

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 Services and Amenity 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, 4 JUNE 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.

INDEX

1	Meeting Opened.....	1
1.1	Acknowledgement of Country	
1.2	Evacuation Procedures	
2	Present	1
3	Apologies	1
4	Disclosure Statements	1
5	Confirmation of Minutes.....	1
6	Mayors Report.....	1
7	Elected Members Reports	2
8	Petitions	3
	Nil	
9	Deputations.....	3
9.1	Adventure Tower at Jubilee Park	3
10	Budget Consultation.....	3
11	Adjourn to Standing Committee	3
12	Adoption of Standing Committee Recommendations.....	3
12.1	City Services and Amenity Standing Committee Meeting	3
13	Adoption of General Committee Recommendations.....	3
13.1	City Facilities and Waste Recovery General Committee Meeting	3
14	Questions with Notice	3
	Nil	
15	Questions without Notice.....	3
16	Motions with Notice	3
	Nil	
17	Motions without Notice.....	3
18	Reports of the Chief Executive Officer.....	4
18.1	Max and Bette Mendelson Scholarship Awards - 2019.....	4
19	Local Government Business.....	5
19.1	Local Government Circulars	5
20	Member's Bookshelf	8
21	Correspondence	8
21.1	Telstra SmartHubs	8
21.2	Mayors for Peace Newsletter	8
21.3	Reporting Directions and Public Interest Disclosure Guidelines for Consultation	8
21.4	Australian Mayoral Aviation Council Executive Committee Minutes.....	8
21.5	Acknowledgment from the Mayor of Christchurch City Council, Lianne Dalziel	8

22 Confidential 29

22.1 Sale of Property for the Non Payment of Rates 29

23 Meeting Close 29

1 MEETING OPENED

1.1 Acknowledgement of Country

1.2 Evacuation Procedures

2 PRESENT

3 APOLOGIES

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 21 May 2019 be confirmed as a true and correct record.

6 MAYORS REPORT

(Preliminary report for the agenda to be distributed Friday, 31 May 2019)

In the two weeks since the last Council Meeting of 21 May 2019 functions and meetings involving the Mayor have included:

22 May

- Participated in the Mainstreet SA 'Market to Riverbank Study Tour' departing from the Adelaide Central Market.

23 May

- Attended the Lutheran Community Care Volunteer Luncheon at the Immanuel College Old Scholars Association Function Centre.
- Met with Pauline Koritsa, Adriana Christopoulos, the Hon John Dawkins MLC and his advisor Karen McColl to discuss suicide prevention networks and the opportunities to build on services available in the West Torrens area.
- Participated in the Elected Member Mandatory training session on Legal Responsibilities in the George Robertson Room.

24 May

- Attended a site visit of the Plympton High Old Scholars Camden and Birkalla Clubrooms at Camden Oval, as well as Apex Park and Lockleys Oval.
- Attended the Urban Development Institute of SA Annual Premier's Luncheon at the Ian McLachlan Room, Adelaide Oval.

27 May

- Attended the 2019 National Reconciliation Week Breakfast as a guest of History Trust of SA Chair of Trustees, Elizabeth Ho OAM and Chief Executive, Greg Mackie OAM at the Adelaide Convention Centre.

28 May

- Met with Stephen Patterson MP, Member for Morphett to discuss local issues.
- Participated in the City Facilities and Waste Recovery General Committee Meeting.

29 May

- Attended the launch of Going Smart. Smart Cities Framework for Metropolitan Adelaide at the Local Government House in Adelaide.

30 May

- Participated in a meeting with West Adelaide Football Club Chief Executive Officer Ben Hopkins, President Murray Forbes and City of West Torrens Chief Executive Officer Terry Buss to discuss Richmond Oval.
- Attended with members of the Executive Team a presentation by Simon Lawton and Kym Morgan from NBN Co. about how NBN can play in a role in connectivity for areas like the new business precinct being planned in Thebarton, in addition to Community Centres.
- Attended the State Planning Commission briefing at the Kardi Munaintya meeting room in Adelaide.

