete. Heat-related issues can be overcome to some extent with curing additives, and sealants applied after the pour. Whilst there are alternative approaches available, this form of nuisance is usually a one-off event, has technical merit and warrants consideration of allowing early starts through some form of exemption where extreme heat is forecast. It would be important to set limits on what constitutes a reasonable early start time and to ensure the forecast temperature is easily verified by compliance staff so that it is not abused by operators over summer months.

Questions:

Should provision be included to allow for early morning concrete pours during extremely hot weather?

If allowance was made, what are relevant considerations regarding applying limitations such as temperature and start time?

5 Waste collection vehicles – application beyond roads and road-related areas [section 5(5)]?

The LNLC Act is designed so that the majority of activities licensed by the EPA are excluded as they are already regulated directly by the EPA under the EP Act. The exceptions to this are activities that are undertaken associated with a vehicle, including: earthworks drainage, dredging and waste transport.

This is for two reasons. Firstly, that litter from such vehicles is better dealt with under the provisions of the LNLC Act and to exclude these vehicles would have made the operation of a public litter reporting program more difficult in that checks would need to be made against a list of licence plates which would need to be kept up to date. The second reason is that the general public should have confidence in reporting nuisances to the appropriate regulator in that neighbours of an EPA licensed site would generally know to make complaints to the EPA whereas a complainant aggrieved by a nuisance from a mobile activity would be unlikely to know that the activity is licensed by the EPA.

The wording of the current exclusion is limited to 'roads and road-related areas', as defined in the *Road Traffic Act 1961*. While the common meaning of these terms might seem to limit the application to public roads and nearby areas, the definitions extend their meaning to include private property areas that are publicly accessible to pedestrians, bicycles and

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motor vehicles. The way that the exclusion is written means that, in the case of waste transport vehicles, the LNLC Act generally applies to nuisance generated by them except when operating on private property that is not accessible to the public, as noted above. This creates a regulatory arrangement that is very difficult to communicate and creates unnecessary difficulty when assessing alleged nuisance from waste transport vehicles that are operating on private property.

Question: Should the LNLC Act apply to waste transport vehicles operating on private property as well as when operating on roads and road-related areas?

6 Improve subjective assessment of nuisance or introduce objective measures of compliance

Subjective assessment is provided for in section 50 of the LNLC Act to allow authorised officers to assess the presence of nuisance using their own senses. This may include aural assessment of noise, visual assessment of dust or smoke nuisance, and odour assessments. Regulations (regulation 4) under the Act provide guidance on various considerations when making a subjective assessment of the presence of nuisance. The broader experience of the EPA in assisting councils with the implementation and administration of the Act is that subjective assessment is being used effectively to assess nuisance complaints, will improve with experience, and could be further improved by further training from the EPA in subjective assessment.

Sensory evidence, or subjective assessment, is not new when dealing with nuisances throughout Australia. In South Australia it is already provided for under provisions identical to those in the LNLC Act, under section 139(4) of the EP Act. Tasmania, Queensland and Victoria all allow subjective assessment by councils of nuisance. In Victoria, they prohibit the use of domestic air conditioners overnight where noise is audible within a habitable room of another residential premises. Audibility of noise is a very straightforward use of subjective assessment whereas determining the reasonability of an audible noise is less so.

While there are provisions in the Act that support subjective assessment, there is nothing in the Act, as is also the case with the EP Act that prevents the taking of objective measurements as part of determining whether there is sufficient evidence that an offence may be occurring.

One issue that may arise, in the area of noise nuisance, is where a subjective determination of noise nuisance is made relating to a complaint where the noise is of a nature that is borderline with regard to causing nuisance and a further objective measurement (taken after the subjective determination by the alleged offender or a third party) may appear contradictory. For this reason, all noise complaints of a borderline nature should be assessed with an element of objective measurement to ensure that compliance requirements are reasonable and effective. Subjective assessment is still useful for very obvious offences and for obviously unreasonable complaints.

Under the EP Act, the *Environment Protection (Noise) Policy 2007* (Noise Policy) provides objective guidance on what is considered to meet the general environmental duty (section 25 – reasonable and practicable measures) relating to noise. In essence, this sets noise standards for compliance with the general environmental duty.

The LNLC Act has similar to the general environmental duty under section 27 – defence of due diligence. Assessment of noise against the Noise Policy to assist in determining whether the defence of due diligence is likely to be applicable is appropriate in cases where the noise is of a borderline nature. However, a similar approach could be incorporated into the LNLC Act or Regulations to provide clarity around the use of such an approach.

Current guidance to local government could be updated to incorporate a process chart that councils can use straightforward noise nuisances (high end, low end, and matters of fact/time related) with subjective assessment alone, and for making a subjective determination (not limited to subjective assessment) of borderline or other complicated noise nuisance issues that incorporates an objective assessment using the Noise Policy or a similar scheme established under the Act to provide certainty in assessments. Such a procedure could also be incorporated into the Regulations to build on the guidance provided by regulation 4.

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There are other options that could be considered to improve the application of the subjective assessment approach within the legislation. Non-legislative approaches could include further training of local government staff or the development of a standard operating procedure that could be adopted by councils.

A further legislative option specific to key domestic noise sources such as air conditioners, would be to apply a similar approach as Victoria where audibility of certain noise sources from habitable rooms of a residential premises during night-time hours, except under exceptional circumstances such as extreme weather, is prohibited.

Questions:

Would any of the options discussed improve the assessment of noise nuisance under the LNLC Act?

Are there any other suggestions to improve the assessment of noise nuisance under the LNLC Act?

7 Litter discussion points

7.1 Allowing councils to clean up and recover costs after if a hazard exists

The LNLC Act does not prevent councils from urgent clean-ups of littered material, however it does not allow for cost recovery in these circumstances. The Act provides that a Litter Abatement Notice may be issued to the person responsible for the litter that requires, among other things, that they clean it up. Such a notice would also include a timeframe for the clean-up to occur. If the notice is not complied with then the council may clean up the material and charge the person responsible for the cost of that clean-up.

This scenario is fair and reasonable in most situations as it provides procedural fairness to the alleged offender. When there is material littered that causes a hazard whether a health or environmental hazard or a physical hazard (eg in the middle of a road) it may be a reasonable community expectation that the material is cleaned up immediately. This may not always be able to be done by the offender as the offender may not even be known to authorities early on.

The Act does provide for the court to order costs be paid by the convicted party for such matters (section 45) but only where there is a conviction. The civil penalty provisions of the Act (section 34) do not provide a specific remedy in this regard as the maximum civil penalty is the maximum penalty for the offence plus any illegally obtained economic benefit. It could be argued that part of the penalty applied could be used to offset the cost of clean up or alternatively, that the clean-up cost was an avoided cost of economic benefit to the alleged offender and recoverable. An option to explore could be a retrospective order of costs for such a scenario where an offender is identified but a conviction, for whatever reason, is not pursued. This could possibly be achieved through an extension to section 48 where councils may currently recoup technical and administrative costs.

Question: Should a retrospective costs order be made available to councils where immediate clean-up of litter is required because it is causing a hazard?

7.2 Bill posting – car parks and expiations

Under the LNLC Act a person must not post a bill on property without the consent of the owner or occupier of the property. This covers posting of bills on buildings, cars and other property but it is unclear as to whether, where bill posting is occurring on vehicles within a carpark, whether the carpark constitutes 'on property' or whether it only applies to the cars. This is important as a car park owner may be aggrieved by the posting of bills on their land but may not have recourse to deal with it themselves. The ability to address the bill posting would rest with the owner of a car in the carpark. This may need improvement as it is the owner of the carpark that will be responsible for removing the resulting litter and, where offensive material is being distributed, may suffer reputational damage.

The Act currently only provides for a court imposed penalty for persons that authorise bill posting. Court proceedings are a considerable cost to councils and alleged offenders and an expiation will provide deterrence from reoffending in many instances. An expiation amount for section 23(2) would overcome this issue.

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Question:

Should car park owners be able to commence proceedings for distribution of bills on their premises?

Should there also be an expiation for the offence of authorising bill posting?

7.3 Illegal dumping

Illegal dumping is a considerable issue in the community and the LNLC Act introduced a number of tools to assist councils with compliance and cost recovery. Such initiatives include the following:

- Vehicle owner responsibility provisions that allow for surveillance of illegal dumping hotspots and for reports of vehicles being used for illegal dumping to be better followed up for possible prosecution.
- Higher penalties and expiations for acts of illegal dumping.
- Specific penalties for asbestos dumping.
- Ability to order clean-ups where the offender is known.
- Ability to undertake the clean-up and charge the offender where the offender does not comply with a litter abatement notice.

Question: Are there any suggested changes to the LNLC Act that would assist in tackling illegal dumping?

7.4 Trolleys

Trolleys that are dumped outside of shopping centres constitute littering under the LNLC Act. The offence applies to the person doing the littering, not the owner of the trolley. Council officers are rarely present to witness the act of littering and there is little in the Act to resolve the problem effectively. The act of littering does not extinguish ownership rights for these articles.

There are a number of approaches that could be considered further to assist councils with the management of trolleys in their area. Many of these were raised at a 'Shopping Trolley Summit' hosted by the City of Marion in July 2018. Extension of the litter abatement notice provisions such that they can be issued to the owners of trolleys requiring collection or preventative measures to be implemented is one way that this might be achieved.

The ACT has a scheme in place to better manage trolleys dumped in the community. It should be noted however that the ACT government provides all local government services as there are no councils in the ACT. In any other State or Territory the programs established for trolleys in the ACT would be administered by local government.

The ACT scheme is summarised below:

- the creation of offences against the improper use of shopping trolleys including removal of trolleys from shopping centres
- a retailer must place signage warning people against taking shopping trolleys outside a shopping centre precinct;
- requirement upon a retailer that they keep trolleys on their premises with an exemption from this requirement if a trolley containment system is in place (eg deposit or wheel locks)
- the provision of identification on shopping trolleys to assist their collection if abandoned
- a proactive trolley collection scheme that allows the government to respond to a trolley problem in a specific area.

Some councils across Australia have introduced local bylaws to manage the issue. For example, Alice Springs Town Council's bylaws allow council officers to fine people caught abandoning trolleys, impound trolleys collected from council land, charge the owner of the trolleys a release fee, require the owner to collect the trolleys, and to dispose of the trolleys if not collected. In the context of this review, such provisions could be written into the LNLC Act as general provisions that councils could utilise at their discretion. Alternatively it could be left to councils to create their own bylaws in this area.

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One issue that needs consideration when applying stricter controls on the use of trolleys outside of shopping centres is the potential for social disadvantage for those without a car or the means to buy their own personal trolley to transport shopping to their home. This issue was highlighted in a report by the ACT Human Rights Commissioner in response to the ACT trolley controls¹. A further issue is whether such changes might promote additional car use, however this impact would be minimal.

Questions:

Are general litter provisions sufficient to manage abandoned trolleys and if not, what would be the preferred approach for local government and why?

Have councils considered use of existing bylaw making provisions in the *Local Government Act 1999* to regulate the abandonment of trolleys on council roads?

How do you suggest the issue of social disadvantage and trolley use is addressed?

8 General discussion points

8.1 Abatement notices – linkage to land

One of the main tools for addressing nuisance from fixed machines such as air conditioners and pool pumps is a nuisance abatement notice. Nuisance from a fixed machine requires ongoing management to avoid further nuisance so controls such as limiting hours of operation or requiring the maintenance of an acoustic barrier may be appropriate elements of a notice. It has been identified by local government that change of ownership of a property with a problematic fixed machine that has controls applied within a notice is not able to be transferred to the new owner of the property and a new regulatory process would need to be undertaken to apply the controls to the new owners. It has been proposed that the LNLC Act be amended to allow councils to register nuisance abatement notices against land where the source of the nuisance at a property requires ongoing regulation.

Question: Should the LNLC Act be amended to allow councils to register a notice on land when it is considered that the source of a nuisance on a property requires ongoing regulation?

8.2 Improving cost recovery

Cost recovery is an important element of any regulatory function performed by government. The LNLC Act contains a number of cost recovery provisions, generally linked to contraventions of the legislation that are directed at recovering costs from offenders. Where such measures are not being utilised or are not completely effective the residual cost is, by default, recovered through general rates as a service provided for the benefit of the broader community. Advice is sought from stakeholders regarding other potential mechanisms that could be considered to further enhance cost recovery provisions of the Act aimed at the offender.

Question: What other mechanisms for cost recovery should be considered for the LNLC Act?

8.3 Which court is best placed to deal with nuisance, litter and illegal dumping?

The Environment, Resources and Development (ERD) Court specialises in environment protection and has a greater, and likely more consistent, knowledge of matters such as nuisance, litter and illegal dumping. The ERD Court acts as the Magistrates Court in its criminal jurisdiction, and there is therefore no substantive difference in procedure between the

¹ <http://www.hrc.act.gov.au/res/Response%20to%20CM%20Shopping%20Trolleys.pdf>

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ERD Court and the Magistrates Court. The only minor difference in practice in that the ERD Court tends have more pre-trial listings (ie a pre-trial conference followed by a directions hearing).

At present, in the ERD Court, the matters are heard in a central location. In the Magistrates Court, the matters can be heard either in Adelaide or in a regional court. While there is no requirement that a matter must be heard in a location where the offence took place, considerations of the balance of convenience (including, most relevantly the location most convenient to the defendant) would come in to play. As a result, matters could end up being listed in Port Augusta, Ceduna, Mount Gambier or elsewhere. While this would make use of the legislation by the EPA potentially more costly, it would provide greater access to regional councils to pursue prosecutions.

The Magistrates Court also has the facilities to arrange payment options for fines so offenders can go from the court to the cashier to finalise penalty payments. All metropolitan Magistrates Courts have staff to help direct a person to the court, a duty solicitor and assistance for disability or language issues.

Question: What are the views of local government regarding the current jurisdiction that the LNLC Act falls within, and what are the positives and negatives for changing the jurisdiction to the Magistrates Court?

8.4 What jurisdiction is best placed to deal with administrative appeals?

The LNLC Act currently provides that appeals against litter and nuisance abatement notices are to be made to the ERD Court. At the time that the Act was drafted, the South Australian Civil and Administrative Tribunal (SACAT²) was still in the process of being fully established and bringing relevant existing legislation under its jurisdiction. SACAT is considered a lower formality and lower-cost jurisdiction for administrative appeals. As a result of the complexity and volume of work being done to implement SACAT at the time it was not considered appropriate to add the Act to the SACAT jurisdiction. Instead it was determined that appeals under the Act should be dealt with by the ERD Court.

Question: Does the specialist nature of the ERD Court provide benefits when hearing appeals against notices that would outweigh any cost benefits associated with moving appeals to SACAT?

8.5 Exemptions from the LNLC Act for causing local nuisance

Persons creating nuisance may apply for an exemption from the LNLC Act (section 18). The process requires the applicant to submit a site nuisance management plan to the satisfaction of the council that details to sources of the nuisance, the steps being taken to minimise the nuisance and details of a person that can receive complaints regarding the nuisance, among other things. There are some necessary activities in the community that will cause local nuisance which is largely unavoidable and the exemption provision is in place to accommodate these activities.

The provisions in the Act allow for an exemption to last for a maximum of three months. If an activity that causes local nuisance extends beyond this period then a further exemption would need to be applied for, using the same process. The time limit for exemptions is in place to ensure that activities causing nuisance are completed in a timely manner and that activities do not drag on to the detriment of neighbours simply because no time limit is established. One activity that has the potential to cause nuisance over an extended period is large-scale construction which will often last several months and in some cases more than a year. In these circumstances the proponent will need to apply for an exemption every three months. A shorter process for extension or special categories of exemption that facilitate longer-term projects could be considered to reduce the administrative burden on councils and on proponents.

² SACAT is a state tribunal that helps South Australians resolve issues within specific areas of law, either through agreement at a conference, conciliation or mediation, or through a decision of the tribunal at hearing. SACAT also conducts reviews of government decisions.

Review of the Local Nuisance and Litter Control Act 2016

Question: Are there any opportunities for improvement to the exemption process which reflects a balance between excessive exposure for neighbours, and the reality of some activities that cause local nuisance lasting longer than three months?

9 Other improvements

The issues identified above have been derived from feedback from stakeholders, mostly councils, during the first 18 months of the full operation of the legislation. This is not to say that there are not other issues that stakeholders would like considered as part of the review of the LNLC Act.

Question: Are there any legislative, non-legislative or administrative suggestions that you would like to have considered as part of the review of the LNLC Act?

Further information

Legislation

[Online legislation](#) is freely available. Copies of legislation are available for purchase from:

Service SA Government Legislation Outlet
Adelaide Service SA Centre
108 North Terrace
Adelaide SA 5000

Telephone: 13 23 24
Facsimile: (08) 8204 1909
Website: <https://service.sa.gov.au/12-legislation>
Email: ServiceSAcustomerservice@sa.gov.au

General information

Environment Protection Authority
GPO Box 2607
Adelaide SA 5001

Telephone: (08) 8204 2004
Facsimile: (08) 8124 4670
Freecall: 1800 623 445 (country)
Website: <https://www.epa.sa.gov.au>
Email: epainfo@sa.gov.au

Local Nuisance and Litter Control Act 2016 Consultation

Review of current inclusions and exclusions

Local nuisance management and liquor licensing

1. Should noise and other nuisances, other than those related to entertainment and patrons, that are common to licenced and non-licenced premises be dealt with under the *Local Nuisance and Litter Control Act 2016* (LNLC Act)?

City of West Torrens holds the position that it may be appropriate to limit the exclusion for noise or other nuisance emanating from a licensed premises to those nuisances related to entertainment and the service of alcohol and supports further consideration of this matter. However, there are resource considerations attached to this proposal.

2. Should the LNLC Act be amended so that outdoor events can be subject to the local nuisance provisions despite the fact that some or all of the event space also requires a liquor licence?

The City of West Torrens position is that it would not be appropriate to require or expect councils to action complaints relating to nuisances associated with entertainment and alcohol without risking the safety of Council officers and should remain the responsibility of SAPOL and the Liquor Licensing division of Consumer Business Services to address such complaints.

3. Would there be benefit in amending the nuisance provisions of the *Liquor Licensing Act 1997* to better align with the LNLC Act?

Currently any form of nuisance that is associated with a premises or activity under the Liquor Licensing Act is excluded from the LNLC Act and can only be dealt with by the Office of Liquor and Gambling. There would be benefits to better delineate some roles under the LNLC Act.

The proposal for the LNLC Act to include nuisances arising from licenced outdoor event, including patron behaviour is not supported. This proposal would raise resource issues for councils, in addition to safety concerns. Council officers are not equipped to deal with complaints from outdoor licences events particularly late night/early morning and patrons under the influence of alcohol. The Office of Liquor and Gambling and SAPOL should remain responsible for all activities associated with entertainment and service of alcohol with licensed activities regardless of the location.

Interaction with other legislation

4. Is the current suite of exclusions related to other legislation that deals with local nuisances sufficient or are there other Acts that also address local nuisance issues that should be considered for exclusion under Part 3 of Schedule 1?

City of West Torrens supports the Environment Protection Agency to develop a formal policy or set of guidelines that acknowledges and seeks to reconcile the different thresholds established by the different regulatory frameworks to help ensure a consistent approach across councils.

Animals living in their 'natural' habitat

5. Is there any need to set a definition for natural habitat?

Setting a definition for natural habitat is not supported, as each circumstance can differ, it should be left open for interpretation.

However, consideration should be given to circumstances where an individual is actively encouraging animals to a particular area.

Noise from sporting activities - motorsports

6. Should the exclusion for noise and associated nuisances from sporting or associated activities at sporting venues be amended to remove motorsports venues from the exclusion

allowing such activities to be regulated under the LNLC Act only in cases where they are not already regulated under a development approval or EPA licence?

The removal from motorsports venues from the exclusion is not supported as this proposal could raise resource issues for councils in addition to safety concerns.

Possible new 'things that are a local nuisance'

Light as an agent of local nuisance

7. Should light be included as an agent causing local nuisance that can be regulated under the Act and if not, what issues would prevent its inclusion?

Proposed inclusion of light as a local nuisance is not supported. Potential for effects as a result of light spill should be captured under development authorisations. The expectation for council's to enforce could become problematic and could be applied to retrospective issues that have been a neighbouring/civil issue for lengthy periods. Light spill from large sporting events and alike could prove difficult to address.

This proposal would raise resource issues for councils, particularly as light complaints occur at night. There does not appear to be an overriding benefit to the community that would outweigh the resource commitment required by councils if the meaning of local nuisance was expanded to include light.

Noise from vehicles - revving, alarms, off-road motorbikes

8. Should the exclusion relating to noise from vehicles be amended to ensure nuisance from vehicles that is not associated with use on roads is able to be regulated as local nuisance and are there any other examples that should be considered?

Inclusion of noise from vehicles not associated with use on roads is not supported. Noise from vehicles, other than vehicles associated with a business premises, should remain with SAPOL. A proposal of this nature would raise resource issues for councils. The majority of complaints of this nature typically occur after business hours and on weekends.

Running of food refrigeration vehicles on domestic premises could be captured as local nuisance as this would be similar to a compressor running on a domestic premises and is easily identified as a local nuisance by applying subjective assessment.

Possible new 'things that are not local nuisance'

Dust from unsealed roads

9. Should dust from unsealed roads be considered 'not local nuisance' for the purposes of the Act and if not, what circumstances would justify allocation of responsibility to a Council?