In addition, after the compilation of this report on Thursday as part of the Agenda to be distributed on Friday, I anticipate having attended or participated in the following:

31 May

- Attending the presentation of the SUEZ Community Grants cheque to Lockleys North Primary School.
- Participating in a meeting with Telstra employees Andrew Stewart, Steve Michelson and City of West Torrens staff to discuss Telstra's New Payphone Project in the City of West Torrens.
- Attending the Norwood vs West Adelaide match at Norwood Oval as a guest of Mayor Robert Bria.

1 June

- Attending the City of West Torrens Native Plant Giveaway at the West Torrens Memorial Gardens.

3 June

- Meeting with Nicola Feeney of Feeney Marketing, Cr/s Graham Nitschke and Dominic Mugavin and City of West Torrens staff to discuss the West Thebarton Road and Phillips Street upgrade.

4 June

- Council dinner
- Council meeting

RECOMMENDATION

That the Mayor's Report be noted.

7 ELECTED MEMBERS REPORTS

8 PETITIONS

Nil

9 DEPUTATIONS**9.1 Adventure Tower at Jubilee Park**

Glandore residents Mr Kevin and Ms Kath Benson, wishes to address Council in relation to the Adventure Tower at Jubilee Park.

10 BUDGET CONSULTATION**RECOMMENDATION**

That the meeting be adjourned, to allow for consultation on Council's proposed Budget and Annual Business Plan 2019/20 pursuant to Section 123(4) of the *Local Government Act 1999*.

11 ADJOURN TO STANDING COMMITTEE**RECOMMENDATION**

That the meeting be adjourned, move into Standing Committee and reconvene at the conclusion of the City Services and Amenity Standing Committee.

12 ADOPTION OF STANDING COMMITTEE RECOMMENDATIONS**12.1 City Services and Amenity Standing Committee Meeting****RECOMMENDATION**

That the recommendations of the City Services and Amenity Standing Committee held on 4 June 2019 be adopted.

13 ADOPTION OF GENERAL COMMITTEE RECOMMENDATIONS**13.1 City Facilities and Waste Recovery General Committee Meeting****RECOMMENDATION**

That the Minutes of the City Facilities and Waste Recovery General Committee held on 28 May 2019 be noted and the recommendations adopted.

14 QUESTIONS WITH NOTICE

Nil

15 QUESTIONS WITHOUT NOTICE**16 MOTIONS WITH NOTICE**

Nil

17 MOTIONS WITHOUT NOTICE

18 REPORTS OF THE CHIEF EXECUTIVE OFFICER

18.1 Max and Bette Mendelson Scholarship Awards - 2019

Brief

The purpose of this report is to advise Council of the proposed Max and Bette Mendelson Foundation Scholarship Awards to the successful 2019 applicants.

RECOMMENDATION(S)

It is recommended to Council that:

1. Approval be granted to the Mendelson Management Committee to award the 2019 Max and Bette Mendelson scholarships as outlined in the list provided separately; and
2. Approval be granted for the Mendelson Management Committee, in conjunction with the Chief Executive Officer, to arrange a suitable presentation ceremony to be held on Friday 28 June 2019 along the lines of previous years.

Discussion

At the meeting of the Mendelson Management Committee held on Friday 24 May 2019 the applications for the 2019 Scholarships were discussed and it was resolved that it be a recommendation to Council that the applicants, as per the list provided separately to Elected Members on the night of the Council meeting, be awarded the Max and Bette Mendelson Scholarship for 2019.

The Committee recommends 12 scholarships be awarded at \$4,000 each.

Conclusion

Report to Council of the proposed Max and Bette Mendelson scholarship awards for 2019.

Attachments

Nil

19 LOCAL GOVERNMENT BUSINESS

19.1 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 20 and 21.

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 20 and 21



Local Government Association of South Australia

20.2 Council opportunity to provide input to the National Disability Strategy beyond 2020

The Commonwealth Government is seeking council input into how it can improve implementation of the National Disability Strategy and better support councils in providing services for people with a disability. This Circular has details of a public survey and community engagement sessions in May 2019.

20.3 LGA Board of Directors meeting 16 May 2019 - Agenda available

The LGA Board of Directors will meet on Thursday 16 May 2019 at LG House, 148 Frome Street, Adelaide. The agenda is now available and this circular provides a list of reports to be considered at the meeting.

20.4 Has your council updated your 2019-20 dog and cat registration fees into DACO?

The Dog and Cat Management Board (DCMB) needs you to update your council's dog and cat registration fees and discounts for the coming 2019/20 year in Dogs and Cats Online (DACO).

20.5 Enrolments closing soon: Sharps and Infectious Waste Handling Training

The LGA's Education and Training Service is rolling out 'Sharps and Infectious Waste Handling' training to the sector on Monday 20th May 2019. Registrations close COB Friday 17th May 2019. This session is available in person at the LGA and via webinar. Further details are available in this circular.

20.6 Round 2 of State Government recycling transport subsidies grants program for regional councils is closing soon

Regional councils can apply for recycling transport subsidies to offset some of the costs associated with transporting materials for recycling. Applications to Green Industries SA close on 31 May 2019.

20.7 Health in all Policies Masterclass - Collaboration Strategies for Healthier Communities

Councils are invited to a free practical workshop hosted by SA Health on 14 August 2019, to support cross-council collaboration to support positive health and wellbeing outcomes for communities.

20.8 Review of the Commonwealth's Infrastructure Management System

The Department of Infrastructure, Regional Development and Cities is seeking representation from a regional and metropolitan council to inform an upgrade to the Infrastructure Management System. Council's use this system to engage with the Commonwealth on infrastructure projects and the Roads to Recovery Funding. A teleconference will be held on 23 May 2019.

21.1 Revised Record Management training (GDS40) Enrol Now

A substantially revised draft of the general disposal schedule for local government records (to be renumbered GDS 40) is in its final round of consultation before it is submitted to State Records Council for approval. LGA Training has scheduled a training session that addresses these important changes. Further information can be found in this circular.

21.2 Network of Procurement Professionals Forum - 23 May 2019

The next Network of Procurement Professionals Forum is being held 23 May 2019 at Adelaide Plains Council. Further details can be found in this circular.

21.3 Information on OneMusic licensing arrangements that take effect on 1 July 2019

Information on OneMusic licensing arrangements that take effect on 1 July 2019 OneMusic Australia comprises the copyright agencies for music licensing in Australia and is changing the way music is licensed for all users. This Circular provides information to councils about the changes to licensing arrangements that take effect on 1 July 2019.



Local Government Association of South Australia

21.4 Nominations sought for the Native Vegetation Council

The Minister for Environment and Water has written to the LGA requesting nominations for a local government member on the Native Vegetation Council (NVC) for a two year term commencing on 3 September 2019. Nominations must be forwarded to the LGA by COB Thursday 4 July 2019.

21.5 2019 Jim Hullick Award - Nominations are now open

Nominations for the 2019 Jim Hullick Award are now open. Further information including a copy of the criteria and nomination form can be found in this Circular.

21.6 Parliament of South Australia - Inquiry into Recycling Industry

On 13 May 2019, Parliament's Environment, Resources and Development Committee resolved to conduct an Inquiry into South Australia's recycling industry. Increased recycling costs are a significant issue for councils, and the LGA will be providing a written submission to the Inquiry.

21.7 The Environment Protection Authority is seeking council feedback on 2018 State of the Environment Report

The Environment Protection Authority (EPA) has engaged Dr Robert Gale from Next Level Sustainability to conduct an independent evaluation of the South Australian 2018 State of the Environment Report. Councils are invited to evaluate the 2018 Report.