City of West Torrens believes that dust from unsealed roads should not be considered a local nuisance for the purpose of the Act.

Noise from public infrastructure - application to vibration and extent of the exclusion

10. Should the exclusion of noise from public infrastructure be extended to also exclude vibration from public infrastructure?

City of West Torrens supports the exclusion of vibration from public infrastructure.

11. Should the exemption for public infrastructure be limited to activities where nuisance cannot be reasonably be avoided or managed?

City of West Torrens is not aware of any issues with the current operation of the LNLC Act regarding noise from public infrastructure.

Early morning concrete pours in hot weather

12. Should provision be included to allow for early morning concrete pours during extremely hot weather?

Provisions should be included to permit early morning concrete pours. Councils have historically experienced a large increase in noise complaints from early morning concrete pours in hot weather. These pours are usually one off events over a relatively short period. Applying for an exemption from Section 18 is not practicable for most concrete pours (particularly as 2 weeks' notice is required). There would be some efficiencies gained by permitting early morning concrete pours above a specified temperature.

13. If allowance was made, what are relevant considerations regarding applying limitations such as temperature and start time?

Limitations should be specific in relation to hot temperatures, for example where there is a forecast of a maximum of at least 35°C and construction noise start times should be no earlier than 6.00am. Limitation should also be restricted to single one off pours. Several pours over numerous days should still require an exemption from Section 18 of the LNLC Act.

Waste collection vehicles - application beyond roads and road-related areas [section 5(5)]?**14. Should the LNLC Act apply to waste transport vehicles operating on private property as well as when operating on roads and road-related areas?**

LNLC Act should apply to waste control vehicles operating on private property. An occasional source of noise complaints to Council is the early morning collection of bins from commercial properties which impacts on residential properties. This will permit officers to clearly communicate with waste companies and define alleged nuisance when operating on private property.

Improve subjective assessment of nuisance or introduce objective measures of compliance**15. Would any of the options discussed improve the assessment of noise nuisance under the LNLC Act?**

See response below.

16. Are there any other suggestions to improve the assessment of noise nuisance under the LNLC Act?

Subjective assessment alone can be straightforward in some cases. However, for cases of borderline and complicated noise issues, an assessment with an element of objective assessment to support the subjective assessment and thereby guide any proposed compliance requirements are practicable and reasonable and will be effective to reduce the nuisance noise. The development of a guidance tool or support document would be beneficial and improve the subjective assessment requirements of the LNLC Act. This could guide officers to incorporate an objective assessment e.g. Environment Protection Noise Policy to provide more certainty and confirmed aspects of noise in borderline and complex assessments. This would also assist in developing a consistent approach to noise assessments throughout local government.

Due to the complexities involved in proving subjective assessments in court, the development of a document would give confidence to the officers and support their assessments.

Litter discussion points**Allowing Councils to clean up and recover costs if a hazard exists****17. Should a retrospective costs order be made available to Councils where immediate clean-up of litter is required because of a hazard?**

City of West Torrens supports allowing for costs relating to clean-up being recoverable where immediate clean-up of litter is required. This could be achieved through an amendment to section 28 of the LNLC Act, allowing cost recovery where urgent action is taken by Council to address a

contravention of the Act. This would allow councils to progress an immediate clean-up of hazardous litter with the knowledge that associated costs may be recovered from the relevant offender should he/she be identified at a later date.

An automatic charging provision for outstanding costs owed under the LNLC Act would also assist in ensuring security of Councils for outstanding amounts and alleviate the administrative and cost burden associated with registering a charge.

Bill posting - car parks and expiations

18. Should car park owners be able to commence proceedings for distribution of bills on their premises?

City of West Torrens is not aware of any issues with the current operating of the LNLC Act regarding bill posting.

19. Should there also be an expiation for the offence of authorising bill posting?

The existing legislation relating to bill posting is sufficient to address the offence of authorising bill posting, namely Section 23(2). As 'property' is currently undefined in the LNLC Act this allows some scope for interpretation to include vehicles.

Illegal Dumping

20. Are there any suggested changes to the LNLC Act that would assist in tackling illegal dumping?

- Allow for items defined in general litter to be reclassified as class B hazardous litter where items are disposed of into waters;
- Allow for plastics capable of degrading into micro-plastics to be reclassified as class B hazardous litter;
- Review of current expiations with a view to increase the penalties;
- Inclusion of increased expiation fees for repeat offenders;
- Inclusion of peripheral items used for the consumption of food or beverages: such as straws, cutlery and napkins as general litter; and
- Allowances for abandoned unregistered trailers to be managed as illegal dumping rather than an abandoned vehicle.

Trolleys

21. Are general litter provisions sufficient to manage abandoned trolleys and if not, what would be the preferred approach for local government and why?

City of West Torrens considers the current provisions for the management of abandoned trolleys in the LNLC Act to be ineffective, similarly the various trolley reporting services such as Trolley Tracker rarely respond within a reasonable time frame. More often than not, abandoned trolleys contain general waste items and depending on the cleanliness of the trolley, collection staff from trolley reporting services either will not collect them or will dump the items next to the trolley thereby requiring further action from Council staff. Furthermore, identifying members of the community who abandon trolleys is problematic, not only is the likelihood of witnessing the act of abandoning a trolley extremely unlikely, being able to identify an individual to expiate can be even harder. Impounding has also been proven to be ineffective.

City of West Torrens recommends that the responsibility of managing trolleys is shared with retailers to prevent trolleys from leaving their premises where possible. Provisions to manage abandoned trolleys should follow principles set out under Section 23 - Bill posting, where the person abandoning a trolley and the retailer supplying the trolley share responsibility for abandoned trolleys.

Options such as coin deposit and wheel locks can be explored, however it is recommended that a deposit holding system that is facilitated through an Electronic Funds Transfer (EFT) system rather

than with physical currency would be more effective in holding customers accountable for returning trolleys.

Where possible, site controls such as the system deployed at IKEA could be explored where bollards prevent trolleys from leaving a prescribed area and time limited parking bays are provided to allow customers to load purchased items into vehicles from a convenient location.

22. Have Councils considered use of existing by-law making provisions in the Local Government act 1999 to regulate the abandonment of trolleys on Council roads?

Individually, councils are at a disadvantage when dealing with major retailers, attempts to engage store managers are rebuffed and Council staff are often directed to "speak to head office". Dealing with companies that have nationwide presence have been largely ineffective. A consistent and state-wide approach is preferable as it also allows retailers to develop a single solution for their outlets.

23. How do you suggest the issue of social disadvantage and trolley use is addressed?

To assist socially disadvantaged individuals, revenue generated from trolley deposits not refunded could be used to subsidise a home delivery option. As major retailers already have existing infrastructure in place for online shopping and doorstep delivery of groceries, a reduced fee could be offered to allow socially disadvantaged individuals access to this service upon presentation of a health card or other documentation that state that they are socially disadvantaged.

General discussion points

Improving cost recovery

25. What other mechanisms for cost recovery should be considered for the LNLC Act?

An emerging issue relates to properties where a tenant takes no responsibility in disposing of unwanted items prior to vacating a rental property and opts to dump bulk items on the verge rather than arrange for appropriate disposal such as booking a hard waste service. This issue is particularly problematic where tenants reside overseas, such as international students, where pursuing an expiation can be a futile exercise.

The LNLC Act could consider extending authority to Councils to recover the cost of clean-up where a rental tenant vacates and places items in public spaces. Cost recovery could be directed to the property manager for rentals to encourage real estate companies to manage tenants. If implemented appropriately, the cost of clean-up could be recovered from rental bonds which would influence future rental applications thereby encouraging responsible behaviour from tenants.

The LNLC Act could refer or request a review to the following sections in the **Residential Tenancies Act 1995** to support this initiative;

Refer to **Division 1 - Entering into residential tenancy agreement** to include the responsible disposal of material when vacating the property and identify placing items on public land may be considered an act of illegal dumping.

Section 49 - Residential tenancy agreements

(1)(b)(iv) The terms of the agreement, including -

(G) any other terms of the agreements (including, for example, terms in relation to pets or responsibilities for repairs);

Amendments to **Division 8 - Tenant's obligation in relation to the premises and ancillary property** for the inclusion of verge space in front of the property to be included under the tenant's obligations.

Section 69 - Tenant's responsibility for cleanliness, damage and loss

(1)(a) must keep the premises and ancillary property in a reasonable state of cleanliness;

Refer to **Division 15 - Miscellaneous** to allow authorised officers of the Council to forward expenses incurred through removal and disposal of illegally dumped items from a vacating property where it can be substantiated that the vacating tenant is responsible.

Section 78A - Compensation for expenses

(1) If, as a direct consequence of a tenant being at fault, a landlord reasonably incurs costs or expenses in connection with the residential tenancy agreement, the landlord is entitled to compensation for the costs or expenses.

Which court is best placed to deal with nuisance, litter and illegal dumping?

26. What are the views of local government regarding the current jurisdiction that the LNLC Act falls within, and what are the positives and negatives for changing the jurisdiction to the Magistrates Court?

City of West Torrens supports the Environmental, Resources and Development Court (ERD Court) continue to have jurisdiction in relation to LNLC Act matters.

Exemptions from the LNLC Act for causing local nuisance

28. Are there any opportunities for improvement to the exemption process which reflects a balance between excessive exposure for neighbours, and the reality of some activities that cause local nuisance lasting longer than three months?

City of West Torrens is not aware of any problem with the current operation of the LNLC Act in this regard.

Other Improvements

29. Are there any legislative, non-legislative or administrative suggestions that you would like to have considered as part of the review of the LNLC Act?

See responses provided regarding illegal dumping and improving cost recovery.

18 LOCAL GOVERNMENT BUSINESS

18.1 Local Government Circulars

Brief

This report provides a detailed listing of current items under review by the Local Government Association.

RECOMMENDATION

It is recommended to Council that the Local Government Circulars report be received.

Discussion

The Local Government Association (LGA) distributes a weekly briefing on a range of matters affecting the general functions, administration and operations of councils through a 'General Circular'.

The indices attached for Members' information in this report are numbers 35 and 36.

If Members require further information, they may contact the Chief Executive Officer's Secretariat. In some circumstances, it may then be appropriate for the Member to contact the relevant General Manager for more information.

Attachments

1. Local Government Circulars Weeks 35 and 36



Local Government Association of South Australia

35.3 Evaluation of the Aged Care System Navigator Measure

Australian Healthcare Associates (AHA) has invited comments on their discussion paper relating to proposed design principles, components and considerations for the future implementation of aged care system navigator models in Australia.

35.4 Reminder - Revised Property Units Code (Draft for Consultation)

The Code for Establishing and Applying Property Units as a Factor for the Imposition of Annual Service Charges for Community Wastewater Management Systems has been revised extensively and feedback is now being sought from the Sector, by 30 September 2019.

35.5 Recycled materials in roads

With the recent announcement by the Council of Australian Governments (COAG) to ban recyclable waste exports, recycle in roads has been identified as an alternate end market opportunity. ALGA is seeking information Australia wide about local government's use of recycled content in roads.

35.6 Places filling fast: ChemAlert Search, Stock and Risk Assessment training

LGA Training has scheduled face-to-face and webinar 'ChemAlert Search, Stock and Risk Assessment' sessions in October 2019. Places are filling fast. To claim your place and for further information about this training offering please refer to the contents of this circular.

35.7 Public Lighting Service Framework – seeking feedback from customers

A draft framework has been developed for public lighting to outline the levels of service SA Power Networks aims to deliver to customers and stakeholders and provide an overview of the public lighting services.

35.8 LGA Training- What's coming up!

LGA Training schedules a wide selection of training programs annually that meet the needs of the sector. We have some exciting opportunities coming up. Of note 'last chance' Elected Member Mandatory training sessions, a new ChemAlert offering and a revised Records Fundamentals Program. Please also see an opportunity to 'register your interest' in Grants Funding training. Take a look at this circular for details about what training is on offer.

35.9 EPA consultation on Waste Levy Collection at Landfills and Financial Assurances for Stockpiles

The EPA is currently consulting on draft legislation that will change the way the waste levy is collected at landfills and an information sheet that outlines the EPA's proposed approach to requiring financial assurances for stockpiles. The consultation process is open until Monday, 21 October 2019.

36.1 i-Responda training – Book yours now!

The Local Government Emergency Management Development Program is currently scheduling i-Responda training for councils across the state ready for the upcoming fire season.



Local Government Association of South Australia

36.2 Model Fraud, Corruption, Misconduct and Maladministration Policy available

The LGA has replaced its Fraud and Corruption Model Policy for councils with a refreshed and expanded Fraud, Corruption, Misconduct and Maladministration Prevention Model Policy.

36.3 Town Hall Open Day

Adelaide Town Hall opens its doors to the public for the Town Hall Open Day. Further information can be found in this circular.

36.4 2019 Australian Water Association symposium "Lessons from the Outside"

AWA is hosting a symposium on 19 of September and are offering a discount to Local Government Staff. Further details can be found in the circular.

36.5 Active Ageing Week 2019 toolkit

Active Ageing Australia have released their Active Ageing Week 2019 toolkit. This resource is aimed at supporting those working with older adults to raise awareness about the importance of 'Moving for Life'.

36.6 LGA Training- What's coming up!

LGA Training schedules a wide selection of training programs annually that meet the needs of the sector. We have some exciting opportunities coming up. Of note a 'last chance' Elected Member Mandatory training session, a new ChemAlert offering, a revised Records Fundamentals Program and a Building Better Regions Fund training session. Take a look at this circular for details about what training is on offer.

36.7 Enrolments now open: Building Better Regions Fund training

LGA Training has scheduled a 3 hour 'Building Better Regions Fund' training session on 30th September 2019. This session is available face-to-face at LG House or live via webinar. Further information can be found in this circular.

36.8 Places filling fast: ChemAlert Search, Stock and Risk Assessment training

LGA Training has scheduled face-to-face and webinar 'ChemAlert Search, Stock and Risk Assessment' sessions in October 2019. Places are filling fast. To claim your place and for further information about this training offering please refer to the contents of this circular.

36.9 Development of Wellbeing SA Strategic Plan

Opportunity to contribute to the development of the Wellbeing SA Strategic Plan

36.10 Australian Drug Foundation - Local Government Prevention Capacity and Infrastructure Survey

Is your council part of a Local Drug Action Team? If so, this circular advises of the free survey the Alcohol and Drug Foundation (ADF) can offer your council area to build alcohol and other drug prevention capacity and infrastructure.

37.1 LG Emergency Management Seminar 2019 – Last Chance to register

Local Government Emergency Management Seminar – Last Chance to register Thursday 12 & Friday 13 September 2019.

19 MEMBER'S BOOKSHELF

Nil

20 CORRESPONDENCE**20.1 Letter of Thanks from West Beach residents for West Beach Road Redevelopment**

Correspondence has been received from the West Beach residents, Michele and Alan Calnan, thanking Council and staff for the work on the West Beach Road redevelopment (**Attachment 1**).

20.2 Minister for Planning response regarding new planning system

Correspondence has been received from the Minister for Planning, and Minister for Transport, Infrastructure and Local Government, Hon Stephan Knoll MP, acknowledging Council's letter in relation to heritage and character in the new planning system and providing further clarification regarding heritage, 'Contributory Items' and policy Overlay in the Planning and Design Code (**Attachment 2**).

20.3 Proclamation of Planning Regions

Correspondence has been received from the Minister for Planning, and Minister for Transport, Infrastructure and Local Government, Hon Stephan Knoll MP, regarding proclamation of planning regions (**Attachment 3**).

20.4 Chair of the Committee of Adelaide

Correspondence has been received from the Chair of Committee of Adelaide, Professor David Lloyd, regarding his appointment as the new Chair of the Committee for Adelaide (**Attachment 4**).

RECOMMENDATION

That the correspondence be received.

Attachments

- 20.1 Letter of Thanks from West Beach residents for West Beach Road Redevelopment**
- 20.2 Minister for Planning response regarding new planning system**
- 20.3 Proclamation of Planning Regions**
- 20.4 Chair of the Committee of Adelaide**

Michele & Alan Calnan
West Beach Road
WEST BEACH SA 5024

Mr Terry Buss PSM
Chief Executive Officer
Mr Terry Buss
City of West Torrens
165 Sir Donald Bradman Drive
HILTON SA 5033

Dear Mr Buss

WEST BEACH ROAD REDEVELOPMENT

Unfortunately, due to holidays, we are unable to attend the official opening of the newly redeveloped West Beach Road.

We would like to thank the staff and elected members of the City of West Torrens who have worked with residents over the last seven years.

In particular, we would like to thank both former Elected Members, Mr Garth Palmer and Ms Rosalie Haese. Rosalie and Garth provided us with unwavering support until their retirement from Local Government and they are now sorely missed.

We would also like to thank Mr Joe Ielasi and Mr Angelo Catinari for their time, particularly in the early stages when residents were very unhappy about the future of the road.

Now, thanks to staff and the former elected members the newly upgraded road provides us with a great outlook, a fabulous walking path and most importantly, much safer roadway driving.

It has been a long journey, presenting all involved with both positive and challenging moments and we respectfully ask you to convey our sincere thanks and best wishes to all concerned.

Kind regards

MICHELE & ALAN CALNAN
2nd September 2019

19MPL0571



Government
of South Australia

The Hon Stephan Knoll MP
Member for Schubert

Mr Terry Buss
Chief Executive Officer
City of West Torrens
165 Sir Donald Bradman Drive
HILTON SA 5033

Dear Mr Buss

Thank you for your letter regarding heritage and character in the new planning system.

I understand you have also written directly to the State Planning Commission regarding these issues, who has since responded and will consider your recommendations.

The Marshall Liberal Government is wholly committed to the promotion and protection of heritage places in South Australia. Since commencing my role as Minister for Planning after the 2018 State Election, I have approved 208 new local heritage places throughout South Australia, specifically in Mid Murray, the City of Charles Sturt and the Adelaide Hills Council areas.

As to the implementation of the Planning and Design Code, and the future of 'Contributory Items', it is important to note that such items as they currently exist in development plans across the State lack consistent application, and it is in fact the zones and policy areas those items are located within, rather than independent listings themselves, which provide various levels of protection across council areas.

I reiterate my commitment that all of these existing historic conservation zones will transition into the new Planning and Design Code, taking the form of a policy Overlay. By identifying these areas as an Overlay, as opposed to a zone, their status is immediately elevated within the Code. The Overlay will contain policies which seek to protect local heritage values through demolition control (performance assessed), heritage assessment and promotion of adaptive reuse.

The proposed policy framework is to provide clarity and certainty around when demolition can be contemplated, and to ensure that the assessments are fair and consistent across the State when applications are received to undergo thorough consideration. These assessments are yet to be finalised and the Commission is working closely with councils and heritage practitioners to ensure the right balance is achieved.

Minister for Transport, Infrastructure and Local Government
Minister for Planning

Roma Mitchell House Adelaide SA 5000 | GPO Box 1533 Adelaide SA 5001 DX 171
Tel 08 7109 8430 | Email ministerknoll@sa.gov.au



Nevertheless, whilst 'Contributory Items' will not exist in the new system as individual entities, it does not mean they will not have protection. The intent is that they will not need to be singled out because the Overlay itself will provide them with performance assessed demolition control. It is worth noting that this is consistent with the approach taken in the current system, whereby demolition is considered 'on merit' in the overwhelming majority of cases.

Furthermore, the Overlay will also help to ensure places which are not currently 'Contributory Items' are redeveloped over time in a way which is sympathetic to the area they are located in, having consideration to heritage values and streetscape characteristics.

In this context, there is opportunity for councils to undertake a Heritage Development Plan Amendment where they consider existing 'Contributory Items' warrant elevation to the status of a Local Heritage Place; however this pathway is not a necessity to secure their protection.

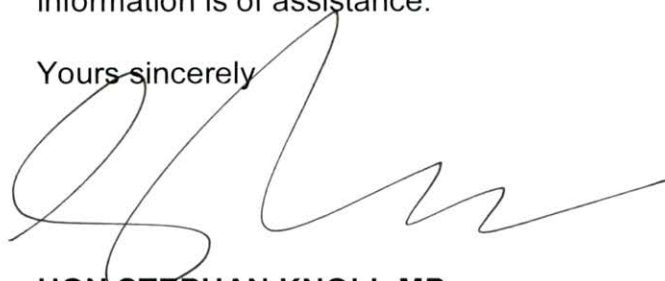
It should be noted that the new system offers a range of tools not currently available, including the ability to provide additional guidance in the form of Practice Directions and Guidelines, mandating the provision of additional information to support development applications (e.g. heritage assessments and/or contextual analysis), and optional Design Review processes.

I therefore consider that the proposed policy framework, together with the new tools mentioned above, provide the opportunity not only to ensure the ongoing protection of our valued heritage areas, but to further enhance the way in which heritage and character are managed across the State.

Further detail regarding the formal consultation process will be available on the SA Planning Portal shortly at www.saplanningportal.sa.gov.au.

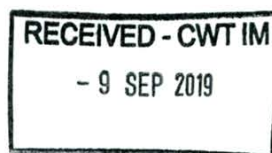
Thank you for taking the time to contact me regarding this matter and I trust this information is of assistance.

Yours sincerely



HON STEPHAN KNOLL MP
MINISTER FOR TRANSPORT, INFRASTRUCTURE AND LOCAL GOVERNMENT
MINISTER FOR PLANNING

27/8 /2019



Government
of South Australia

The Hon Stephan Knoll MP
Member for Schubert

2018/21890/T02

Mayor Michael Coxon
City of West Torrens
165 Sir Donald Bradman Drive
HILTON SA 5033

Dear Mayor Coxon

PROCLAMATION OF PLANNING REGIONS

The *Planning, Development and Infrastructure Act 2016* (PDI Act) provides for South Australia to be divided into planning regions by proclamation of the Governor of South Australia.

Planning regions provide the geographic area for which regional plans must be prepared, but can also be used to support collaboration across state and local government in the delivery of services.

As part of the process for declaring regions, I am seeking your council's view on the attached report *Proclamation of Planning Regions – recommendations report by the Minister for Planning (Attachment 1)*, which recommends:

1. Proclamation of current Planning Strategy boundaries as planning regions under the PDI Act.
2. Review of planning regions at a later date having regard to any Joint Planning Boards that are established or other relevant matter.

This approach has been supported by the State Planning Commission (**Attachment 2**) on the basis that it allows for relevant volumes of the Planning Strategy to apply as regional plans, until such time as new regional plans are prepared by joint planning boards, or the State Planning Commission where a board has not been established.

Regional plans must be prepared within two years from the day on which the Planning Region is constituted (or a longer period if provided for in the proclamation).

In preparing your feedback, please be aware that the Act sets the boundary for Greater Adelaide and this planning region has already been proclaimed. As such, *The 30-Year Plan for Greater Adelaide* currently operates as a regional plan, and I am not proposing subregions at this time.

Submission are invited before 5 pm Friday 25 October 2019 and can be directed to DPTI.PlanningEngagement@sa.gov.au.

Minister for Transport, Infrastructure and Local Government
Minister for Planning

Roma Mitchell House Adelaide SA 5000 | GPO Box 1533 Adelaide SA 5001 DX 171
Tel 08 7109 8430 | Email ministerknoll@sa.gov.au



In the meantime, should you wish to discuss any information further, please contact Mr. Alex Mackenzie, Unit Manager Planning Reform Implementation on 8343 2163 or at Alex.Mackenzie@sa.gov.au.

Yours sincerely

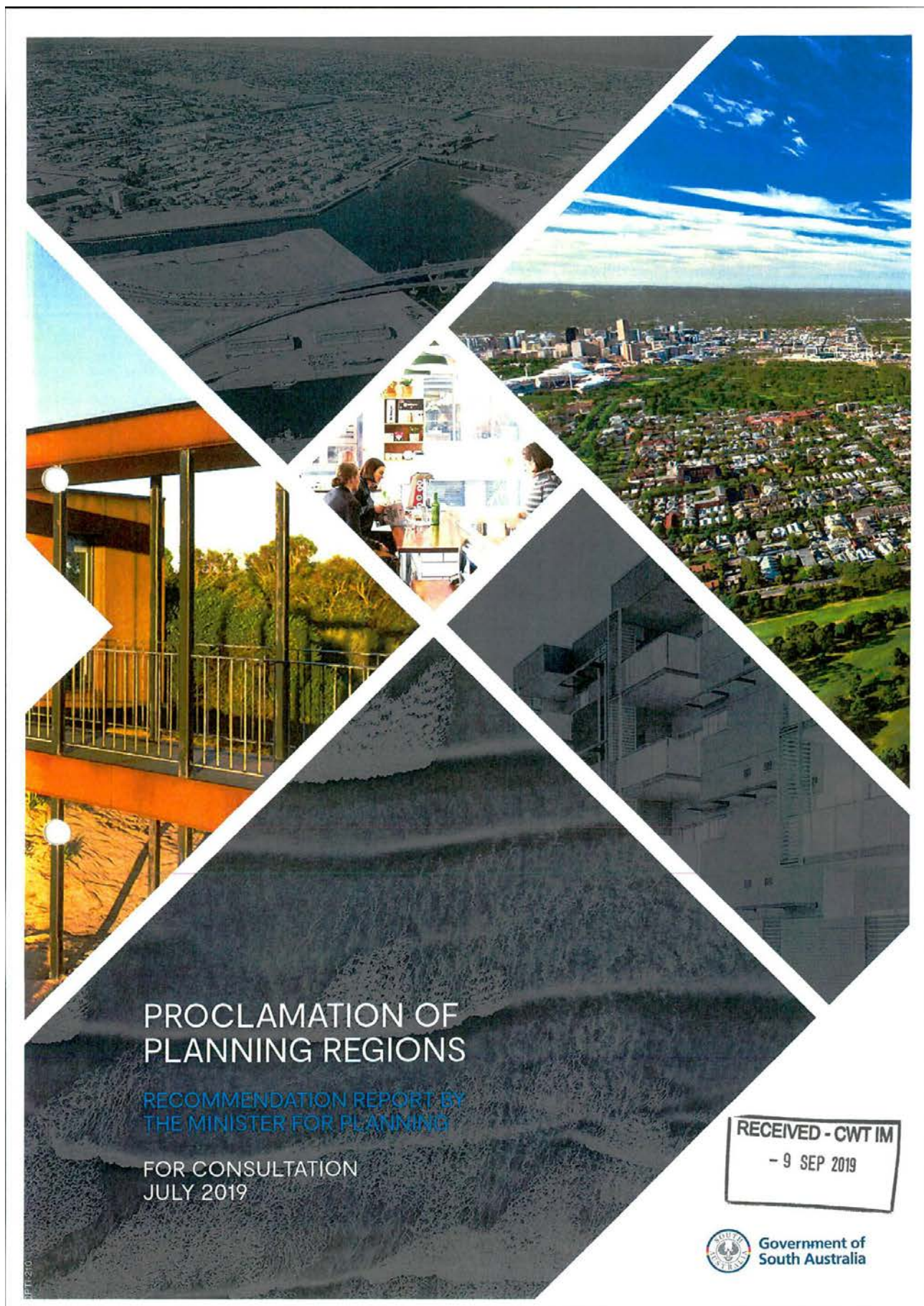


HON STEPHAN KNOLL MP
MINISTER FOR TRANSPORT, INFRASTRUCTURE AND LOCAL GOVERNMENT
MINISTER FOR PLANNING

 / 8 / 2019

Enclosed

1. Proclamation of Planning Regions Recommendation Report
2. Advice from State Planning Commission



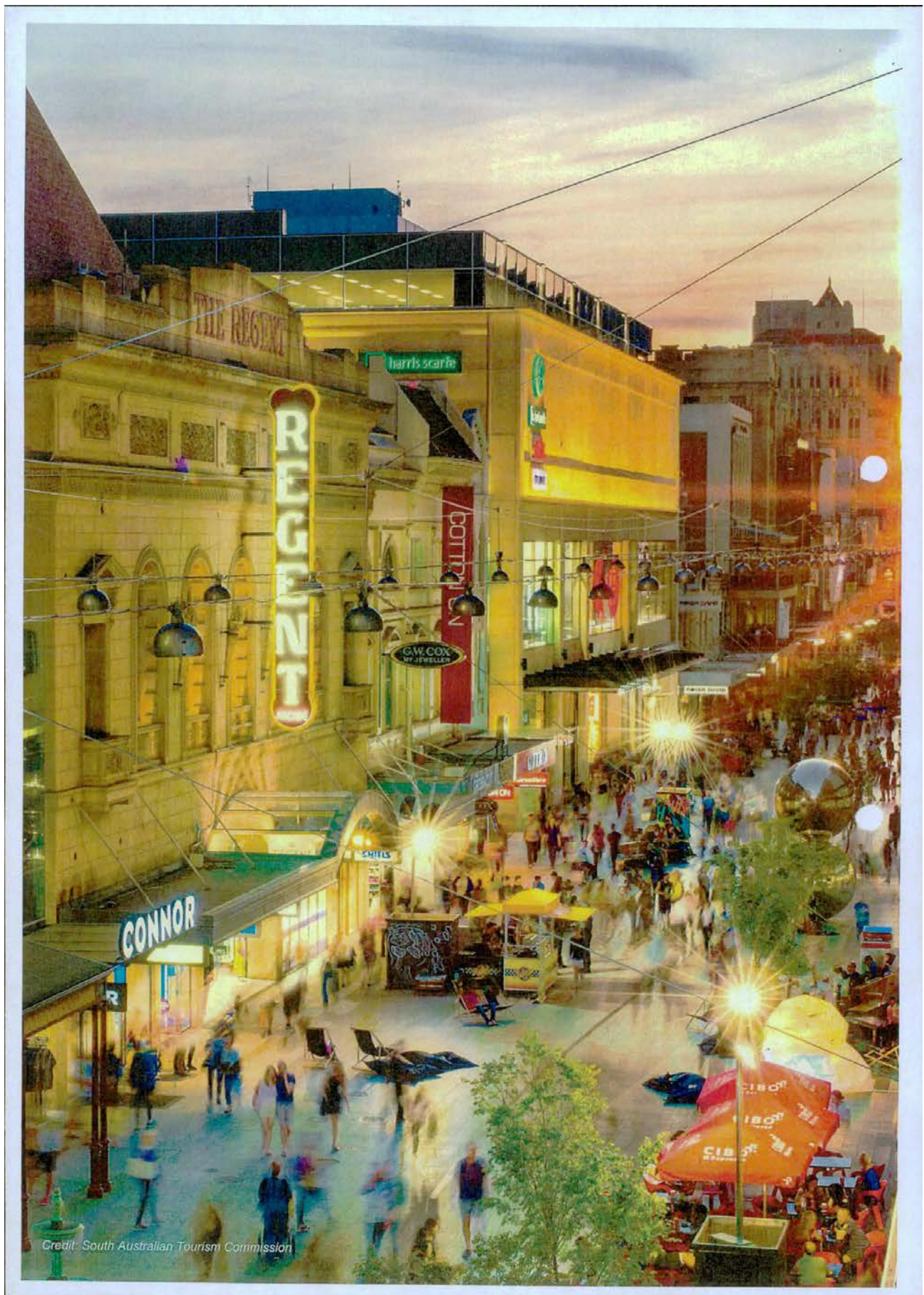


Proclamation of Planning Regions
Recommendation Report by the Minister for Planning



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Proclamation of Planning Regions
Recommendation Report by the Minister for Planning



1. Introduction

The *Planning, Development and Infrastructure Act 2016* (PDI Act) provides for South Australia to be divided into Planning Regions by Proclamation of the Governor. One of the Regions must be designated as "Greater Adelaide" (replacing the definition of "Metropolitan Adelaide" in the *Development Act 1993*). Provision also exists for the Minister to establish sub-regions within a Planning Region.

The main purpose of a Planning Region is to define the area for Regional Plans over which collaborative arrangements may be established for planning and other relevant service delivery or program areas. The establishment of Planning Regions is important for a number of other subsequent parts of the PDI Act.

The PDI Act also allows for adjustments to Planning Region boundaries where appropriate. Adjustments might be considered in the future, for instance, as a result of the establishment of a Joint Planning Board (JPB) through a Planning Agreement under s35 of the PDI Act.

When proclaiming Planning Regions, the Governor acts on the recommendation of the Minister. The establishment of Planning Regions will be subject to Parliamentary scrutiny and a proclamation will not come into effect unless approved by both Houses of Parliament.

The Minister, when formulating a recommendation for the Governor, must seek the advice of the State Planning Commission, consult with affected councils, and consider a number of matters pursuant to s5(4) of the PDI Act.

Transitional provisions within the PDI Act provide that when a Planning Region is proclaimed, a Regional Plan need not be prepared and adopted for 2 years from the day on which the Planning Region is constituted (or a longer period if provided for in the proclamation).

Until a Regional Plan is prepared and adopted, a Regional Plan (namely the current volumes of the South Australian Planning Strategy) prepared or adopted for the purposes of the repealed *Development Act* (as identified by the State Planning Commission) will apply in relation to the area constituting the Planning Region as if it were a Regional Plan under the PDI Act. It should be noted that Greater Adelaide has already been proclaimed and the 30 Year Plan for Greater Adelaide currently applies.

That is, existing volumes of the State Planning Strategy can operate on an interim basis once the region is declared and the Commission identifies it as a Regional Plan.

2. Current Regions

2.1 SA Government regions

Twelve uniform SA Government administrative regions were adopted in 2006 for planning, monitoring and service delivery. Consultation on the regions with local government occurred in 2007 and they were implemented by State Government Departments over an approximately two year timeframe. The former Planning SA (now DPTI) had the lead role for leading, coordinating and reporting on implementation.

In determining the regional boundaries, a number of factors were considered including ABS Statistical Local Areas, local government boundaries, population centres and numbers, NRM boundaries at the time, government service delivery by agencies, community acceptance, and planning regions under the State Planning Strategy.

Of the twelve administrative regions adopted there were:

- four for metropolitan Adelaide (northern, southern, eastern, western)
- three for outer Adelaide (Barossa, Mt Lofty Ranges, Fleurieu/Kangaroo Island)
- five for regional South Australia
 - Eyre and Western
 - Far North
 - Yorke Peninsula / Mid North
 - Murray and Mallee
 - Limestone Coast.

2.2 South Australian Planning Strategy regions

Since the SA Government regions were adopted in 2006, eight volumes of the South Australian Planning Strategy have been developed as required by the *Development Act 1993*:

- Greater Adelaide (the Greater Adelaide Thirty Year Plan, produced in 2010 and updated in 2017) which aligns with the four metropolitan Adelaide and three outer Adelaide regions adopted in 2006 (with the addition of the Rural City of Murray Bridge and excluding Kangaroo Island)
- Eyre and Western (produced in 2012) which aligns with the Eyre and Western region adopted in 2006
- Far North (produced in 2010) which aligns with the Far North region adopted in 2006
- Yorke Peninsula (produced in 2007) and Mid North (produced in 2011) which, together, align with the Yorke Peninsula/Mid North region adopted in 2006
- Murray and Mallee (produced in 2011) which aligns with the Murray and Mallee region adopted in 2006
- Limestone Coast (produced in 2011) which aligns with the Limestone Coast region adopted in 2006
- Kangaroo Island (produced in 2011, with an Addendum produced in 2014) which is a shift from Kangaroo Island being part of the Fleurieu/Kangaroo Island region adopted in 2006, largely as a consequence of the Greater Adelaide Thirty Year Plan boundary.

Proclamation of Planning Regions
Recommendation Report by the Minister for Planning



The regional volumes of the Planning Strategy give direction on future land use and development. They set out how the government proposes to balance population and economic growth with the need to preserve the environment and protect the heritage, history and character of regional communities. They also help state and local government in planning for provision of services and infrastructure, such as transport, health, schools, and aged care and community facilities.

Preparation of each volume involved significant investigation into issues and trends associated with key areas of environment and culture, economic development, population and settlements and infrastructure and service provision. There was also extensive consultation with state agencies, local government, community and relevant stakeholders.

While the volumes of the Planning Strategy generally follow the SA Government administrative regions there are variations as shown above:

- Murray Bridge has been included in the Greater Adelaide Thirty Year Plan (whilst remaining part of the Murray and Mallee volume);
- Kangaroo Island has its own volume; and
- Yorke Peninsula and Mid North have separate volumes despite being part of the same region.

These variations reflect the flexibility needed to address changing requirements for land use planning across the state.





3. Establishing Planning Regions under the PDI Act

In considering approaches for determining Planning Regions under the PDI Act it is recognised that one of them to be proclaimed must be the Greater Adelaide Region (s5(1)(b) of the PDI Act). The focus of this report, therefore, is on Planning Regions other than Greater Adelaide.

Two options have been identified for determining the remaining Planning Regions to comply with the requirements of the PDI Act. The first is to adopt the existing South Australian Planning Strategy region boundaries which can be reviewed and/or revised at a later date. The second is to undertake an entirely new comprehensive review process over the coming months.

3.1 Considerations relating to proclamation of Planning Regions under the PDI Act

The PDI Act (s5 (4)) requires the Minister, in formulating a recommendation for the proclamation of Planning Regions to:

- seek to reflect communities of interest at a regional level;
- take into account council boundaries and other relevant administrative boundaries; relevant economic, social and cultural factors; and relevant environmental factors (including water catchment areas and biogeographical regions); and
- give attention to the need to achieve effective planning consistent with the objects of the PDI Act, and the delivery of infrastructure, government services and other relevant services, at the regional level.

Each of these matters is discussed below.

3.1.1 Reflecting communities of interest

Community of interest is a broad concept that generally refers to both a geographic area and the relationships between people.

While the two dimensions of area and relationships are often spoken about together, it is not necessarily the case that they are closely connected. For instance, community of interest can refer to the interests that people have in common through living in the same area - street, suburb or town, region. But it can also refer to a shared interest of people in other ways such as a career or profession, religion, sport, hobbies, clubs, political parties etc. that are not necessarily related to a particular area or place.

Sometimes the two dimensions come together in other ways such as a workplace where people travel distances to apply themselves to tasks associated with their employment for a fixed period of time. An extreme, but relatively common, example is fly in, fly out workers who may live long distances (including overseas) from their workplace but become part of a 'community' of fellow employees (and possibly employees of other organisations, and even community groups) while they are there.

Taken together it makes sense that, up to a point, the larger the geographic area the more likely there are to be communities of interest in terms of relationships between people. In regional South Australia a reasonable approach to ensure communities of interest is for there to be at least one population centre in each region to

allow for economic, environmental and social connections. This is the approach that was taken in determining administrative regions in 2006 and is still valid today.

At that time, it was also considered that a region should have “sufficient population to warrant a regional status”. Although “sufficient population” was not defined it was noted that Kangaroo Island “with only 3% of the population is too small and would be a sub-region within Fleurieu/Kangaroo Island Outer Metropolitan Adelaide region”. Circumstances have now changed with Kangaroo Island becoming a planning region on its own when the Fleurieu Peninsula was included in the Greater Adelaide region.

Having “sufficient population” is also a reasonable criterion for a region, however, the experience with Kangaroo Island shows that it is more nuanced than the first measure of “at least one population centre”.

Noting that Kangaroo Island is a special case, applying the two criteria of at least one population centre and sufficient regional population to the Planning Strategy regions outside the Greater Adelaide Region supports the adoption of the existing South Australian Planning Strategy region boundaries, as shown by the estimated residential population figures for 2017 shown in the following table:

| Planning Strategy region | Population centre/s population (ERP 2017) | Regional population (ERP 2017) |
|----------------------------------|---|--------------------------------|
| Eyre and Western | Port Lincoln 14,653 | 57,419 |
| | Whyalla 21,727 | |
| Far North | Port Augusta 13,348 | 24,315 |
| Yorke Peninsula/Mid North | Port Pirie 14,020 | 76,799 |
| | Kadina/Wallaroo/Moonta 13,174 | |
| | Clare 3,399 | |
| Murray and Mallee | Murray Bridge 17,587 (due to its significance it is envisaged Murray Bridge will continue to be included in the Murray and Mallee region and subsequent Regional Plan) | 49,979 |
| | Renmark 4,814 | |
| | Mannum 2,486 | |
| Limestone Coast | Mt Gambier 26,873 | 66,743 |
| | Naracoorte 5,293 | |
| Kangaroo Island | Kingscote 1,858 | 4,890 |

Proclamation of Planning Regions
Recommendation Report by the Minister for Planning



3.1.2 Factors to take into account

Council boundaries and other relevant administrative boundaries

The Planning Strategy regions outside the Greater Adelaide region align with Council boundaries and ABS SLAs, and generally align with SA government administrative boundaries (maps showing the SA government administrative regions, South Australian Planning Strategy regions are attached as Attachments 1, and 2).

Relevant economic, social and cultural factors; relevant environmental factors (including water catchment areas and biogeographical regions)

There are a wide and diverse range of factors that are relevant to land use and infrastructure planning. These include:

- Economic – employment generation, infrastructure, workforce, key sectors – tourism, agriculture, mining, energy, fishing/aquaculture, manufacturing, transport, food and wine, service industries etc.
- Social – housing supply and affordable housing, town growth, population growth/decline, health and education services, recreation etc.
- Cultural – identification/protection of places of heritage and culture significance, both Aboriginal and non-Aboriginal, town character
- Environmental – climate change, water, biodiversity, coastal and marine environments, River Murray, native vegetation, scenic landscapes, protection from hazards, etc.

These factors feature in the existing regional volumes of the Planning Strategy, with varying emphases to cater for specific regional variations. Each factor has its own community of interest and they have often been addressed via a range of strategic plans, prepared on a state wide and/or regional basis. The plans are being implemented by various bodies, involving relevant local, regional and state wide organisations.

Each of the current Planning Strategy regions is large, covering a sizeable geographic area and population, along with at least one sizeable population centre (noting that Kangaroo Island is a special case). Having large planning regions allows for the consideration of the range of factors described above, and the relevant land use/infrastructure implications, in a way that can take into account the specific issues and geographic areas associated with each of those factors. Because the planning regions are large there is flexibility for each factor to be considered on a regional, sub-regional, local and/or state wide basis as appropriate, without compromising the consideration of any other factor, which could occur if a planning region was too small or aligned too tightly to one (or more) specific factors.

For example, the Greater Adelaide Region (which the PDI Act requires to be proclaimed as a Planning Region) covers a large and significant part of the state with a large population. The 30 Year Plan for Greater Adelaide is able to consider the wide range of relevant factors and communities of interest relevant to land use and infrastructure planning within Greater Adelaide, both on a regional and sub-regional basis, and identifies relevant policies accordingly.

The proclamation of the Planning Strategy regions as Planning Regions will continue to facilitate a flexible approach, via maintaining the large existing regions, so that the wide range of relevant economic, social, cultural and environmental factors can be taken into account as the next generation of Regional Plans are prepared. Regional variations can be considered as appropriate which will allow for integration with planning approaches to those factors that are best addressed on a multi-region or state wide basis (eg. climate change, regional development, natural resource management).