21.8 Inspiring South Australian Aboriginal Women Impacting the World

The Australia Day Council of South Australia is proud to present this showcase event: 'Inspiring South Australian Aboriginal Women Impacting The World'.

21.9 LGA Local Government Reform Submission

LGA Local Government Reform Submission is now available.

22.1 New statewide recycling education campaign "Which Bin" launched

On 12 May 2019, the State Government launched its statewide education campaign to support households' optimum use of recycling and green organics bins. The campaign includes television commercials and print advertising and also involves development of a complementary suite of resources for local government.

22.2 2019 LGA Annual General Meeting - Proposed Items of Business and Change to Voting Delegate

The 2019 Annual General Meeting will be held on Thursday 31 October at Adelaide Oval. Member councils are invited to submit proposed items of business to be considered by SAROC, GAROC or the LGA Board of Directors for inclusion on the agenda of the AGM. Councils are also asked to advise of any change to their voting delegate prior to the upcoming meeting.

20 MEMBER'S BOOKSHELF

- 2018 SYC Annual Report - Stepping towards a better future
- The Australian Local Government Yearbook 2019
- Australian Water Management Yearbook 2019

RECOMMENDATION

That the additions to Members' bookshelf be noted.

21 CORRESPONDENCE

21.1 Telstra SmarHubs

Correspondence has been received from the Chief Executive Officer of the Local Government Association of South Australia, Mr Matt Pinnegar, providing an update on the activities the Local Government Association is undertaking in relation to the new generation Telstra payphones, referred to as 'Smart Hubs' (**Attachment 1**).

21.2 Mayors for Peace Newsletter

Correspondence has been received from the Mayors for Peace, providing the May 2019 No. 113 Newsletter (**Attachment 2**).

21.3 Reporting Directions and Public Interest Disclosure Guidelines for Consultation

Correspondence has been received from the Acting Independent Commissioner Against Corruption, Mr Michael Riches, acknowledging Council's letter dated 3 April 2019 in relation to the draft Reporting Directions and Public Interest Disclosure (PID) Guidelines (**Attachment 3**). A copy of the updated draft PID Guidelines is available for viewing on the Elected Members' bookshelf and also on the ICAC website at www.icac.sa.gov.au.

21.4 Australian Mayoral Aviation Council Executive Committee Minutes

Correspondence has been received from Australian Mayoral Aviation Council regarding the minutes from the meeting of the Executive Committee held on 1 May 2019 (**Attachment 4**).

21.5 Acknowledgment from the Mayor of Christchurch City Council, Lianne Dalziel

Correspondence has been received from the Mayor of Christchurch City Council, Lianne Dalziel, acknowledging Council's letter dated 22 March 2019 in relation to Council's letter of support and sympathy to the people of Christchurch (**Attachment 5**).

RECOMMENDATION

That the correspondence be received.

Attachments

- 21.1 Telstra SmarHubs
- 21.2 Mayors for Peace Newsletter
- 21.3 Reporting Directions and Public Interest Disclosure Guidelines for Consultation
- 21.4 Australian Mayoral Aviation Council Executive Committee Minutes
- 21.5 Acknowledgment from the Mayor of Christchurch City Council, Lianne Dalziel



The voice of local government.

In reply please quote our reference: ECM 677815 SPS/DB

20 May 2019

Mr Terry Buss PSM
Chief Executive Officer
City of West Torrens
165 Sir Donald Bradman Drive
Hilton SA 5033
Emailed: tbuss@wtcc.sa.gov.au

Dear Mr Buss

Telstra SmartHubs

Following the roundtable organised by the LGA with interested councils, Telstra and DPTI on 30 April 2019, I wanted to provide you with an update on the activities the LGA is undertaking in relation to the new generation Telstra payphones, referred to as 'SmartHubs'.