An example is the new *Landscape SA Act* which is intended to establish Landscape Management Regions (and Boards) across the state relevant to natural resource management. By retaining the existing large planning regions, future Regional Plans will be able to consider relevant NRM issues, no matter where the new landscape regions are created.

3.1.3 Factors to give attention to

Need to achieve effective planning consistent with the objects of the PDI Act

Proclaiming the current Planning Strategy Regions as Planning Regions will support the overall objects of the PDI Act and hence the creation of an effective, efficient and enabling planning system. In particular, proclaiming the Regions will define the area for Regional Plans and support collaborative arrangements for planning purposes, which will in turn support implementation of other parts of the PDI Act. Preparation of Regional Plans will:

- Support application of State Planning Policies in a regional context; regional collaboration arrangements (Joint Planning Boards); regional community participation (via councils and Joint Planning Boards); and having regionally based development assessment panels (via Joint Planning Boards)
- Identify regional priorities for development, infrastructure etc. and the need for regionally relevant amendments to the Planning and Design Code.

Delivery of infrastructure, government services and other relevant services at the regional level

The current Planning Strategy Regions outside the Greater Adelaide Region generally align with SA Government administrative boundaries. Proclaiming them as Planning Regions will not create a need for the SA Government or councils to review or alter how they provide their wide range of services.

3.1.4 Conclusion

The considerations relating to proclamation of Planning Regions under the PDI Act support the transition of existing Planning Strategy Regions as Planning Regions.

A further consideration is the staged implementation of a wide-range of reforms to the South Australian planning system being undertaken by the State Government and State Planning Commission, including the phased roll out of the Planning and Design Code.

Rather than initiate a new process to review regional planning boundaries, it would seem prudent to rely on the existing Planning Strategy regions (and the rationale underpinning them) for the time being while reform is rolled out. The transitional provisions that allow for the current volumes of the Planning Strategy to apply until such time as new Regional Plans are prepared supports this approach.

The PDI Act allows for adjustments to Planning Region boundaries in the future if required, which could reflect variations to boundaries resulting from preparation of new Regional Plans and/or formation of Joint Planning Boards by councils.

3.2 Likelihood of short-term changes being required to Planning Region boundaries

Over 2017 and 2018 DPTI undertook a Planning Arrangements Pilot Project to assist groups of councils in establishing business cases for Planning Agreements and formation of Joint Planning Boards under the PDI

Proclamation of Planning Regions
Recommendation Report by the Minister for Planning



Act, and prepare an information kit for all councils and/or entities on this element of the legislation. Jeff Tate Consulting Pty Ltd was engaged to coordinate the project.

Eight groups of councils (representing 40 out of the 68 councils in SA) lodged expressions of interest to participate in the project. Of those eight groups, six proceeded to the stage of preparing business cases. The six groups were:

- Barossa group (The Barossa Council, Adelaide Plains Council, Town of Gawler, and Light Regional Council, which are all within the Greater Adelaide region)
- Eyre Peninsula group (District Council of Ceduna, District Council of Cleve, District Council of Elliston, District Council of Kimba, District Council of Lower Eyre Peninsula, City of Port Lincoln, District Council of Streaky Bay, District Council of Tumby Bay and Wudinna District Council, which are nine of the 11 councils within the Eyre and Western region of the South Australian Planning Strategy)
- Limestone Coast LGA (District Council of Grant, Kingston District Council, City of Mount Gambier, Naracoorte Lucindale Council, District Council of Robe, Tatiara District Council and Wattle Range Council, which are all of the councils in the Limestone Coast region of the South Australian Planning Strategy)
- Riverland councils (Berri Barmera Council, District Council of Loxton Waikerie and Renmark Paringa Council, which are part of the Murray and Mallee region of the South Australian Planning Strategy)
- Spencer Gulf Cities group (Port Augusta City Council, Port Pirie Regional Council and City of Whyalla, which are in three separate regions of the South Australian Planning Strategy)
- Yorke Peninsula Alliance (District Council of Barunga West, District Council of the Copper Coast and Yorke Peninsula Council, which are part of the Yorke Peninsula and Mid North region of the South Australian Planning Strategy).

DPTI will continue to work collaboratively with these groups of councils in the preparation of their business cases, with a view to pursuing Planning Agreements and establishment of Joint Planning Boards.

Flexibility is provided by the PDI Act where, under s64 (2), a Regional Plan can be prepared by a Joint Planning Board for part of a Planning Region. In such cases the State Planning Commission is responsible for preparing a Regional Plan for the remainder of the Planning Region. The arrangements for such a situation will need to be determined on a case by case basis, but this does allow flexibility should a Joint Planning Board be established that covers only part of a current planning region in the future.

Given the circumstances and likely timelines for councils working towards entering into a Planning Agreement with the Minister, forming a Joint Planning Board and developing a Regional Plan, as well as the flexibility for Regional Plans to cover part of a Planning Region only, it is unlikely that changes to Planning Region boundaries will be required in the very near future while transitional provisions are in place.

4. Recommended Approach

Given the information and circumstances set out above, it is proposed to recommend to the Governor that the current South Australian Planning Strategy region boundaries be Proclaimed as the Planning Regions for the purposes of the PDI Act.

Through the transitional provisions, following this approach will allow the existing South Australian Planning Strategies to apply until such time as new Regional Plans are prepared.

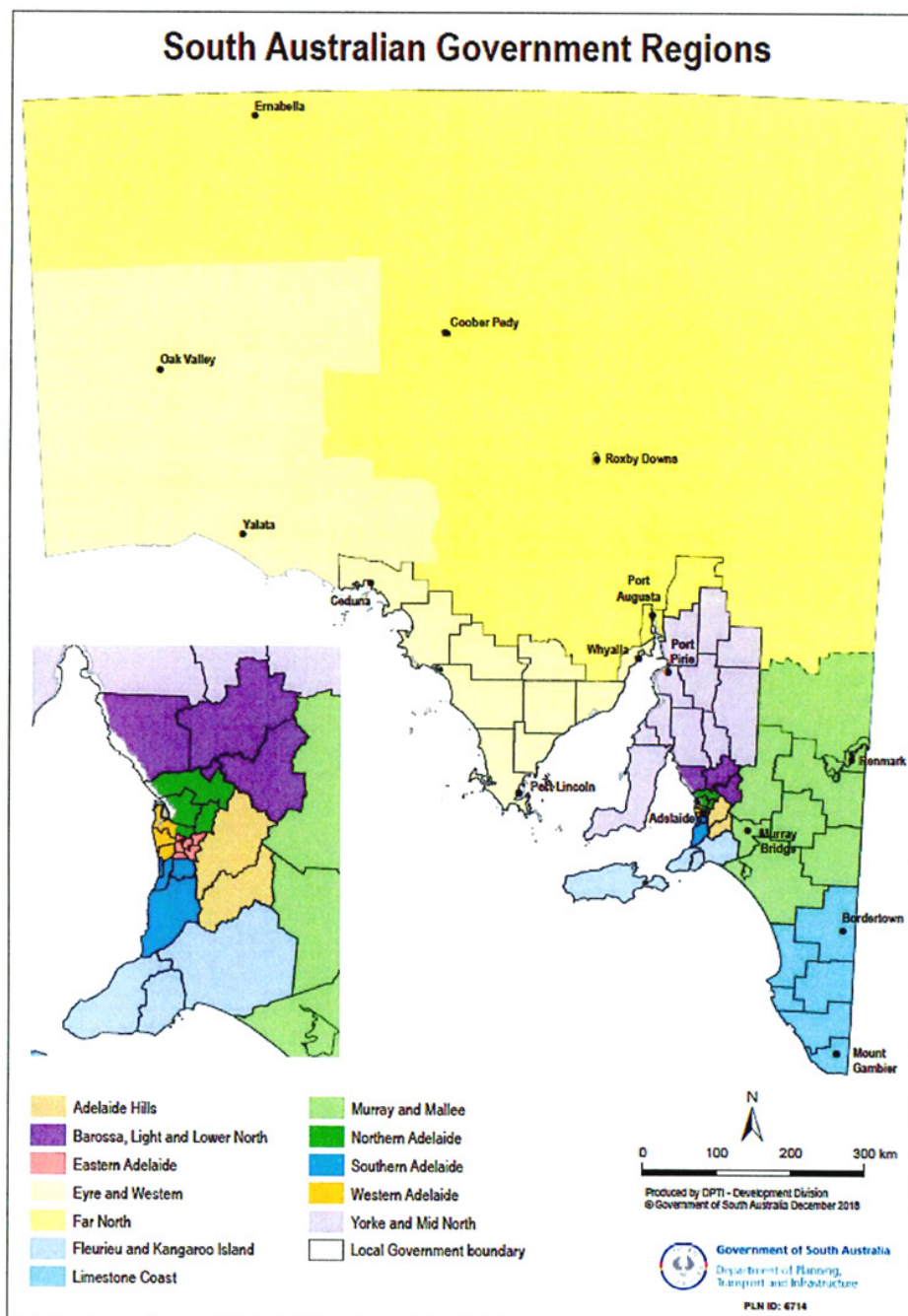
Consistent with this approach, there is no need at the current time to form any sub-regions, noting however this may change in the future depending on formation of any Joint Planning Boards.

Proclamation of Planning Regions
Recommendation Report by the Minister for Planning



Attachments – Maps of SA Government and Planning Strategy Regions

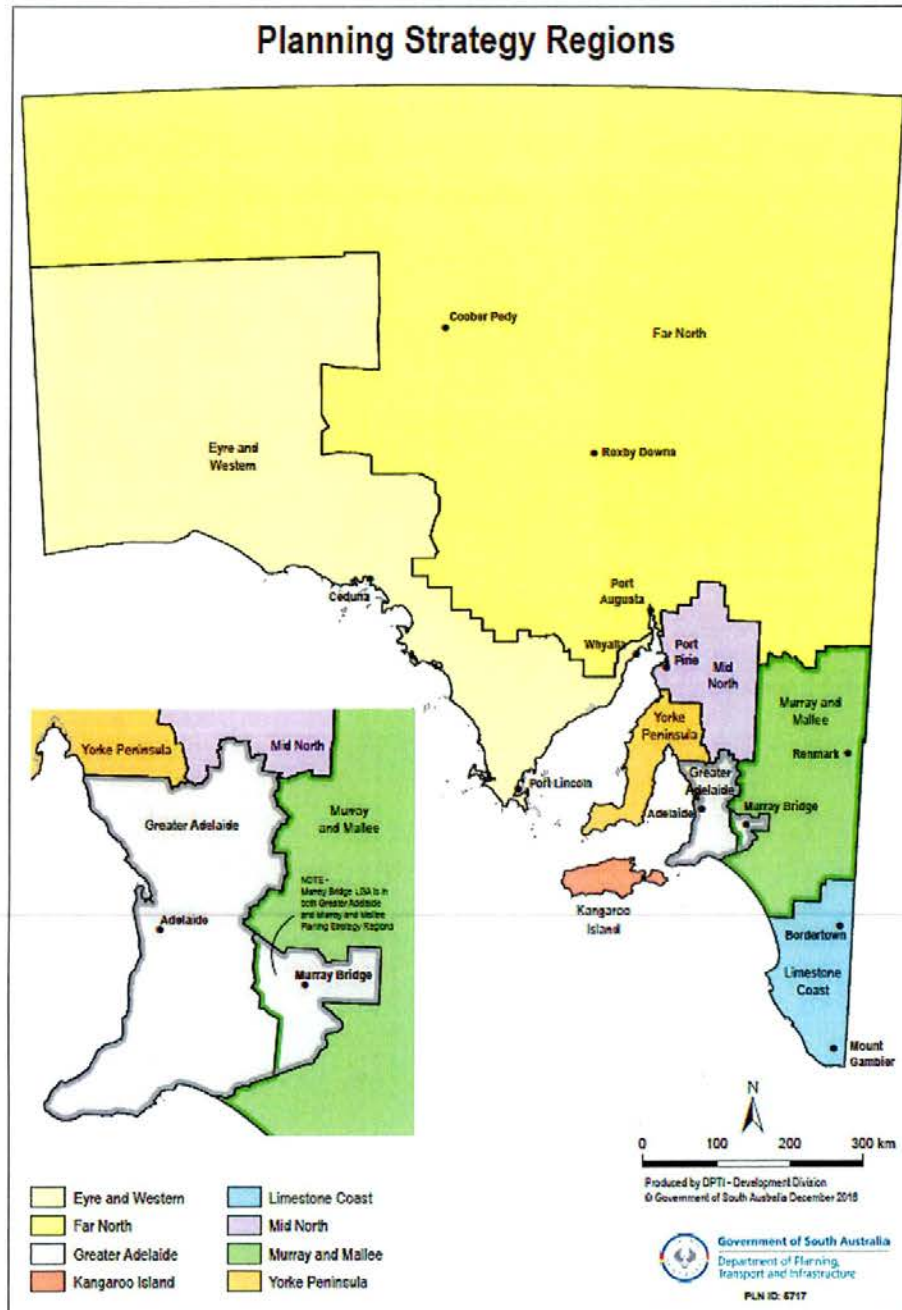
Attachment 1 – SA Government Administrative Regions



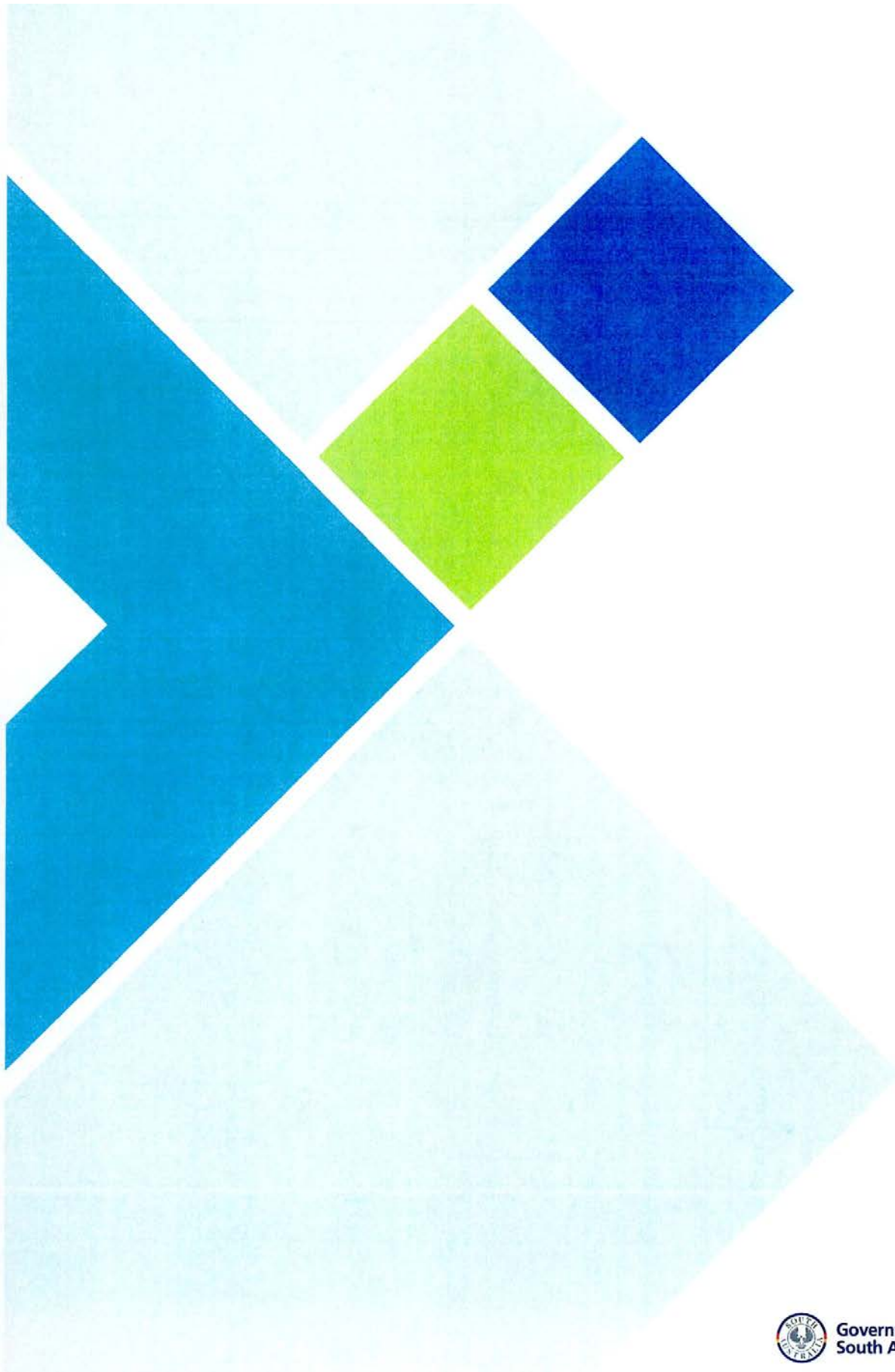
Proclamation of Planning Regions
Recommendation Report by the Minister for Planning



Attachment 2 – South Australian Planning Strategy Regions







Government of
South Australia



28 June 2019

Hon Stephan Knoll
Minister for Planning
Government of South Australia
GPO Box 1533
ADELAIDE SA 5001



State Planning Commission

Level 5
50 Flinders Street
Adelaide SA 5000

GPO Box 1815
Adelaide SA 5001

08 7109 7466

Dear Minister

Thank you for your letter of 24 March 2019 in which you request the advice of the Commission on a proposed approach to proclamation of State Planning Regions in accordance with section 5(5)(a) of the *Planning, Development and Infrastructure Act 2016* (the Act).

In particular you have sought the Commission's advice on a proposed approach to the proclamation of regions as set out in the *Recommendations Report for Proclamation of State Planning Regions*, prepared by an independent consultant (Jeff Tate Consulting).

The report recommends that the South Australian Planning Strategy region boundaries be proclaimed as planning regions under the Act as a transitional arrangement. This will allow the current Planning Strategies for South Australia to be transitioned as regional plans, until such time as they can be reviewed by the Commission or Joint Planning Boards over the next few years. The regions should then be reviewed at a later date (approximately 5 years) in response to any Joint Planning Boards that are established or any other relevant matter.

To allow time for any Joint Planning Boards to become established and to allow for implementation of the Act to be completed, the report also recommends that a timeframe of longer than two years is specified within which new regional plans are to be prepared following proclamation of the planning regions.

The Commission considered your request at its meeting of 18 April 2019 and I am pleased to advise that the Commission supports the approach as outlined in the Recommendations Report.

The approach as outlined will result in proclamation of planning regions in the interim and prior to commencement of the Planning and Design Code for regional Councils (Phase 2), and it allows for potential adjustment to region boundaries in the future in response to formation of any Joint Planning Boards.

It is my understanding that you will now consult with affected Councils as required by section 5(5)(b) of the Act and you must provide the Councils with a copy of the Commission's advice.

#13868494

STATEPLANNINGCOMMISSION.SA.GOV.AU



Government of South Australia
Department of Planning,
Transport and Infrastructure

The Commission looks forward to continually working with you during the implementation of the planning reform program.

Yours sincerely

A handwritten signature in black ink, appearing to read "Michael Lennon", with a long horizontal line underneath it.

Michael Lennon
Chair
State Planning Commission



P +61 (0) 8 8410 5301
89 King William Street
Ground Floor (Box 14)
Adelaide SA 5000
committeeforadelaide.org.au

4 September 2019

Michael Coxon
Mayor
City of West Torrens
165 Sir Donald Bradman Drive
HILTON SA 5033

Dear Mayor Coxon,

I am delighted to let you know that I have been appointed as the new Chair of the Committee for Adelaide.

I see this as an exciting new opportunity to contribute to the development of Adelaide - already a fantastic city - but one with enormous potential to make more of national and global opportunities both economically and culturally.

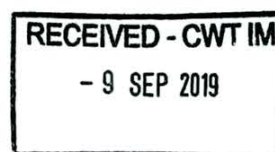
I am looking forward to building on the work and leadership of past Chairs and the leaders in business and industry who were inspired to establish the committee in support of a more vibrant future for Adelaide.

Together, through our collaboration and connection, I believe we can build Adelaide's prosperity and at the same time create an extraordinary, sustainable and vibrant global city - a place people from all over the world, people just like me, want to be a part of and one those who have always lived here, are proud to call home.

I look forward to working with you in this new capacity and if you want to know more about the Committee for Adelaide or organise a meeting to discuss a particular issue, please don't hesitate to contact me or our Chief Executive Officer Jodie van Deventer on 0427 408 588 or jodie@committeeforadelaide.org.au.

Kind regards,

Professor David Lloyd
CHAIR, Committee for Adelaide



21 CONFIDENTIAL

Nil

22 MEETING CLOSE

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1 MEETING OPENED**2 PRESENT****3 APOLOGIES****Leave of Absence****Committee Members:**

Cr Jassmine Wood

4 DISCLOSURE STATEMENTS

Committee Members are required to:

1. Consider Section 73 and 75 of the *Local Government Act 1999* and determine whether they have a conflict of interest in any matter to be considered in this Agenda; and
2. Disclose these interests in accordance with the requirements of Sections 74 and 75A of the *Local Government Act 1999*.

5 CONFIRMATION OF MINUTES**RECOMMENDATION**

That the Minutes of the meeting of the City Finance and Governance Committee held on 20 August 2019 be confirmed as a true and correct record.

6 COMMUNICATIONS BY THE CHAIRPERSON**7 QUESTIONS WITH NOTICE**

Nil

8 QUESTIONS WITHOUT NOTICE**9 MOTIONS WITH NOTICE**

Nil

10 MOTIONS WITHOUT NOTICE

11 CITY FINANCE & GOVERNANCE REPORT

11.1 Creditor Payments

Brief

This report tables a schedule of creditor payments for August 2019.

RECOMMENDATION

The Committee recommends to Council that the schedule of creditor payments for August 2019 be received.

Discussion

A schedule of creditor payments totalling \$6,019,890.02 (\$6,288,089.43 in July 2019) is attached for the information of Elected Members. Notable items include:

- A payment to the Brown Hill & Keswick Creeks Stormwater Board of \$989,105.50 for capital and operating contributions for period July to December 2019 (refer ref. no. 82);
- Payments to Romaldi Constructions Pty Ltd totalling \$746,714.08 for the redevelopment of both Lockleys and Weigall Ovals (refer ref. nos. 352 and 353);
- A payment to Camco SA Pty Ltd of \$567,073.26 for the pump station upgrade and Apex Park redevelopment (refer ref. no. 86);
- A payment to Solo Resource Recovery of \$473,400.67 for both waste collection and disposal for July 2019 (refer ref. no. 384);
- A payment to City of Charles Sturt of \$377,863.94 for the share of costs associated with West Beach Road upgrade (refer ref. no. 98);
- A payment to Knox Constructions Pty Ltd of \$312,704.60 for road reconstruction works (refer ref. no. 250);
- A payment to Beltrame Civil Operations Pty Ltd of \$255,102.37 for road reconstruction works (refer ref. no. 64);
- A payment to SEM Civil Pty Ltd of \$148,907.13 for road reconstruction works (refer ref. no. 378);
- A payment to the Department of Planning, Transport and Infrastructure of \$101,250.01 for the annual registration of all Council plant and motor vehicles (refer ref. no. 141).

Conclusion

A schedule of creditor payments for August 2019 is provided for Elected Members' information and review.

Attachments

1. Creditor payments for the month of August 2019

**ACCOUNTS DUE AND SUBMITTED TO THE FINANCE AND GOVERNANCE STANDING COMMITTEE MEETING
17 SEPTEMBER 2019**

| Ref No. | Cheque/ EFT No. | Payee | Invoice Description | Payment Total |
|----------------|----------------------------|---|--|--------------------------|
| 1 | EFT58226 | A Seah | Thebarton Community Centre Bond Return | 500.00 |
| 2 | EFT57918 | Abbey Upholstery | Furniture Repairs | 924.00 |
| 3 | EFT58231 | Abdul Rauf Sheikh | Thebarton Community Centre Bond Return | 1,220.40 |
| 4 | EFT58008 | Access Hardware Pty Ltd | Building Maintenance | 19.82 |
| 5 | EFT58005 | Adami's Sand & Metal | Depot Supplies | 1,253.82 |
| 6 | EFT58247 | Adbri Masonry Pty Ltd | Pavers | 3,414.22 |
| 7 | EFT58002 | Adelaide Advanced Trees | Trees | 2,970.00 |
| 8 | EFT58245 | Adelaide Advanced Trees | Trees | 151.25 |
| 9 | EFT58238 | Adelaide Airport Limited | Depot Rent / Utilities | 62,257.56 |
| 10 | EFT58003 | Adelaide Chainwire & Domestic Fencing Pty Ltd | Fencing | 12,125.00 |
| 11 | EFT58246 | Adelaide Chainwire & Domestic Fencing Pty Ltd | Fencing | 8,360.00 |
| 12 | EFT57997 | Adelaide EWP Inc SA Diesel & Hydraulics | Depot Supplies | 3,261.48 |
| 13 | EFT58345 | Adelaide Khukari Football Club | Thebarton Community Centre Bond Return | 1,000.00 |
| 14 | EFT58244 | Adelaide Signs Group Pty Ltd | Depot Supplies | 1,881.00 |
| 15 | EFT58115 | Adelaide Sri Lankan Students Assoc | Thebarton Community Centre Bond Return | 500.00 |
| 16 | EFT57916 | Adelaide Waste & Recycling Centre | Rubbish Disposal | 7,760.00 |
| 17 | EFT58251 | Adelaide Waste & Recycling Centre | Rubbish Disposal | 14,684.70 |
| 18 | EFT58122 | Adtrade Industrial Supplies | Depot Supplies | 251.86 |
| 19 | EFT57914 | Advam Pty Ltd | Transaction Fees | 184.78 |
| 20 | EFT57992 | Advance Teacher Training | Thebarton Community Centre Bond Return | 500.00 |
| 21 | EFT58000 | Advanced Plastic Recycling | Depot Supplies | 2,963.73 |
| 22 | 061163 | AGL South Australia Pty Ltd | Power | 1,638.74 |
| 23 | 061170 | Aidan Galpin | Compost Bin Rebate | 50.00 |
| 24 | EFT58118 | Air Filter Cleaners | Vehicle Maintenance | 863.18 |
| 25 | EFT58120 | Aish Solutions Pty Ltd | Stationery | 1,282.60 |
| 26 | EFT58059 | AJ & CA Mackintosh | Weed Spraying | 9,329.38 |
| 27 | EFT58169 | AJ & CA Mackintosh | Weed Spraying | 14,368.20 |
| 28 | EFT58006 | Ali Rinaldi | Professional Fees | 178.00 |
| 29 | EFT58119 | Allen Press Pty Ltd | Printing | 539.00 |
| 30 | EFT57995 | Allen Wade | Thebarton Community Centre Bond Return | 100.00 |
| 31 | EFT58239 | Alsco Pty Ltd | Dry Cleaning | 73.16 |
| 32 | EFT57917 | AMC Commercial Cleaning | Cleaning | 1,212.25 |
| 33 | EFT58252 | AMC Commercial Cleaning | Cleaning | 1,212.25 |
| 34 | EFT57925 | Angelo Catinari | Reimburse Expenses | 996.75 |
| 35 | EFT57999 | Animal Management Services Pty Ltd | Doggy Bags | 1,914.00 |
| 36 | EFT58235 | Animal Welfare League SA | Impound Dogs | 5,280.00 |
| 37 | EFT58243 | Apple Pty Ltd | Computer Equipment | 3,583.80 |
| 38 | EFT58250 | Aquarium Aid | Library Aquarium Maintenance | 140.90 |
| 39 | EFT58236 | Artcraft Pty Ltd | Depot Supplies | 11,404.80 |
| 40 | EFT57998 | Ascot Welding | Bus Shelters | 14,300.00 |
| 41 | 061176 | Ashdown Ingram Thebarton | Depot Supplies | 1,750.73 |
| 42 | EFT57915 | ATF Services Pty Ltd | Fencing | 891.00 |
| 43 | EFT58242 | ATF Services Pty Ltd | Fencing | 569.25 |
| 44 | EFT58240 | Attorney-General's Department | Expiation Lodgement Fees | 82.00 |
| 45 | EFT58234 | Australia Post | Postage | 4,847.06 |
| 46 | EFT58009 | Australia Post | Agency Collection Fees | 3,960.64 |
| 47 | EFT58001 | Australia Post | Postage | 21,337.23 |
| 48 | EFT58007 | Australian Green Clean | Cleaning | 5,844.63 |
| 49 | EFT58249 | Australian Green Clean | Cleaning | 972.01 |
| 50 | EFT58237 | Australian Institute of Animal Management | Membership | 400.00 |
| 51 | 061164 | Australian Institute of Building Surveyors | Staff Training | 300.00 |
| 52 | EFT57913 | Australian Mayoral Aviation Council | Membership | 12,928.30 |
| 53 | EFT58121 | Australian Motors | Vehicle Maintenance | 255.79 |
| 54 | 061162 | Autism SA | Staff Casual Day Donations | 72.20 |
| 55 | EFT58261 | B & W Communications | Library Books | 44.65 |
| 56 | EFT58078 | BA & KA Paterson | Building Maintenance | 1,965.70 |
| 57 | EFT58187 | BA & KA Paterson | Building Maintenance | 1,918.95 |
| 58 | EFT58318 | BA & KA Paterson | Building Maintenance | 2,769.80 |
| 59 | EFT58015 | Banh Mi Cafe | Catering | 143.00 |
| 60 | EFT58257 | Banh Mi Cafe | Catering | 100.00 |

**ACCOUNTS DUE AND SUBMITTED TO THE FINANCE AND GOVERNANCE STANDING COMMITTEE MEETING
17 SEPTEMBER 2019**

| Ref No. | Cheque/ EFT No. | Payee | Invoice Description | Payment Total |
|---------|--------------------|--|--|---------------|
| 61 | EFT58255 | Battery World Hilton | Batteries | 1,803.00 |
| 62 | EFT58258 | BCE & CJ Electrical | Electrical | 43,711.19 |
| 63 | EFT58254 | Belair Turf Management Pty Ltd | Oval Maintenance | 18,325.00 |
| 64 | EFT58016 | Beltrame Civil Operations Pty Ltd | Roadworks | 255,102.37 |
| 65 | EFT57919 | Bestec | Professional Fees | 8,800.00 |
| 66 | EFT58123 | Bianco Hiring Service Pty Ltd | Hire Portable Changerooms | 1,285.57 |
| 67 | EFT58018 | Bianco Walling Pty Ltd | Depot Supplies | 5,087.50 |
| 68 | EFT58017 | Big4 Renmark Riverfront Holiday Park | Accommodation | 340.00 |
| 69 | EFT58013 | Binforce | Cleaning | 77.00 |
| 70 | EFT58125 | BioBag World Australia Pty Ltd | Bio Bags | 6,063.64 |
| 71 | EFT58198 | BL Shipway & Co Pty Ltd | Depot Supplies | 437.01 |
| 72 | EFT58260 | Blind Repair Centre SA | Repair Blinds | 2,445.00 |
| 73 | EFT58011 | Bob Baker | Reimburse Volunteer Expenses | 28.56 |
| 74 | EFT58023 | Bob Cannan | Reimburse Volunteer Expenses | 21.76 |
| 75 | EFT58126 | Bob Jane T Mart - Brooklyn Park | Tyres | 4,178.00 |
| 76 | EFT57959 | Bob May Workplace Emergency Training | Staff Training | 291.50 |
| 77 | EFT58170 | Bob May Workplace Emergency Training | Staff Training | 1,276.00 |
| 78 | EFT58010 | BOC Limited | Depot Supplies | 977.07 |
| 79 | EFT58124 | Body Corporate Physiotherapy Pty Ltd | Professional Fees | 832.00 |
| 80 | EFT57921 | Bowden Print Group Pty Ltd | Printing | 302.50 |
| 81 | EFT58040 | Brenton Gill | Reimburse Volunteer Expenses | 62.56 |
| 82 | EFT58259 | Brown Hill & Keswick Creeks Stormwater Board | Contribution | 989,105.50 |
| 83 | EFT58302 | Bucher Municipal Pty Ltd | Vehicle Maintenance | 3,429.61 |
| 84 | EFT57922 | Cabcharge Australia Pty Ltd | Cab Fares | 415.54 |
| 85 | EFT58262 | Cabcharge Australia Pty Ltd | Cab Fares | 403.82 |
| 86 | EFT58263 | Camco SA Pty Ltd | Development Works | 567,073.26 |
| 87 | EFT58131 | Carrington House | Professional Fees | 154.95 |
| 88 | EFT58266 | Carvosso Constructions & Building Services | Building Maintenance | 3,278.00 |
| 89 | EFT57924 | Cash Security Services Pty Ltd | Banking | 726.00 |
| 90 | 061189 | Cheryl G Montgomery | Refund Permit Fee | 79.00 |
| 91 | EFT58267 | Chris Sale Consulting Pty Ltd | Professional Fees | 2,750.00 |
| 92 | EFT58221 | Christopher & Chloe Blowes | Fencing Contribution | 1,190.00 |
| 93 | EFT58130 | Chubb Fire & Security Ltd | Security | 677.29 |
| 94 | EFT58022 | City Circle Newsagents | Library Magazines | 64.30 |
| 95 | EFT58265 | City Circle Newsagents | Library Magazines | 36.45 |
| 96 | EFT57926 | City Holden | Purchase Vehicle | 40,364.30 |
| 97 | EFT58021 | City Holden | Vehicle Maintenance | 263.85 |
| 98 | 061177 | City of Charles Sturt | Council Share of West Beach Road Upgrade | 377,863.94 |
| 99 | 061184 | City of West Torrens Petty Cash | Petty Cash | 2,909.45 |
| 100 | EFT58270 | Cleanaway Pty Ltd | Rubbish Disposal | 697.73 |
| 101 | EFT58271 | Cleanaway Pty Ltd | Rubbish Disposal | 747.23 |
| 102 | EFT58268 | Cleanaway Pty Ltd | Rubbish Disposal | 865.76 |
| 103 | EFT58269 | Cleanaway Pty Ltd | Rubbish Disposal | 841.28 |
| 104 | EFT58264 | CMI Hino | Vehicle Maintenance | 4,500.57 |
| 105 | EFT58019 | Combo Industries | Vehicle Modifications | 51,706.43 |
| 106 | EFT58127 | Combo Industries | Vehicle Modifications | 30,313.05 |
| 107 | EFT58232 | Community Centres SA Inc | Thebarton Community Centre Bond Return | 120.00 |
| 108 | EFT58272 | Computers Now Pty Ltd | Computer Equipment | 3,414.60 |
| 109 | EFT58026 | Comwide Radio Services | Vehicle Maintenance | 3,042.05 |
| 110 | EFT57927 | Continuum Care Australia Pty Ltd | Home Support Services | 801.35 |
| 111 | EFT58133 | Cooke Precast Concrete | Depot Supplies | 860.20 |
| 112 | EFT58128 | Cornes Toyota | Vehicle Maintenance | 5,995.03 |
| 113 | EFT58024 | Corporate Health Group Pty Ltd | Medical | 1,639.60 |
| 114 | EFT57928 | Corporate Platters | Catering | 283.80 |
| 115 | EFT58134 | Corporate Platters | Catering | 114.00 |
| 116 | EFT58273 | Corporate Platters | Catering | 420.00 |
| 117 | EFT57923 | COTA SA | Staff Training | 120.00 |
| 118 | EFT58063 | Cr Anne McKay | Elected Members Allowance | 4,127.00 |
| 119 | EFT58082 | Cr Brandon Reynolds | Elected Members Allowance | 5,158.00 |
| 120 | EFT58067 | Cr Cindy O'Rielly | Elected Members Allowance | 3,868.00 |

**ACCOUNTS DUE AND SUBMITTED TO THE FINANCE AND GOVERNANCE STANDING COMMITTEE MEETING
17 SEPTEMBER 2019**

| Ref No. | Cheque/ EFT No. | Payee | Invoice Description | Payment Total |
|---------|--------------------|--|--|---------------|
| 121 | EFT58030 | Cr Daniel Huggett | Elected Members Allowance | 4,048.00 |
| 122 | EFT58111 | Cr David Wilton | Elected Members Allowance | 5,158.00 |
| 123 | EFT58062 | Cr Dominic Mugavin | Elected Members Allowance | 5,338.00 |
| 124 | EFT58076 | Cr Elisabeth Papanikolaou | Elected Members Allowance | 6,447.00 |
| 125 | 061175 | Cr George Vlahos | Elected Members Allowance | 6,447.00 |
| 126 | EFT58065 | Cr Graham Nitschke | Elected Members Allowance | 5,982.00 |
| 127 | EFT58110 | Cr Jassmine Wood | Elected Members Allowance | 6,885.00 |
| 128 | EFT58108 | Cr John Woodward | Elected Members Allowance | 6,627.00 |
| 129 | EFT58055 | Cr Kym McKay | Elected Members Allowance | 4,580.20 |
| 130 | EFT58100 | Cr S Tsiaparis | Elected Members Allowance | 4,371.00 |
| 131 | EFT58075 | Cr Surender Pal | Elected Members Allowance | 4,822.00 |
| 132 | EFT58276 | Daimler Trucks Adelaide | Vehicle Maintenance | 10,224.30 |
| 133 | EFT58032 | Dallas Equipment | Contractor | 2,805.00 |
| 134 | EFT58138 | Dallas Equipment | Contractor | 3,014.00 |
| 135 | EFT58282 | Dallas Equipment | Contractor | 1,947.00 |
| 136 | EFT58223 | Damik Consulting | Thebarton Community Centre Bond Return | 420.00 |
| 137 | EFT58114 | Danni Mentha | Thebarton Community Centre Bond Return | 500.00 |
| 138 | EFT57932 | DC Conferences | Staff Training | 670.00 |
| 139 | EFT57929 | DDL Australia Pty Ltd | Staff Training | 2,365.00 |
| 140 | EFT58028 | Department for Communities and Social Inclusion | Screening Checks | 827.20 |
| 141 | 061171 | Department of Planning, Transport and Infrastructure | Vehicle Registrations | 101,250.01 |
| 142 | EFT58338 | Department of Planning, Transport and Infrastructure | Act Amendments | 161.50 |
| 143 | EFT57984 | Department of Planning, Transport and Infrastructure | Vehicle Searches | 2,429.00 |
| 144 | EFT58029 | Design Flow Consulting Pty Ltd | Professional Fees | 4,642.00 |
| 145 | EFT58279 | Dial Before You Dig SA/NT Inc | Monthly Referral Fee | 1,148.72 |
| 146 | EFT57931 | Dialog Information Technology | Software license | 36.58 |
| 147 | 061193 | Diane M Panuccio | Refund Permit Fee | 98.00 |
| 148 | EFT58275 | Digital Education Services Pty Ltd | Library Supplies | 3,593.80 |
| 149 | EFT58281 | Direct Comms Pty Limited | TXT2U Messages | 408.28 |
| 150 | EFT58278 | Direct Mix Concrete Sales | Concrete | 12,230.72 |
| 151 | EFT58137 | Dirty Food Pty Ltd | Cooking Demonstration | 3,500.00 |
| 152 | EFT58136 | Donna Ferretti & Associates Pty Ltd | CAP Allowance | 2,750.00 |
| 153 | EFT57930 | dormakaba Australia Pty Ltd | Building Maintenance | 2,519.00 |
| 154 | EFT58342 | Downer EDI Works Pty Ltd | Asphalt | 448.80 |
| 155 | EFT58031 | Drakes Supermarket | Active Ageing Program Supplies | 400.20 |
| 156 | EFT58135 | Dulux Australia | Paint | 210.05 |
| 157 | EFT58027 | Dymocks Adelaide | Library Books | 5,080.84 |
| 158 | EFT58241 | E & S Athanasiadis | Depot Supplies | 1,666.76 |
| 159 | 061183 | Electrical & Powerlines Services | Thebarton Community Centre Bond Return | 500.00 |
| 160 | EFT58117 | Eleni Caruso | Thebarton Community Centre Bond Return | 500.00 |
| 161 | EFT58304 | Elizabeth Moran | Audit Committee Allowance | 768.00 |
| 162 | EFT58139 | EMA Consulting | Professional Fees | 660.00 |
| 163 | EFT58283 | EnvisionWare Pty Ltd | Software Maintenance | 1,075.05 |
| 164 | EFT58140 | Equipment Solutions Pty Ltd | Depot Supplies | 1,448.15 |
| 165 | EFT58284 | eWater Limited | Software Licence | 1,265.00 |
| 166 | EFT58141 | Expressions SA Pty Ltd | Newspapers | 223.10 |
| 167 | EFT58036 | FE Technologies Pty Ltd | Maintenance Renewal | 14,843.40 |
| 168 | EFT58346 | Festival Hellenika | Thebarton Community Centre Bond Return | 500.00 |
| 169 | EFT57935 | Fine Choice Distribution Pty Ltd | Purchase Coffee Machine | 3,702.95 |
| 170 | EFT58035 | Fine Choice Distribution Pty Ltd | Coffee Supplies | 150.00 |
| 171 | EFT58286 | First Aid Certification & Training | Staff Training | 956.00 |
| 172 | EFT57937 | Fleet Complete Australia Pty Ltd | Support | 545.93 |
| 173 | EFT58144 | Flightpath Architects Pty Ltd | Heritage Advisory Services | 1,805.38 |
| 174 | 061185 | Foodbank SA | Donation | 114.50 |
| 175 | EFT58285 | Forpark Australia (SA) | Playground Equipment | 6,814.50 |
| 176 | EFT57938 | Fragglerocc Pty Ltd | Roadworks | 4,224.00 |
| 177 | EFT58037 | Fragglerocc Pty Ltd | Roadworks | 12,448.15 |
| 178 | EFT58145 | Fragglerocc Pty Ltd | Roadworks | 15,596.68 |
| 179 | EFT58034 | Frank Siow Management Pty Ltd | Traffic Management Consultants | 11,613.25 |
| 180 | EFT57934 | Freshford Nurseries Pty Ltd | Plants | 14,313.75 |