Under the *Telecommunications (Low-impact Facilities) Determination 2018* (Cth) (the LIF) Telstra's pre-existing payphone facilities are regarded as 'low-impact facilities', meaning Telstra can both install the facilities and display advertisements for telephone-related products or services on those facilities without requiring council approval.

Telstra and JCDecaux have now commenced the roll-out of a number of SmartHub public telephones (digital payphones with an associated large LED screen capable of displaying advertisements on a rotating basis) on public roads throughout South Australia. It is Telstra's position that such facilities are authorised under the LIF and, accordingly, neither *Development Act 1993* or *Local Government Act 1999* approval is necessary for the installation or use of such structures.

From a national perspective the LGA President has written to the ALGA President requesting that ALGA provide advocacy to the Federal Government for the review of the *Telecommunications Act 1997* and in particular the application of the *Telecommunications (Low-Impact Facilities) Determination* by Telstra. In addition the LGA is monitoring the progress of the City of Melbourne's appeal to the Victorian Civil and Administrative Tribunal seeking an order requiring Telstra to obtain planning approval before building new payphones.

The City of Adelaide has also provided the following motion for consideration at the upcoming ALGA National General Assembly (NGA):

That the NGA call on ALGA to lobby the Australian Government for changes to the Telecommunications Act 1997 (Cth) and/or the Telecommunications (Low-Impact facilities) Determination 2018 to either:

- *Remove public payphones from the definition of "low-impact facility", or*
- *Otherwise require planning approval for payphones.*

At the State level the LGA is commencing discussions with DPTI in relation to road safety considerations, whether Telstra should be seeking planning approval for the SmartHubs and the implications of the new Planning and Design Code, which currently identifies payphones with advertising as 'Deemed to Satisfy', meaning that if they meet the performance criteria in the Planning and Design Code they are to be approved.

148 Frome Street Adelaide SA 5000 | GPO Box 2693 Adelaide SA 5001 | T 08 8224 2000 | W lga.sa.gov.au



The voice of local government.

The LGA has also sought legal advice in respect to councils powers under Section 222 of the *Local Government Act 1999*. A summary of the advice is provided as an attachment.

I hope this information is of assistance to your council in its deliberation on this matter. If your council would like the LGA to take further action to assist with this matter, you might consider formally referring this issue to GAROC to consider the allocation of resources towards ongoing advocacy.

Should you require further information please feel free to contact LGA Director Policy Stephen Smith at stephen.smith@lga.sa.gov.au.

Yours sincerely

Matt Pinnegar
Chief Executive Officer

Telephone: (08) 8224 2039

Email: matt.pinnegar@lga.sa.gov.au

Attach: ECM 678544 - Advertising on Public Roads – Applying Section 222 of the Local Government Act

Advertising on public roads - Applying Section 222 of the Local Government Act

Councils are empowered under Section 222 of the LG Act to authorise persons to use public roads for a business purpose by permit. Permits may be granted for a particular occasion, or for a term not exceeding five years. Permits can be subject to such conditions as the council considers appropriate, including conditions requiring the payment of rent or other consideration.

Under Section 208 of the LG Act, public roads in the area of a council are vested in that council in fee simple. As a finite council resource, councils are required to manage public roads fairly effectively and efficiently and in the public interest¹. It is axiomatic that there should be an appropriate level of financial return to the community for the privilege of a private entity using a public road for the purposes of displaying commercial advertising. Many councils have, for some time, permitted certain forms of static advertising to be displayed on infrastructure installed on public roads, including bus shelters. Advances in technology now make digital advertising in public spaces a cost-effective alternative for advertising companies.

To the extent that councils are contemplating entertaining proposals for the display of digital (or other forms of) advertising on public roads or are likely to receive applications for the same, it would be prudent for councils to develop a consistent and considered policy approach so that they are ready to deal any applications received for such proposals.