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| Ref No. | Cheque/ EFT No. | Payee | Invoice Description | Payment Total |
|----------------|----------------------------|---|--|----------------------|
| 181 | EFT58143 | Freshford Nurseries Pty Ltd | Plants | 6,341.50 |
| 182 | EFT58313 | Fulton Hogan Industries Pty Ltd | Roadworks | 1,904.76 |
| 183 | 061169 | Gerard Butlin | Thebarton Community Centre Bond Return | 420.00 |
| 184 | EFT57940 | G-Force Building & Consulting | Building Maintenance | 2,300.60 |
| 185 | EFT58039 | G-Force Building & Consulting | Building Maintenance | 44,299.20 |
| 186 | EFT58038 | GGC Earthmovers Pty Ltd | Concrete Recycling | 2,244.55 |
| 187 | EFT58041 | Gilbarco Australia Ltd | Plant Maintenance | 8,779.10 |
| 188 | EFT57942 | Gleam Team Domestic Services | Home Support Services | 195.67 |
| 189 | EFT58151 | Gleam Team Domestic Services | Home Support Services | 239.43 |
| 190 | EFT58289 | GLG GreenLife Group Pty Ltd | Landscaping | 4,695.46 |
| 191 | EFT58149 | Glow Heating Cooling Electrical | Air-conditioning | 1,430.00 |
| 192 | EFT57978 | Gordon J Tregoning Pty Ltd | Depot Supplies | 205.20 |
| 193 | EFT58204 | Gordon J Tregoning Pty Ltd | Depot Supplies | 330.00 |
| 194 | EFT58042 | Grace Records Management (Aust) Pty Ltd | Records Storage | 3,133.67 |
| 195 | EFT58336 | Graham Tapscott | Reimburse Volunteer Expenses | 247.52 |
| 196 | EFT57941 | Green Team Shred-Safe | Paper Recycling | 192.50 |
| 197 | EFT58148 | Greencap NAA Pty Ltd | Professional Fees | 759.00 |
| 198 | EFT58146 | Greene Eden Watering Systems Pty Ltd | Irrigation | 4,114.00 |
| 199 | EFT58290 | Greenway Turf Solutions | Depot Supplies | 9,944.00 |
| 200 | EFT58150 | GRH Supplies | Depot Supplies | 4,346.30 |
| 201 | EFT57994 | Hafiza Garipov | Thebarton Community Centre Bond Return | 1,000.00 |
| 202 | EFT58153 | Health & Immunisation Management Services | Immunisation Program | 8,672.66 |
| 203 | EFT57996 | Heidi Limareff | Thebarton Community Centre Bond Return | 1,375.00 |
| 204 | 061192 | Helping Hand Aged Care | Thebarton Community Centre Bond Return | 120.00 |
| 205 | EFT58046 | Hi-Line Hardware Distributors Pty Ltd | Home Support Services | 3,226.50 |
| 206 | EFT58292 | Hi-Line Hardware Distributors Pty Ltd | Home Support Services | 306.00 |
| 207 | EFT58230 | Hindmarsh ALP FEC | Thebarton Community Centre Bond Return | 120.00 |
| 208 | EFT57943 | Hoban Recruitment | Temp Staff | 143.35 |
| 209 | EFT58044 | Hoban Recruitment | Temp Staff | 143.35 |
| 210 | EFT58152 | Hoban Recruitment | Temp Staff | 143.35 |
| 211 | EFT58291 | Hoban Recruitment | Temp Staff | 143.35 |
| 212 | EFT58222 | Icanmed | Thebarton Community Centre Bond Return | 240.00 |
| 213 | EFT57944 | Independent Fuels Australia Pty Ltd | Fuel | 6,723.56 |
| 214 | EFT58047 | Indige flora Nursery | Plants | 703.35 |
| 215 | EFT58155 | Industrial Brushware | Sweeper Brooms | 1,997.29 |
| 216 | EFT57966 | Infor Public Sector User Forum | Subscription | 550.00 |
| 217 | EFT58157 | Innovative Window Films | Vehicle Maintenance | 250.00 |
| 218 | EFT57946 | Inside Edge Sport and Leisure Planning | Professional Fees | 5,865.00 |
| 219 | EFT58294 | Inside Edge Sport and Leisure Planning | Professional Fees | 3,910.01 |
| 220 | EFT58156 | Inspiration Paints Seaton | Paint | 1,002.00 |
| 221 | EFT57947 | Institute of Public Works Engineering Aust Ltd | Subscription | 1,441.00 |
| 222 | EFT57945 | Institute of Public Works Engineering Aust SA Div Inc | Membership | 319.00 |
| 223 | EFT58049 | Internode Pty Ltd | Internet Connection | 677.86 |
| 224 | EFT58048 | Irrigation Australia | Membership | 714.00 |
| 225 | EFT58293 | iSentia Pty Ltd | Media Monitoring | 1,013.10 |
| 226 | EFT58287 | JA Grigson Trading Pty Ltd | Depot Supplies | 10,428.00 |
| 227 | EFT58043 | James Hay | Reimburse Expenses | 60.00 |
| 228 | EFT58212 | Jared Thomas | Library Workshop | 350.00 |
| 229 | EFT58159 | Jasol Australia | Cleaning Chemicals | 2,672.49 |
| 230 | EFT58012 | Jason Bury | Reimburse Expenses | 60.00 |
| 231 | EFT58051 | JCB Construction Equipment Australia | Vehicle Maintenance | 2,889.60 |
| 232 | EFT57949 | Jet Couriers (Adelaide) Pty Ltd | Couriers | 138.12 |
| 233 | EFT58160 | Jet Couriers (Adelaide) Pty Ltd | Couriers | 173.13 |
| 234 | EFT57948 | JF Mobile Catering | Catering | 1,628.00 |
| 235 | EFT58295 | JF Mobile Catering | Catering | 572.00 |
| 236 | EFT57951 | John Kruger | Photography | 400.00 |
| 237 | EFT58052 | Jones Lang LaSalle Infrastructure Advisory Pt Ltd | Professional Fees | 1,278.75 |
| 238 | EFT58050 | JPE Design Studio Pty Ltd | Professional Fees | 4,158.00 |
| 239 | EFT58158 | JPE Design Studio Pty Ltd | Professional Fees | 11,921.80 |
| 240 | EFT58161 | Jump Easy Inflatables Pty Ltd | Library Program | 300.00 |

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| Ref No. | Cheque/ EFT No. | Payee | Invoice Description | Payment Total |
|----------------|----------------------------|---|--|--------------------------|
| 241 | EFT58298 | Kanopy | Library Services | 114.00 |
| 242 | 061181 | Kasey Bauer | Junior Development Grant | 200.00 |
| 243 | EFT57956 | Kathryn Low | Reimburse Volunteer Expenses | 10.20 |
| 244 | EFT58054 | Kelley Jones Lawyers | Legal Fees | 1,601.79 |
| 245 | EFT58163 | Kellogg Brown & Root Pty Ltd | Professional Fees | 9,693.75 |
| 246 | EFT57950 | Kemps Credit Solutions | Debt Collection | 11,017.72 |
| 247 | EFT58162 | Kennards Hire Pty Ltd | Plant Hire | 310.00 |
| 248 | EFT58164 | Kennards Hire Traffic Hendon | Plant Hire | 600.00 |
| 249 | EFT58101 | Kerry Taylor | Reimburse Volunteer Expenses | 140.62 |
| 250 | EFT58297 | Knox Constructions Pty Ltd | Roadworks | 312,704.60 |
| 251 | EFT57920 | Kym Strelan | Home Advantage Program | 327.50 |
| 252 | EFT58014 | Kym Strelan | Home Advantage Program | 188.75 |
| 253 | EFT58256 | Kym Strelan | Home Advantage Program | 273.50 |
| 254 | EFT58116 | Kyoko Yamamoto | Thebarton Community Centre Bond Return | 500.00 |
| 255 | EFT58301 | Land Services Group | Searches | 1,746.30 |
| 256 | EFT57953 | Lane Bros Printers Pty Ltd | Printing | 3,923.70 |
| 257 | EFT58166 | Lane Bros Printers Pty Ltd | Printing | 6,241.40 |
| 258 | EFT57954 | Lane Print & Post | Printing | 4,789.00 |
| 259 | EFT58299 | Lane Print & Post | Printing | 3,158.10 |
| 260 | EFT58057 | LCS Landscapes | Landscaping | 6,046.25 |
| 261 | EFT58168 | Learning Discovery Pty Ltd | Library Books | 250.00 |
| 262 | 061188 | Liberty Jones | Refund Permit Fee | 98.00 |
| 263 | EFT57952 | Lion's Club of West Beach | Clean Butt Out Bins | 390.00 |
| 264 | EFT58300 | Living Turf | Depot Supplies | 4,977.50 |
| 265 | EFT58165 | Local Government Association of SA | Membership | 75,836.20 |
| 266 | EFT57955 | Local Government Professionals SA Inc | Staff Training | 9,417.00 |
| 267 | EFT58056 | Local Government Professionals SA Inc | Staff Training | 150.00 |
| 268 | EFT58167 | Local Government Professionals SA Inc | Staff Training | 1,100.00 |
| 269 | EFT58058 | Lockleys Children's Centre | Library Program | 1,980.00 |
| 270 | EFT57957 | Ludwig Film | Photography | 660.00 |
| 271 | 061186 | Lydia Nietschke | Refund Permit Fee | 98.00 |
| 272 | 061187 | Lyn Healy | Refund Permit Fee | 98.00 |
| 273 | EFT58303 | M & B Civil Engineering Pty Ltd | Roadworks | 96,686.54 |
| 274 | EFT58171 | M2 Technology Pty Ltd | Message on Hold | 402.60 |
| 275 | EFT58174 | Major Carpet & Tile | Carpet Cleaning | 382.50 |
| 276 | EFT58305 | Major Carpet & Tile | Carpet Cleaning | 1,518.00 |
| 277 | EFT58225 | Mark Cousins | Thebarton Community Centre Bond Return | 500.00 |
| 278 | EFT58064 | Mawson Lakes Mazda | Purchase Vehicle | 44,995.94 |
| 279 | EFT58172 | Maxima Group Training | Temp Staff | 5,105.07 |
| 280 | EFT57982 | Maxima Tempskill | Temp Staff | 29,629.54 |
| 281 | EFT58102 | Maxima Tempskill | Temp Staff | 28,850.08 |
| 282 | EFT58025 | Mayor Michael Coxon | Mayoral Allowance | 7,057.00 |
| 283 | EFT58061 | Mechanical Vegetation Solutions Pty Ltd | Tree Maintenance | 6,182.00 |
| 284 | EFT57960 | Message4U Pty Ltd | Software | 948.73 |
| 285 | 061168 | Mike Yang | Rainwater Tank Rebate | 300.00 |
| 286 | EFT57993 | Mile End Church of Christ | Thebarton Community Centre Bond Return | 1,000.00 |
| 287 | EFT58176 | Misato Morita | Reimburse Volunteer Expenses | 37.52 |
| 288 | EFT57958 | Modern Teaching Aids Pty Ltd | Library Supplies | 5,150.69 |
| 289 | EFT58060 | Momar Australia Pty Ltd | Depot Supplies | 3,104.20 |
| 290 | EFT58173 | Mt Compass Sand & Loam | Depot Supplies | 2,692.80 |
| 291 | EFT58175 | Murray Street Metro Pty Ltd | Rubbish Disposal | 5,446.42 |
| 292 | EFT58344 | Music Teachers Assoc of SA Inc | Thebarton Community Centre Bond Return | 500.00 |
| 293 | 061190 | Nathan Marshall | Junior Development Grant | 200.00 |
| 294 | EFT58177 | Nelson Locksmiths Pty Ltd | Locks | 1,248.15 |
| 295 | EFT58129 | Nemelita I Christensen | Reimburse Volunteer Expenses | 92.48 |
| 296 | EFT58306 | News Limited | Advertising | 7,222.46 |
| 297 | EFT58068 | Nicky O'Broin | Reimburse Expenses | 140.00 |
| 298 | EFT58066 | NoiseNet Operations Pty Ltd | Report | 330.00 |
| 299 | EFT58180 | Nora Robinson | Reimburse Volunteer Expenses | 47.60 |
| 300 | EFT58181 | Norman Waterhouse Lawyers | Legal Fees | 772.20 |

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| Ref No. | Cheque/ EFT No. | Payee | Invoice Description | Payment Total |
|----------------|----------------------------|---------------------------------------|--|----------------------|
| 301 | EFT58178 | North East Isuzu | Vehicle Maintenance | 507.08 |
| 302 | EFT58179 | Northpoint Toyota | Purchase Vehicle | 44,793.63 |
| 303 | EFT58070 | Oaklands Mower Centre | Mower Repairs / Purchases | 4,388.50 |
| 304 | EFT58312 | Oaklands Mower Centre | Mower Repairs / Purchases | 120.20 |
| 305 | EFT58307 | Officeworks Superstores Pty Ltd | Stationery | 149.90 |
| 306 | EFT57964 | Openbook Howden Print and Design | Book Scanning | 2,398.00 |
| 307 | EFT57961 | Orana Australia Ltd | Home Advantage Program | 2,631.93 |
| 308 | EFT58308 | Orana Australia Ltd | Home Advantage Program | 2,473.48 |
| 309 | EFT57963 | Order-In Pty Ltd | Milk | 47.64 |
| 310 | EFT58069 | Order-In Pty Ltd | Milk | 47.64 |
| 311 | EFT58183 | Order-In Pty Ltd | Milk | 47.64 |
| 312 | EFT58311 | Order-In Pty Ltd | Milk | 47.64 |
| 313 | EFT57962 | Origin Energy Electricity Limited | Power | 2,477.68 |
| 314 | EFT58182 | Origin Energy Electricity Limited | Power | 27,264.37 |
| 315 | EFT58310 | Origin Energy Electricity Limited | Power | 89,140.86 |
| 316 | 061165 | Origin Energy Services Ltd | Gas Supply | 1,034.67 |
| 317 | 061178 | Origin Energy Services Ltd | Gas Supply | 535.57 |
| 318 | EFT58309 | Our Earth Pest Control | Pest Control | 4,256.91 |
| 319 | EFT58020 | Outfront Concepts Pty Ltd | Playground Redevelopment | 39,925.00 |
| 320 | EFT57969 | P & J Sons Building Maintenance | Home Support Services | 476.10 |
| 321 | EFT58077 | P & J Sons Building Maintenance | Home Support Services | 516.69 |
| 322 | EFT58186 | P & J Sons Building Maintenance | Home Support Services | 562.85 |
| 323 | EFT58317 | P & J Sons Building Maintenance | Home Support Services | 661.38 |
| 324 | EFT58071 | Packwise | Depot Supplies | 562.11 |
| 325 | EFT58185 | Peats Group Limited | Depot Supplies | 2,227.50 |
| 326 | EFT58184 | Pelicancorp (AU) Pty Ltd | Service Agreement | 4,752.00 |
| 327 | EFT58316 | Perks People Solutions | Staff Training | 2,310.00 |
| 328 | EFT58321 | Platters Plus Catering Pty Ltd | Catering | 532.70 |
| 329 | 061172 | Powerdirect Pty Ltd | Power | 93.11 |
| 330 | EFT58188 | Prime Traffic Solutions | Traffic Control | 1,153.47 |
| 331 | EFT58074 | Priority Management Australia | Staff Training | 819.50 |
| 332 | EFT58079 | Pro Bitumen Pty Ltd | Roadworks | 12,174.15 |
| 333 | EFT58319 | Procon MRM Transport | Street Sweeper Tracking | 1,122.00 |
| 334 | EFT57965 | Professional Linemarking Pty Ltd | Linemarking | 3,570.60 |
| 335 | EFT57967 | Proludic Pty Ltd | Playground Equipment | 496.47 |
| 336 | EFT58072 | Property & Advisory Pty Ltd | Professional Fees | 4,158.00 |
| 337 | EFT57968 | PSN Events Pty Ltd | Staff Training | 156.75 |
| 338 | EFT58315 | Pump Technology Services (SA) Pty Ltd | Pump Maintenance | 544.50 |
| 339 | EFT58189 | Quin Sports & Nets | Soccer Nets | 1,378.96 |
| 340 | EFT57981 | R/T Towing | Vehicle Tow | 100.00 |
| 341 | EFT58196 | Rackman Australia | Shelving | 660.00 |
| 342 | EFT58192 | Rain Bird Australia Pty Ltd | Irrigation | 20,859.30 |
| 343 | EFT58324 | Rate It Australia Pty Ltd | Service Hire | 594.00 |
| 344 | EFT58347 | Realize Properties | Refund Overpaid Rates | 287.35 |
| 345 | EFT58191 | Redman Solutions Pty Ltd | Software Licence | 41,297.41 |
| 346 | EFT58190 | Reece Pty Ltd | Irrigation | 1,653.76 |
| 347 | EFT58228 | Relationships Australia (SA) Inc | Thebarton Community Centre Bond Return | 120.00 |
| 348 | EFT58197 | Ricca Coffee Company | Catering | 26.40 |
| 349 | EFT58194 | Ricoh Australia Ltd | Copy Charges | 5,021.99 |
| 350 | EFT57971 | Rider Levett Bucknall SA Pty Ltd | Professional Fees | 3,575.00 |
| 351 | EFT58083 | Roadshow Films Pty Ltd | Library Film Showing | 220.00 |
| 352 | EFT58081 | Romaldi Constructions Pty Ltd | Weigall Oval Redevelopment | 124,293.40 |
| 353 | EFT58195 | Romaldi Constructions Pty Ltd | Lockleys Oval Redevelopment | 622,420.68 |
| 354 | EFT57970 | Rotary Club of West Torrens Inc | Catering | 315.00 |
| 355 | EFT58322 | Royal Wolf Trading Australia Pty Ltd | Hire Storage Containers | 525.10 |
| 356 | EFT58080 | Rundle Mall Plaza Newsagency | Library Magazines | 288.70 |
| 357 | EFT58193 | Rundle Mall Plaza Newsagency | Library Magazines | 342.18 |
| 358 | EFT58323 | Rundle Mall Plaza Newsagency | Library Magazines | 281.15 |
| 359 | EFT58280 | Ruth Day | Professional Fees | 4,800.00 |
| 360 | EFT58147 | Ryan Gascoigne | Reimburse Expenses | 146.00 |

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| Ref No. | Cheque/ EFT No. | Payee | Invoice Description | Payment Total |
|---------|--------------------|--|--|------------------|
| 361 | EFT58199 | SA Metropolitan Fire Service | Monitor Fire Alarms | 5,816.00 |
| 362 | EFT58200 | SA Power Networks | Install Lighting | 667.70 |
| 363 | EFT58329 | SA Power Networks | Street Lighting | 33,140.75 |
| 364 | 061173 | SA Water | Water | 10,747.76 |
| 365 | 061179 | SA Water | Water | 666.42 |
| 366 | EFT57977 | SA Window Cleaning Pty Ltd | Window Cleaning | 643.50 |
| 367 | EFT57972 | Sabre Security Services | Security | 3,953.24 |
| 368 | EFT58096 | Saferoads Pty Ltd | Subscription | 649.00 |
| 369 | EFT58088 | Saggese Transport & Crane Services Pty Ltd | Plant Maintenance | 770.00 |
| 370 | EFT58211 | Samia Tawadros | Reimburse Volunteer Expenses | 65.28 |
| 371 | EFT57991 | Samir Wasif | Reimburse Volunteer Expenses | 65.28 |
| 372 | EFT58109 | Samir Wasif | Reimburse Volunteer Expenses | 65.28 |
| 373 | EFT58327 | Sassafras Agencies Pty Ltd | Depot Supplies | 438.72 |
| 374 | EFT58097 | Schneider Electric Buildings | Building Maintenance | 1,485.00 |
| 375 | 061191 | Scott Bond | Worm Farm Rebate | 50.00 |
| 376 | EFT58095 | Seek Limited | Advertising | 204.60 |
| 377 | EFT58334 | Seek Limited | Advertising | 204.60 |
| 378 | EFT58330 | SEM Civil Pty Ltd | Roadworks | 148,907.13 |
| 379 | 061182 | Shalin Nanayakkara | Junior Development Grant | 200.00 |
| 380 | 061166 | Shutters 'n' Shades | Blinds | 240.00 |
| 381 | EFT58224 | Singapore Business & Social Assoc | Thebarton Community Centre Bond Return | 1,000.00 |
| 382 | EFT58087 | Snap Hilton | Printing | 87.24 |
| 383 | EFT58085 | Solo Resource Recovery | Rubbish Removal | 285.12 |
| 384 | EFT58326 | Solo Resource Recovery | Garbage Collection & Waste Disposal | 473,400.67 |
| 385 | EFT58089 | South Australian Community Transport Assoc | Membership | 150.00 |
| 386 | EFT57973 | Southern & Western Community Broadcasters Inc | Sponsorship | 762.30 |
| 387 | EFT57974 | Southern Cross Protection | Patrol Service | 6,427.79 |
| 388 | EFT58090 | Southern Volkswagen | Purchase Vehicle | 36,897.35 |
| 389 | EFT58332 | Specialty Fasteners | Depot Supplies | 103.40 |
| 390 | EFT58203 | Spray Shop | Depot Supplies | 993.26 |
| 391 | EFT58084 | Stormwater Industry Association | Membership | 550.00 |
| 392 | EFT58094 | StrataGreen | Depot Supplies | 7,900.75 |
| 393 | EFT58333 | Streamline Plumbing SA Pty Ltd | Plumbing | 5,394.63 |
| 394 | EFT57976 | Stumpy Stumps | Grind Stumps | 500.00 |
| 395 | EFT58093 | Stumpy Stumps | Grind Stumps | 400.00 |
| 396 | EFT58091 | Suburban Transport Services | Taxi Fares | 787.40 |
| 397 | EFT58201 | SUEZ Recycling & Recovery Pty Ltd | Rubbish Removal | 32.59 |
| 398 | EFT58086 | Sunny's Independent Learning | Library Workshop | 368.00 |
| 399 | EFT57975 | Supawash Mile End | Linen | 198.00 |
| 400 | EFT58202 | Supawash Mile End | Linen | 151.25 |
| 401 | EFT58328 | Surfacing Contractors Australia Pty Ltd | Surfacing Repairs | 2,398.00 |
| 402 | EFT57936 | Susan Ainslee Frazer | Reimburse Volunteer Expenses | 87.04 |
| 403 | EFT58092 | Susan Bates Consulting | Professional Fees | 649.00 |
| 404 | EFT58331 | Sync Cabling Solutions Pty Ltd | Bikeway Lighting | 40,296.30 |
| 405 | EFT58233 | TAFE SA | Thebarton Community Centre Bond Return | 500.00 |
| 406 | EFT57983 | Tecon Australia Pty Ltd | Professional Fees | 132.00 |
| 407 | 061167 | Telstra | Telephone | 3,337.66 |
| 408 | 061174 | Telstra | Telephone | 5,478.55 |
| 409 | 061180 | Telstra | Telephone | 3,615.28 |
| 410 | EFT58205 | Terrain Group Pty Ltd | Irrigation | 58,124.00 |
| 411 | EFT58253 | The Adelaide Park Lands Preservation Assoc Inc | Community Grant | 500.00 |
| 412 | EFT58004 | The Adelaide Tree Surgery | Tree Maintenance | 1,850.00 |
| 413 | EFT58248 | The Adelaide Tree Surgery | Tree Maintenance | 4,389.00 |
| 414 | EFT58277 | The Department for Correctional Services | Litter Collection | 1,870.00 |
| 415 | EFT58274 | The Dog & Cat Management Board | Dog Registration Levy | 7,725.50 |
| 416 | EFT58033 | The Ergo Centre | Furniture | 710.00 |
| 417 | EFT58142 | The Ergo Centre | Furniture | 2,249.00 |
| 418 | EFT57939 | The Fruit Box Group Pty Ltd | Milk | 21.75 |
| 419 | EFT58154 | The Highway | Venue Hire | 500.00 |
| 420 | EFT58320 | The Paper Bahn | Stationery | 4,817.05 |

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| Ref No. | Cheque/ EFT No. | Payee | Invoice Description | Payment Total |
|----------------|----------------------------|--|--|--------------------------|
| 421 | EFT58314 | The Personnel Risk Management Group | Security Checks | 193.60 |
| 422 | EFT58227 | The Plumbing Industry Assoc of SA Inc | Thebarton Community Centre Bond Return | 1,000.00 |
| 423 | EFT58229 | The Succulent Workshop | Thebarton Community Centre Bond Return | 500.00 |
| 424 | EFT58103 | TMK Consulting Engineers | Engineering Services | 6,587.63 |
| 425 | EFT58098 | TNPK Staff Pty Ltd | Temp Compliance Staff | 10,764.05 |
| 426 | EFT57980 | Tom's Car Wash | Vehicle Maintenance | 2,389.20 |
| 427 | EFT58206 | Tonkin Consulting | Professional Fees | 594.00 |
| 428 | EFT58208 | Torrens Safety | Depot Supplies | 2,313.52 |
| 429 | EFT57979 | Total Construction Surveys Pty Ltd | Surveys | 569.25 |
| 430 | EFT58335 | Total Construction Surveys Pty Ltd | Surveys | 15,705.25 |
| 431 | EFT58099 | Total Tools Thebarton | Depot Supplies | 699.80 |
| 432 | EFT58288 | Totally Workwear Richmond | Clothing | 6,607.00 |
| 433 | EFT58337 | TPG Telecom | Internet Connection | 2,035.00 |
| 434 | EFT58053 | Tracey Beaumont | Catering | 1,004.85 |
| 435 | EFT58296 | Tracey Beaumont | Catering | 787.50 |
| 436 | EFT58209 | Tradies Workwear | Depot Supplies | 5,161.99 |
| 437 | EFT58045 | Trevor Hayley | Reimburse Volunteer Expenses | 13.60 |
| 438 | EFT58207 | Triple Cherry Coffee | Coffee Supplies | 250.00 |
| 439 | EFT58210 | Turf Equipment SA Pty Ltd | Plant Maintenance | 1,524.86 |
| 440 | EFT58214 | UES (Int'l) Pty Ltd | Depot Supplies | 219.45 |
| 441 | EFT58113 | United Voice | Thebarton Community Centre Bond Return | 120.00 |
| 442 | EFT57985 | Uniting Care Wesley Bowden Inc | Community Grant | 5,000.00 |
| 443 | EFT58213 | UrbanVirons Group Pty Ltd | Tree Maintenance | 902.00 |
| 444 | EFT58215 | Valspar Paint (Australia) Pty Ltd | Paint | 67.58 |
| 445 | EFT57986 | Veri Fire | Fire Safety | 573.10 |
| 446 | EFT58104 | Veri Fire | Fire Safety | 2,291.30 |
| 447 | EFT58105 | VersaDev Software Solutions Pty Ltd | Software | 1,650.00 |
| 448 | EFT58325 | VicRoads | Vehicle Searches | 174.60 |
| 449 | EFT57987 | Victorian YMCA Community Programming Pty Ltd | Library Program | 4,908.20 |
| 450 | EFT58339 | Walter Brooke & Associates Pty Ltd | Professional Fees | 2,244.00 |
| 451 | EFT58341 | Waterpro | Irrigation | 6,240.11 |
| 452 | EFT58132 | Watersource Pty Ltd | Depot Supplies | 264.00 |
| 453 | EFT58112 | WC Convenience Management Pty Ltd | Cleaning | 16,006.48 |
| 454 | EFT58218 | Web Safety Pty Ltd | Clothing | 829.00 |
| 455 | EFT57990 | Well Done International | After Hours Contact Centre | 765.49 |
| 456 | EFT57933 | Wendy Eddy | Reimburse Expenses | 150.00 |
| 457 | EFT58217 | West Adelaide Footballers Club | Catering | 1,200.00 |
| 458 | EFT58340 | Westside Services (SA) Pty Ltd | Airconditioner Maintenance | 9,687.20 |
| 459 | EFT57988 | Wholesale Plants and Products Pty Ltd | Plants | 3,293.70 |
| 460 | EFT58220 | Winc Australia Pty Limited | Stationery | 1,967.25 |
| 461 | EFT58106 | Worcomp Pty Ltd | Recruitment | 363.00 |
| 462 | EFT58107 | Word Cafe | Advertising | 880.00 |
| 463 | EFT58343 | Workzone Traffic Control Pty Ltd | Traffic Control | 1,422.30 |
| 464 | EFT58219 | Worlds Best Specialised Cleaning | Graffiti Removal | 5,335.00 |
| 465 | EFT57989 | Worm Affair | Worm Farms | 222.50 |
| 466 | EFT58216 | Wurth Australia | Depot Supplies | 293.31 |
| 467 | EFT58348 | YWCA of Adelaide | Thebarton Community Centre Bond Return | 120.00 |
| 468 | EFT58073 | Zagarine Paxinos | Reimburse Volunteer Expenses | 66.64 |
| | | | | \$ 6,019,890.02 |

11.2 Council Budget Report - TWO Months to 31 August 2019

Brief

This report provides information to Council on budget results for the two months ended 31 August 2019.

RECOMMENDATION

The Committee recommends to Council that the report be received.

Introduction

The report provides year to date (YTD) budget results for August 2019.

Discussion

Budget variances are summarised in the financial report which is included as **Attachment 1**, with key variances explained below in terms of:

- Operational Income
- Operational Expenditure
- Capital Expenditure
- Capital Income
- Capital Works Expenditure

Operational Income

Key variances include:

- Rates are below budget by \$16,645 due to the timing of advance payments, but this will resolve itself in coming months.
- Statutory charges are below budget YTD by \$264,350, largely because of the timing of dog related income payments to Council by the Dog and Cat Management Board (\$243,056).
- User charges are above budget by \$115,878, largely for timing reasons, with leased property income showing a favourable variance of \$70,257, most of which is depot related, and Thebarton Theatre income showing a favourable variance of \$55,987, most of which is associated with end of financial year recognition practices.
- Grant income is below budget YTD by \$56,443, most of which is due to the timing of identifiable road grant payments (\$93,470). This is offset by income variances for highway median strips (\$26,466) and the CHSP program (\$11,206), which were received earlier than anticipated.
- Reimbursement and other income is \$43,832 above budget YTD, largely due to better than expected investment performance of the Mendelson Foundation (\$10,081) and Urban Services' reimbursements (\$21,354).

Income is tracking as expected, but will be impacted next month when the Council approved carryover budget is incorporated.

Operational Expenditure

Key variances include:

- Staff and related costs are \$123,150 below budget YTD for vacancy and timing reasons;
- Buildings, furniture, plant and equipment costs are \$65,384 above budget YTD, largely for timing reasons associated with sundry plant costs (\$102,658 unfavourable) computer related expenditure (\$46,438 favourable). These variances will self-adjust in time as budgets align with expenditure.
- General expenses are below YTD budgets by \$228,567, largely due to expenditure timing delays in relation to professional fees (\$202,381) and publication and stationery (\$22,864). A summary of variances for selected key general expenses is attached.
- Council related expenditure is \$546,062 above budget YTD, for timing reasons associated with levies and charges (\$263,182), particularly the NRM levy, valuation service charges (\$214,942), street lighting (\$44,037), and Mendelson Foundation scholarships (\$40,000). These variances are expected to rectify in the near future as payment has occurred earlier than anticipated.
- Contract and material expenditure is \$256,814 below budget, largely for timing reasons associated with Council's depot (\$211,390) and property (\$47,524) maintenance programs.
- Occupancy and property costs are \$147,722 above budget YTD, largely for timing reasons associated with water rates (\$131,407 unfavourable), the emergency services levy (\$60,427 unfavourable) and light, power, gas and fuel (\$57,925 favourable).

Operational expenditure is tracking as expected, but will be impacted next month when the Council approved carryover budget is incorporated.

Capital Expenditure

Key variances include:

- Motor vehicles are \$92,565 above budget YTD, largely for timing reasons, but carryover budget adjustments will realign expenditure with budget.
- Computer expenditure is \$172,707 below budget for timing reasons.
- Other plant and equipment expenditure is above YTD budget by \$151,892, mostly for timing reasons. This will self-adjust next month as carryover budgets align with expenditure.
- Land and building costs are \$1,083,115 above budget YTD, largely due to spending associated with community facility developments, a variance that will realign next month as approved carryovers are taken into the budget.

Capital expenditure is tracking as expected.

Capital Income

Key variances include:

- Capital income is \$80,000 above budget YTD following the receipt of black spot funding for George / Albert Streets. This income has been approved in the carryover budget so expenditure will realign with budget next month.

The EOY forecast for capital income will be impacted next month when the approved carryover budget is incorporated.

Capital Works Expenditure

Expenditure on capital works YTD is \$2,572,520.

A capital works expenditure summary for YTD August 2019 is attached with appropriate comments provided on the status of individual budget lines. 36.6 per cent of the capital works budget has been spent or committed by way of purchase orders as at 31 August 2019.

It is estimated that 100 per cent of the forecast budget of \$18,426,769 is required to complete the program of works and that 92 per cent will be completed by 30 June 2020.

The EOY forecast for capital works expenditure will be impacted next month when the Council approved carryover budget is incorporated.

Conclusion

Information is provided in this report on budget results for the two months ended 31 August 2019.

Attachments

1. **August Budget v's Actual**
2. **Capital Works - Budget vs Actual**
3. **General Expenses**

City of West Torrens
Finance Budget Report for the 2 Months Ended 31 August 2019
Operational Income and Expenditure (\$'000's)

| Adopted Budget Original | Adopted Budget Revised | Income & Expenditure | YTD Budgets | YTD Actuals | YTD Variance | YTD Variance % | Budget Remaining |
|-------------------------------|------------------------------|---|----------------|----------------|-----------------|----------------------|---------------------|
| Income | | | | | | | |
| 61,134 | 61,134 | Rates | 60,729 | 60,712 | (17) | (0%) | 422 |
| 2,449 | 2,449 | Statutory Charges | 591 | 327 | (264) | (45%) | 2,123 |
| 1,736 | 1,736 | User Charges | 280 | 396 | 116 | 41% | 1,340 |
| 3,449 | 3,449 | Grants & Subsidies | 440 | 383 | (56) | (13%) | 3,066 |
| 850 | 849 | Reimbursements & Other Income | 102 | 145 | 44 | 43% | 704 |
| 69,618 | 69,618 | Total Income | 62,141 | 61,963 | (178) | (0%) | 7,656 |
| Expenditure | | | | | | | |
| 24,407 | 24,408 | Staff & Related Costs | 3,419 | 3,295 | 123 | 4% | 21,113 |
| 5,500 | 5,500 | Buildings, Furniture, Plant & Equipment | 1,276 | 1,342 | (65) | (5%) | 4,158 |
| 8,392 | 8,392 | Community Asset Costs | 1,422 | 1,422 | 0 | 0% | 6,970 |
| 4,960 | 4,960 | General Expenses | 1,007 | 778 | 229 | 23% | 4,182 |
| 667 | 667 | Bank & Finance Charges | 17 | 21 | (3) | (18%) | 647 |
| 4,797 | 4,797 | Council Related Expenditure | 1,275 | 1,821 | (546) | (43%) | 2,976 |
| 9,957 | 9,957 | Contract & Material Expenditure | 1,160 | 903 | 257 | 22% | 9,054 |
| 2,601 | 2,601 | Occupancy & Property Costs | 272 | 420 | (148) | (54%) | 2,181 |
| (177) | (177) | Expenditure Recovered | (30) | 0 | (30) | 100% | (177) |
| 61,104 | 61,104 | Total Expenditure | 9,818 | 10,000 | (182) | (2%) | 51,105 |
| 8,514 | 8,514 | Operating Surplus/Deficit | 52,323 | 51,962 | | | |

City of West Torrens
Finance Budget Report for the 2 Months Ended 31 August 2019
Capital Income and Expenditure (\$'000's)

| Adopted Budget Original | Adopted Budget Revised | Capital Expenditure and Sales | YTD Budgets | YTD Actuals | YTD Variance | YTD Variance % | Budget Remaining |
|-------------------------------|------------------------------|-------------------------------------|----------------|----------------|-----------------|----------------------|---------------------|
| 156 | 156 | Motor Vehicles | 0 | 93 | (93) | 0% | 63 |
| 300 | 300 | Computer Equipment | 240 | 67 | 173 | 72% | 233 |
| 1,078 | 1,078 | Other Plant & Equipment | 16 | 168 | (152) | (949%) | 910 |
| 4,980 | 4,980 | Land & Buildings | 111 | 1,194 | (1,083) | (977%) | 3,786 |
| 0 | 1 | Library Resources | 0 | 0 | 0 | 0% | 1 |
| 6,514 | 6,514 | Total Expenditure | 366 | 1,522 | (1,155) | (316%) | 4,992 |
| Adopted Budget Original | Adopted Budget Revised | Capital Income | YTD Budgets | YTD Actuals | YTD Variance | YTD Variance % | Budget Remaining |
| 0 | 0 | Grants & Subsidies - Capital Income | 0 | 80 | (80) | 0% | (80) |
| 0 | 0 | Total Income | 0 | 80 | (80) | 0% | (80) |
| Adopted Budget Original | Adopted Budget Revised | Capital Works Expenditure | YTD Budgets | YTD Actuals | YTD Variance | YTD Variance % | Budget Remaining |
| 4,121 | 4,121 | Environment Program | 687 | 1,205 | (518) | -75% | 2,916 |
| 1,570 | 1,570 | Recreation Program | 262 | 210 | 51 | 20% | 1,360 |
| 12,736 | 12,736 | Transport Program | 2,123 | 1,157 | 966 | 45% | 11,579 |
| 18,427 | 18,427 | Total Expenditure | 3,070 | 2,573 | 499 | 16% | 15,854 |

CITY OF WEST TORRENS
BUDGET 2019/20 - AS AT 31 August 2019
CAPITAL WORKS EXPENDITURE

| ADOPTED BUDGET ORIGINAL | ADOPTED BUDGET REVISED | FUNCTION | YTD ACTUALS | COMMITTED OR CONTRACTED | ACTUALS AND COMMITTED | % SPENT OR COMMITTED | FORECAST EXPENDITURE TO COMPLETE | EOY FORECAST PERCENTAGE COMPLETE | COMMENT / EXPLANATION |
|----------------------------------|------------------------------|--|------------------|-------------------------------|-----------------------------|----------------------------|--|--|--|
| ENVIRONMENT PROGRAM | | | | | | | | | |
| Stormwater & Drainage | | | | | | | | | |
| 350,000 | 350,000 | Minor Drainage Upgrades and Replacement Work | 147,405 | 23,912 | 171,317 | 48.9% | 350,000 | 100% | Minor Works / Program upgrade - continuing/program commitment |
| 0 | 0 | Lockleys Catchment | 0 | 26,198 | 26,198 | 0.0% | 0 | 100% | Detailed design for the Rutland Avenue secondary drainage works is completed with works scheduled to commence in the second quarter. |
| 2,212,151 | 2,212,151 | Stormwater Upgrade - Stirling St, Thebarton | 0 | 55,902 | 55,902 | 2.5% | 2,212,151 | 100% | Detailed design complete and tender documentation is being completed. Works to be tendered during October 2019. |
| 200,000 | 200,000 | Stormwater Upgrade - Sherrif St, Underdale | 3,462 | 18,887 | 22,349 | 11.2% | 200,000 | 100% | Detailed design is underway. |
| 0 | 0 | Shannon Ave Pump Station | 155,140 | 83,113 | 238,253 | 0.0% | 0 | 100% | Project in progress; refer Urban Services Report, 3 September 2019 for an update. |
| Other Environment | | | | | | | | | |
| 1,358,774 | 1,358,774 | Brown Hill and Keswick Creeks | 899,187 | 0 | 899,187 | 66.2% | 1,358,774 | 100% | Approval for 1st stage of Greater Management Plan has been confirmed by all necessary stake holders. Project for design concept upgrade of Brown Hill Creek through West Torrens area is nearing draft report stage. DBR: 8171 -\$75K Move to Cap Wks from 15.245 |
| 0 | 0 | Glenelg Adelaide Pipeline (GAP) | 0 | 3,966 | 3,966 | 0.0% | 0 | 100% | The budget funds to undertake a review of the current staged implementation plan and design on the next stage of the pipeline network. |
| 4,120,925 | 4,120,925 | Program Total | 1,205,195 | 211,978 | 1,417,172 | 34.4% | 4,120,925 | 100% | |
| RECREATION PROGRAM | | | | | | | | | |
| Parks & Gardens | | | | | | | | | |
| 490,000 | 490,000 | Playground Upgrade | 60,720 | 22,880 | 83,600 | 17.1% | 490,000 | 100% | Project in progress; refer Urban Services Report, 3 September 2019 for an update. |
| 400,000 | 400,000 | Reserve Developments - Various | 9,302 | 146,133 | 155,435 | 38.9% | 400,000 | 100% | Project in progress; refer Urban Services Report, 3 September 2019 for an update. |
| 210,000 | 210,000 | River Torrens Upgrade | 71,811 | 54,278 | 126,089 | 60.0% | 210,000 | 100% | Project in progress; refer Urban Services Report, 3 September 2019 for an update. |
| 25,000 | 25,000 | River Torrens Path Upgrades | 7,813 | 6,667 | 14,480 | 57.9% | 25,000 | 100% | Projects will be undertaken in 2019/2020 |
| 320,000 | 320,000 | Reserve Irrigation Upgrades | 22,608 | 72,304 | 94,912 | 29.7% | 320,000 | 70% | Project in progress; refer Urban Services Report, 3 September 2019 for an update. |
| 0 | 0 | Additional Open Space Amenity Initiatives | 0 | 0 | 0 | 0.0% | 0 | 100% | |
| 50,000 | 50,000 | Bikeway Path Upgrade and Reseal | 0 | 52,000 | 52,000 | 104.0% | 50,000 | 80% | Projects will be undertaken in 2019/2020 |
| Sports Facilities | | | | | | | | | |
| 75,000 | 75,000 | Tennis Court Upgrades | 8,000 | 118,890 | 126,890 | 169.2% | 75,000 | 75% | Projects will be undertaken in 2019/2020 |
| 0 | 0 | Apex Park | 0 | 0 | 0 | 0.0% | 0 | 0% | |
| 0 | 0 | Airport Road | 30,148 | 23,801 | 53,949 | 0.0% | 0 | 0% | Works Underway |
| 0 | 0 | Memorial Gardens | 0 | 0 | 0 | 0.0% | 0 | 0% | |
| 0 | 0 | Thebarton Oval Kings Reserve | 0 | 116,724 | 116,724 | 0.0% | 0 | 15% | Projects in progress; refer Community Facilities General Committee 24 July 2018 / Urban Services Report 4 September 2018. |
| 1,570,000 | 1,570,000 | Program Total | 210,401 | 613,677 | 824,078 | 52.5% | 1,570,000 | 92% | |