Councils would be wise to incorporate the following matters into any policy governing the authorisation of digital or static advertising on public roads:

- the imposition of application fees and permit fees (see our further advice, below);
- permit terms (up to a maximum of 5 years);
- siting requirements (including desired setbacks from carriageways, intersections and private property, minimum distance between advertisements, and visual impact considerations);
- safety considerations (including text sizing requirements for advertisements, luminance – including variable luminance based on environmental conditions and time of day – glare, viewing angle, advertisement colour choice, requirements for advertisements to be solely static, minimum dwell time for individual advertisements and restrictions preventing traffic control device mimicking);
- sound, vibration and odour advertising considerations (including whether advertisements are required to be static visual advertisements alone, or can also incorporate these other elements);
- requirements dealing with technical matters (including requirements for a default setting that displays a black advertising display area when no content is being displayed or in case of a malfunction);
- rules relating to interactivity (e.g. limiting or prohibiting real-time direct communication with passing road users, the generation of targeted messages or message sequencing over a series of signs);
- requirements for a log of advertisements displayed to be maintained;
- insurance and/or public liability requirements; and
- a condition requiring the display of a certain percentage of council determined advertisements/community messages/emergency alerts.

¹ See Sections 6-8 of the LG Act.

These matters should, accordingly, also be incorporated into any permit issued under Section 222 of the LG Act.

With respect to the setting of application and permit fees, Section 188 of the LG Act governs the manner in which councils can impose such fees and charges. Section 188(1) helpfully provides that councils can impose fees and charges in respect of any application to a council and in respect of any authorisation or permit granted by the council.

Under Section 188(3) of the LG Act, councils are empowered to provide for:

- specific fees and charges;
- maximum and minimum fees and charges;
- annual fees and charges;
- the imposition of fees and charges according to specified conditions or circumstances; and
- the variation of fees or charges according to specified factors.

The combination of matters provided for in Section 188 provide councils with substantial flexibility to set fees and charges in a manner that best addresses their communities' needs. It would be permissible for councils to set both application fees and permit fees for particular business uses of council roads (including the display of commercial advertising that requires council authorisation).

Councils could (for example) give consideration to imposing:

1. a fixed application fee which could be based on a per site or per applicant calculation; and/or
2. a fixed permit fee that applies on an annual basis; or
3. a variable permit fee calculated (for example) by reference to a percentage (e.g. 5, 10, 15%) of the permit holder's net revenue from the advertising; or
4. a variable permit fee per item 3 above linked to minimum fee which would provide a guaranteed minimum income for the council from the permit in case of poor advertising revenues.

It is important to note that the setting of both the application and permit fees is not delegable under Section 44 of the LG Act and must therefore be determined by a council resolution passed at a properly convened meeting of the elected council.

In addition, councils looking to create a more comprehensive regulatory framework could consider making a by-law to complement the existing controls.



Mayors for Peace News Flash

May 2019 / No.113

Mayors for Peace Member Cities
7,756 cities
in 163 countries and regions
(as of May 1, 2019)

Please also check our website and Facebook page:

Website:

<http://www.mayorsforpeace.org/english/index.html>

Facebook:

<https://www.facebook.com/mayorsforpeace>

"Like" our Facebook page to help spread awareness of our mission.

Table of Contents

- Attendance of Mayors for Peace at the Third Session of the Preparatory Committee for the 2020 NPT Review Conference
- Mayors for Peace Joint Appeal for Common Ground on the NPT
- Mayors for Peace awarded the 2019 Tribeca Disruptive Innovation Award
- Regional Chapter Activities
- Member City Activities
- Peace News from Hiroshima (Provided by the Hiroshima Peace Media Center of the CHUGOKU SHIMBUN)
- Request for Payment of the 2019 Mayors for Peace Membership Fee
- Call for Input: Examples of initiatives to foster peace-seeking spirit
- Request to Promote Various Measures Based on the Mayors for Peace Action Plan (2017-2020)
- Mayors for Peace Collaboration with "The Hibakusha Appeal" Signature Campaign
- Last Month's Visitors to the President of Mayors for Peace
- Mayors for Peace Member Cities - 7,756 Cities in 163 Countries/Regions