CITY OF WEST TORRENS
BUDGET 2019/20 - AS AT 31 August 2019
CAPITAL WORKS EXPENDITURE

| ADOPTED BUDGET ORIGINAL | ADOPTED BUDGET REVISED | FUNCTION | YTD ACTUALS | COMMITTED OR CONTRACTED | ACTUALS AND COMMITTED | % SPENT OR COMMITTED | FORECAST EXPENDITURE TO COMPLETE | EOY FORECAST PERCENTAGE COMPLETE | COMMENT / EXPLANATION |
|---|------------------------------|--|------------------|-------------------------------|-----------------------------|----------------------------|--|--|--|
| TRANSPORT PROGRAM | | | | | | | | | |
| <i>Roads Sealed</i> | | | | | | | | | |
| 9,093,680 | 9,349,638 | City Funds/ULRG Funds/Carryovers | 717,956 | 3,074,392 | 3,792,348 | 40.6% | 9,349,638 | 85% | Project in progress; refer Urban Services Report, 3 Sept 2019 for an update. MBR-\$875K - reallocation between projects within the same program |
| 873,376 | 617,418 | Roads to Recovery Grant Funds | 0 | 0 | 0 | 0.0% | 617,418 | 100% | |
| <i>Other Transport</i> | | | | | | | | | |
| 373,483 | 373,483 | Roundabouts / Minor Road Rehabilitation | 146,133 | 4,045 | 150,178 | 40.2% | 373,483 | 100% | Project in progress; refer Urban Services Report 3 Sept 2019 for an update. |
| 250,000 | 250,000 | Bus Shelters | 58,017 | 12,000 | 70,017 | 28.0% | 250,000 | 100% | Upgrade works to hard stand area are in progress. |
| 555,000 | 555,000 | Traffic Management | 176,918 | 0 | 176,918 | 31.9% | 555,000 | 100% | Consultation for the removal of the bus only device located west of West Street and concept design for complete for new traffic calming at Hayward Avenue is scheduled for September 2019. |
| 240,000 | 240,000 | Bicycle Management Schemes | 0 | 0 | 0 | 0.0% | 240,000 | 100% | Scope of works is currently being undertaken. |
| 695,000 | 695,000 | Public Lighting | 57,139 | 222,435 | 279,574 | 40.2% | 695,000 | 100% | Project in progress; refer Urban Services Report 3 Sept 2019 for an update. |
| 0 | 0 | Bio-Science Precinct Works | 0 | 0 | 0 | 0.0% | 0 | 100% | Currently undertaking design development for the balance of Holland Street. |
| <i>Bridges</i> | | | | | | | | | |
| 0 | 0 | Bridge Ancillary Works (as per Bridge Audit) | 0 | 7,425 | 7,425 | 0.0% | 0 | 100% | Design and documentation is underway. |
| <i>Footways & Cycle Tracks</i> | | | | | | | | | |
| 178,139 | 178,139 | Footpath Renewal Program | 0 | 0 | 0 | 0.0% | 178,139 | 100% | Project in progress; refer Urban Services Report 3 Sept 2019 for an update. |
| 277,166 | 277,166 | Footpath Construction Program | 0 | 1,386 | 1,386 | 0.5% | 277,166 | 100% | Project in progress; refer Urban Services Report 3 Sept 2019 for an update. |
| 200,000 | 200,000 | Footpath Remediation Program | 762 | 17,084 | 17,847 | 8.9% | 200,000 | 100% | Project in progress; refer Urban Services Report 3 Sept 2019 for an update. |
| 12,735,844 | 12,735,844 | Program Total | 1,156,925 | 3,338,768 | 4,495,692 | 35.3% | 12,735,844 | 89% | |
| 18,426,769 | 18,426,769 | TOTAL - ALL CAPITAL WORKS | 2,572,520 | 4,164,423 | 6,736,943 | 36.6% | 18,426,768 | 92% | |

City of West Torrens
Budget 2019/20 - YTD 31 August 2019
(Interim Results - Selected Accounts)

| | | 2019/20 Budget | | | | | |
|--------------------|---|------------------------------|-----------------------------|--------------------------|----------------|--------------------|-------------------|
| | | Annual Original Budget | Annual Revised Budget | YTD Revised Budget | YTD Actuals | YTD \$ Variance | YTD % Variance |
| 2018/19 Actuals | Account | | | | | | |
| 236,373 | 131 Training & Conference Costs | 283,675 | 283,675 | 41,980 | 38,586 | 3,394 | 8.1 |
| 37,852 | 213 Catering & Entertainment | 47,670 | 47,670 | 7,045 | 3,989 | 3,056 | 43.4 |
| 65,909 | 215 Catering/Entertain-Elected Members/others | 62,850 | 62,850 | 4,934 | 6,409 | -1,475 | -29.9 |
| 242,464 | 225 Subscriptions & Associations | 247,992 | 247,992 | 122,712 | 131,094 | -8,382 | -6.8 |
| 44,516 | 229 Elected Member Travel & Training | 40,000 | 40,000 | 0 | 8,290 | -8,290 | 0.0 |
| 470,930 | 241 Professional Fees - Legal | 363,000 | 363,000 | 49,334 | 24,332 | 25,002 | 50.7 |
| 9,076 | 243 Professional Fees - Medical | 12,000 | 12,000 | 0 | 830 | -830 | 0.0 |
| 656,976 | 245 Professional Fees - Consultants | 1,009,400 | 1,009,400 | 223,418 | 75,561 | 147,857 | 66.2 |
| 0 | 247 Professional Fees - Recruitment | 10,000 | 10,000 | 1,666 | 0 | 1,666 | 100.0 |
| 697,992 | 249 Professional Fees - General | 389,480 | 389,480 | 52,412 | 23,725 | 28,687 | 54.7 |
| 2,462,090 | Total | 2,466,067 | 2,466,067 | 503,501 | 312,817 | 190,684 | 37.9 |

11.3 Planning Reform Update - August 2019

Brief

This report presents an update on the status of the implementation of the *Planning, Development and Infrastructure Act 2016* as at 31 July 2019.

RECOMMENDATION

The Committee recommends to Council that the Planning Reform Implementation Update - August 2019 report be noted.

Introduction

Planning reform in South Australia is being introduced progressively via the *Planning, Development and Infrastructure Act 2016* and associated regulations. This report provides an update of the current activities associated with its implementation.

Discussion

Planning and Design Code

Consultation

The timeline for the release and consultation on Phase 2 and Phase 3 of the Planning and Design Code has been confirmed with both Phase 2 and Phase 3 released on 1 October 2019. Consultation for Phase 2 will conclude on 30 November 2019 with consultation for Phase 3 to conclude at the end of February 2020.

DPTI is currently preparing its Consultation Plan with a range of engagement activities for a range of audiences including Ministers and State agencies, Local Government, planning practitioners, business and the community. At an LGA/DPTI workshop held on 4 September, DPTI clarified that consultation on the Code is the responsibility of the State Planning Commission and DPTI with no expectation of councils to undertake additional consultation. However, they did state that any additional consultation would be welcome, and where possible, DPTI would attend if requested.

It should be noted that DPTI's priority for engagement with Local Government for October will be the Phase 2 councils as consultation closes at the end of November. This will mean that meetings with DPTI staff will be scheduled for November and beyond for the Phase 3 councils.

While details of the Consultation Plan are not yet known, DPTI have given some indication of the ways in which they will reach the community. These include fact sheets, a guide to the Code written, radio and print media, social media and community pop-ups in strategic locations such as shopping centres, sporting precincts and town halls. However, DPTI have also stated that the only feedback which will be considered is via formal submissions although they will monitor social media comments.

DPTI have expressed an interest in funding an insert into the December rates notices but only for councils most affected by the Code. Of concern to the Administration is an inconsistent and inequitable approach with no criteria available as yet to determine which councils are deemed to be "most affected". In addition, if CWT was to be included in this process, some control over the content would be necessary to ensure a balanced position is promoted. Including such insert into the December rates notices may give rise to a presumption by the community that the Code is Council initiated and driven rather than the State Government so scrutiny of the insert prior to insertion will be important. In addition, rates notices are not provided to all members of the community so should only be seen as one part of DPTI's consultation strategy.

Of particular concern to the Administration is that the Consultation Plan has not been released and the Code is only 3 weeks away from the opening of public consultation. This gives councils limited time to ensure internal staff are aware of the Plan and its contents to be able to inform the community as well as planning Council consultation activities which are complementary.

Transition Plan

In addition to the Consultation Plan, each council will receive a Transition Plan in the week commencing 9 September which will provide details on the replacement zones, subzones and overlays against existing zones, policy areas and precincts. An explanatory document will list all of the Code modules and overlays with a description of each. Spatial application will be provided by way of an electronic mapping tool.

Once the Administration has received both the DPTI Consultation Plan and CWT's Transition Plan, it will be in a better position to determine the level and focus of Council consultation recommended to ensure the community is as informed as possible and has the opportunity to have a say. It will also allow a more tailored message to the CWT community addressing issues more relevant to this Council area. Both the Consultation and Transition Plans will be provided to Council.

e-Planning

Development of the e-Planning tool is continuing and more detail is emerging. Interfaces with existing systems, management of hard copy applications and document management and Freedom of Information requests as well as workflow management within the system are some of the key issues that CWT has raised in workshops with DPTI.

A training needs analysis is currently being developed by DPTI with training to be delivered on a just in time basis. At this stage, it is proposed to provide training to Phase 3 councils in June 2020, just prior to the go live date.

Heritage and Character

Following the Council resolution from 2 July 2019 meeting not to pursue a development plan amendment for contributory items but to write to the Minister outlining Council's position, a letter was subsequently sent on 11 July. A response dated 23 August 2019 was received from the State Planning Commission confirming their approach to heritage, character and contributory items. This letter was included in the agenda of the 3 September 2019 meeting of Council.

At an LGA/DPTI workshop held on 4 September 2019, DPTI representatives stated that they will work with councils on overlays for heritage and character and that the overlays would be released in draft form.

Accredited Professionals Scheme

The Administration is currently scoping a number of different models to determine the optimum solution for accredited professionals within the organisation. This takes into account costs, resourcing, delegations and lines of reporting. The intent is to finalise this by the end of the year.

Swimming Pool Practice Direction and Other Documents

The following documents related to swimming pools have now been published:

- Practice Direction 8 Swimming Pool Inspection Policy 2019 - 5 September 2019
- Advisory Notice Building 05/19: Administration: Swimming pool safety requirements under the Planning, Development and Infrastructure Act 2016 - September 2019

The updated Ministerial Building Standard 004 – Swimming pool safety - designated safety features for pools built before 1 July 1993 - August 2019 has also been published.

Overall the new inspection requirements are consistent with the former Development Regulations on this topic and we will continue to implement the new Building and Swimming Pool Inspection Council Policy and Administration Policy.

Conclusion

Planning reform in South Australia is being introduced progressively via the *Planning, Development and Infrastructure Act 2016* and associated regulations. This report provides an update of the current activities.

Attachments

Nil

11.4 Legislative Progress Report - September 2019

Brief

This report provides an update on the status of proposed legislative changes affecting local government either dealt with in Parliament, by the Local Government Association or contained in the Government Gazette during the preceding month.

RECOMMENDATION

The Committee recommends to Council that the 'Legislative Progress Report - September 2019' be received.

Introduction

This report provides a monthly update on the progress of Bills through Parliament, using Parliament's defined stages, as well as items contained within the Government Gazette that relate to the City of West Torrens. It also contains information provided by the Local Government Association (LGA) relating to proposed amendments to legislation or other relevant matters.

Information on the status of all Bills and Acts is available on the South Australian Legislative Tracking and the Federal Register of Legislation websites at:

<https://www.parliament.sa.gov.au/Legislation/BillsMotions/SALT/Pages/default.aspx> and/or <https://www.legislation.gov.au/>

Discussion

| Recent Amendments to Legislation |
|--|
| <i>Nil</i> |
| Summary of Proposed Amendments to Legislation |
| <i>Nil</i> |
| Bills previously reported on where the status has changed |
| <i>Nil</i> |
| Bills previously reported on where the status remains unchanged |
| <p><i>Landscape South Australia Bill 2019</i></p> <p>Government Bill</p> <p>The <i>Landscape South Australia Bill 2019</i> (Bill) is a Bill to repeal and replace the <i>Natural Resources Management Act 2004</i> (NRM Act). The Bill in essence aims to decentralise decision making relating to the environment, and recognise the impact of climate change and other factors not recognised in the NRM Act.</p> <p>The Bill establishes a new framework for how the state's natural resources are managed, and intends to create a simpler and more accessible system.</p> |

The key elements of the reform are:

- Replacing regional natural resource management boards with new arms-length regional landscape boards and giving communities and landholders a greater voice in how natural resources are managed;
- A new Green Adelaide board focused on seven priorities that will help Adelaide become the most ecologically vibrant city in the world. These are:
 - Coastal management
 - Urban rivers and wetlands;
 - Water-sensitive urban design;
 - Green streets and flourishing parklands;
 - Fauna and flora in the urban environment;
 - Controlling pests, animals and plants; and
 - Nature education.
- A cap on increases to land and water levies to reduce cost of living pressures for all South Australians; and
- More action on ground, with a focus on partnerships, a simpler approach to planning and creating opportunities for natural resources management focused on programs and initiatives in regional communities.

Boards

Section 12 of the Bill provides that, "Green Adelaide" or the "Green Adelaide Board" (GAB) will be established as a landscape management region covering metropolitan Adelaide. The GAB will be able to raise levies to support residents to live more sustainably and invest in community development.

Section 13(5) of the Bill establishes the GAB to make Adelaide the "most ecologically vibrant city in the world".

The GAB will have between 6 and 10 members, all of whom will be appointed by the Minister. The only current guidelines for eligibility to sit on the GAB is under section 17 of the Bill which states that a person must be on the relevant Council electoral roll to be considered. There is no specific consideration allowing for elected members to sit on the GAB. Section 16 of the Bill directs the selection criteria to be more focused on environmental expertise vs representatives (i.e. Elected Members).

Section 67 of the Bill outlines that land levies will be collected in the same manner as the NRM levies, by Councils. These levies will be to reimburse Council for their contributions to the scheme. It will be known as the **regional landscape levy**.

The Bill has passed the House of Assembly and is now in committee in the Legislative Council.

Further information can be found on the South Australian Legislative Tracking website.

Planning, Development and Infrastructure (Reserves) Amendment

Private Members Bill

This Bill, introduced by Hon M C Parnell (MLC), amends the *Planning, Development and Infrastructure Act 2016* to include reference to the *National Parks and Wildlife Act 1972*, and to ensure that developments within a reserve are classified as a restricted development.

The Act was introduced to the Legislative Council on 31 July 2019 and has been adjourned at second reading.

Further information can be found on the South Australian Legislative Tracking website.

Liquor Licensing (Miscellaneous) Amendment Bill 2019**Government Bill**

This Bill amends the Liquor Licensing Act 1997. The Bill will allow for online alcohol deliveries (through direct sales transactions) in South Australia to be permitted between 8:00am and 10:00pm.

The Bill also adds penalty provisions for offences against the code of practice.

The Bill was adjourned at second reading on 31 July 2019.

Planning, Development and Infrastructure (Code Amendments) Amendment Bill 2019**Private Members Bill**

This Bill was introduced to the Legislative Council on 27 February 2019. The Bill affects the heritage places provisions of the PDI Act and intends to remove the requirement for 51% of relevant owners to approve of a property or area being designated as a heritage character for preservation zone or subzone.

The Bill has been received in the House of Assembly on 4 July 2019, and has been adjourned at first reading.

Further information can be found on the South Australian Legislative Tracking website

Independent Commissioner Against Corruption (Investigation Powers) No 2 Amendment Bill 2018**Government Bill**

This is a Bill to amend the *Independent Commissioner Against Corruption Act 2012* (Act). It is the second Bill introduced in this parliamentary session which intends to amend the Act.

The Bill seeks to amend the functions of the Independent Commissioner Against Corruption (ICAC) with broad sweeping reforms, including allowing the Commissioner to conduct a public inquiry, investigators being able to arrest individuals without warrants in certain circumstances and other broad changes.

The Bill was introduced to the Legislative Council, read a first time, and adjourned at second reading on 15 November 2018. The Bill passed the Legislative Council with amendments on 21 March 2019 and has been adjourned at second reading in the House of Assembly on 19 June 2019.

Further information can be found on the South Australian Legislative Tracking website.

Labour Hire Licensing Repeal Bill 2018**Government Bill**

This is a Bill to repeal the *Labour Hire Licensing Act 2017*.

It was introduced and read on 28 November 2018. It was debated frequently throughout February, and referred to Committee on 14 February 2019. A third reading was called on 27 February 2019, and was adjourned in the Legislative Council on 28 February 2019. The Bill was debated further in the Legislative Council on 16 May 2019, and has again been adjourned.

Further information can be found on the South Australian Legislative Tracking website.

Development (Site Contamination) Variation Regulations 2018**Government Regulations**

The Department of Planning, Transport and Infrastructure (DPTI) has released the draft *Development (Site Contamination) Variation Regulations 2018*, along with an explanatory statement. These draft regulations are designed to ensure site contamination is considered in an appropriate way, commensurate with the nature of the development, the potential risk and stage in the planning process. They also aim to facilitate timely and appropriate consideration of contamination issues and will encourage clarity of evaluation by planning authorities.

Planning authorities, developers and other stakeholders have an important role in managing site contamination by ensuring good planning and development doesn't exacerbate risk.

Stakeholders are encouraged to make submissions relating to the draft regulations to the Environmental Protection Agency and/or DPTI prior to noon on 15 May 2019. No feedback on the on the draft has yet been released by DPTI.

Further Information can be found in LGA Circular 9.7

Valuation of Land (Separate Valuations) Amendment Bill 2018**Government Bill**

This Bill was introduced to the Legislative Council and proposes amendments to clarify that separate assessments should only be made in circumstances where it is required by law or when a property has been separately occupied since 1967 or under a shack site lease and is situated on land where formal subdivision is prohibited.

The Bill was introduced to the Legislative Council and read a first time on 17 October 2018. It has been adjourned at second reading.

Further information can be found on the South Australian Legislative Tracking website

Local Government (Fixed Charges) Amendment Bill 2018**Government Bill**

This Bill seeks to amend s152 of the Local Government Act 1999.

The amendment seeks to include each residence in a retirement village (within the meaning of the *Retirement Villages Act 1987*) as a type of allotment to which a fixed charge for rates cannot be applied.

The Bill was introduced to the Legislative Council and read a first time on 17 October 2018. It has been adjourned at second reading.

Further information can be found on the South Australian Legislative Tracking website

Single Use and Other Plastics (Waste Avoidance) Bill 2018**Private Members Bill**

This Bill seeks to regulate the sale and supply of single use and other plastics.

The Bill provides that retailers must provide alternatives to prohibited plastics before 1 July 2023 and creates an offence for releasing helium-filled balloons into the open. It also creates a requirement to provide disposal instructions for fishing tackle and personal hygiene products.

The Bill was introduced to the Legislative Council and read a first time on 25 July 2018. The Bill has been adjourned at second reading.

Further information can be found on the South Australian Legislative Tracking website.

Freedom of Information (Miscellaneous) Amendment Bill 2018**Private Members Bill**

This Bill seeks to change the definition of Public Interest, amend the processes for determining that a document does not exist and changes definitions relating to the nature and scope of an application. It also changes the processes for determination of an application.

The Bill passed the Legislative Council with amendments on 18 October 2018. It was adjourned a second time in the House of Assembly on 7 November 2018.

Further information can be found on the South Australian Legislative Tracking website.

Acts Assented

Nil

Regulations Amended

Nil

Relevant Common Law

Nil

Parliamentary Inquiries**Select Committee on Moratorium on the Cultivation of Genetically Modified Crops in South Australia**

A Select Committee of the Legislative Council has been established to inquire into and report on the moratorium on the cultivation of Genetically Modified (GM) crops in South Australia, with specific reference to -

- (a) The benefits and costs of South Australia being GM-free for the state, its industries and people;
- (b) The effect of the moratorium on marketing South Australian products both nationally and internationally including:
 - i. Costs and benefits to South Australian industries and markets of remaining GM-free;
 - ii. Costs and benefits to South Australian industries and markets from lifting the moratorium on cultivating GM crops in South Australia;
 - iii. Current or potential reputational impacts, both positive and negative, on other South Australian food and wine producers, that may result from retaining or lifting the moratorium;
 - iv. Consideration of global trends and consumer demands for GM crops/foods versus non GM-crops/foods;
- (c) The difference between GM and non-GM crops in relation to yield, chemical use and other agricultural and environmental factors;
- (d) Any long term environmental effects of growing GM crops including soil health;
- (e) The potential for contamination of non-GM or organic crops by GM crops, including:
 - i. Consideration of matters relating to the segregation of GM and non GM crops in the paddock, in storage and during transportation;
 - ii. The potential impacts of crop contamination on non-GM and organic farmers;
 - iii. Consideration of GM contamination cases interstate and internationally; and
- (f) Any other matters that the Committee considers relevant.

The Committee met on 12 December 2018, and the matter is ongoing.

Further information can be found on the South Australian Committees website.

Overabundant and Pest Species Inquiry

The Natural Resources Committee resolved to inquire into the management of overabundant and pest species in South Australia with particular reference to:

1. Efficacy of existing or novel regulatory, policy and partnering frameworks used to manage overabundant and pest species
2. Costs of managing overabundant and pest species
3. Impacts of overabundant and pest species on agricultural outputs, environmental values, tourism, road safety, and amenity
4. Any other related matters.

The Committee continues to meet, and issued a third report to be noted by the Parliament on the floor on 1 August 2019

Further Information can be found in LGA Circular 39.1 and on the South Australian Legislative Tracking Website.

Conclusion

This report on legislative amendments is current as at 9 September 2019.

Attachments

Nil

12 MEETING CLOSE