■ Attendance of Mayors for Peace at the Third Session of the Preparatory Committee for the 2020 NPT Review Conference

[New York, US; April 29-May 3, 2019]

A Mayors for Peace delegation, including the mayors of Hiroshima and Nagasaki participated in the third session of the Preparatory Committee (PrepCom) for the 2020 NPT Review Conference, which was held from April 29 through May 10 at the United Nations Headquarters in New York.

On May 1, Mr. Kazumi Matsui, Mayor of Hiroshima and President of Mayors for Peace, and a Mayors for Peace Vice President Mayor Tomihisa Taue of Nagasaki City attended the NGO session and delivered their statements, beginning by voicing their serious concerns over stagnant nuclear disarmament efforts. With the NPT's historic 2020 Review Conference in mind, they then asked the representatives of the UN and national governments to take to heart the call of the hibakusha and civil society for peace, while arguing the need for good faith negotiations in accordance with Article VI of the NPT and the importance of promoting the Treaty on the Prohibition of Nuclear Weapons.

▼ Statements by Mayors of Hiroshima and Nagasaki to the 2019 NPT PrepCom (Mayors for Peace Website):

[Mayor of Hiroshima](#) / [Mayor of Nagasaki](#)



Mayors of Hiroshima and Nagasaki delivering statements on May 1

During their stay in New York, the two mayors had meetings with Ambassador Syed Hasrin, the Preparatory Committee Chair; Ms. Izumi Nakamitsu, UN Under-Secretary-General and High Representative for Disarmament Affairs; UN delegations from Austria and New Zealand, two countries that actively support the TPNW; and a representative of the UK, a nuclear power.

On May 2, Mayors for Peace hosted the side event titled “Mayors for Peace Youth Forum”. Young presenters representing Hiroshima, Nagasaki, and three NGOs (Amplify, PEAC, and German Youth Delegation) made presentations on their efforts and desires for peace. The young people from Hiroshima, who all have been involved in the Mayors for Peace petition campaign to encourage all States to join the TPNW, had the opportunity to present UN High Representative Nakamitsu with a certificate of approximately 120,000 signatures collected during the past year.



Mayors for Peace Youth Delegation handing over a certificate of signatures to Ms. Nakamitsu on April 30

To coincide with the PrepCom, an Executive Cities’ Meeting for Exchange of Views was held, attended by the Mayors of Hiroshima, Nagasaki, Des Moines, Iowa, and Biograd na Moru, representatives of Fremantle, and a representative of Cochin (via Skype), who all engaged in an active discussion on their recent initiatives to make their cities safe and resilient, such as disaster prevention plans, climate change mitigation, strategies to tackle poverty and refugee crises, peace education policies, and efforts to strengthen relations with indigenous peoples.

The Mayors of Hiroshima and Nagasaki participated in a number of other events during their stay in New York, including attending the award ceremony of Tribeca Disruptive Innovation Awards and a meeting with the Mayor of New York City.

Reports on Mayors for Peace activities in New York will be posted on the Mayors for Peace website soon.

■ Mayors for Peace Joint Appeal for Common Ground on the NPT

[May 10, 2019]

On the final day of the NPT PrepCom, the Mayors of Hiroshima and Nagasaki and the US Lead City Mayor were joined by other members of the Mayors for Peace Executive Cities in a Joint Appeal to the states parties to the treaty to recognize and build upon the common ground shared by all.

The Joint Appeal expresses strong support for the success of the historic NPT Review Conference in 2020—to be held on the treaty’s fiftieth anniversary—and urges its parties to put aside their differences and focus their deliberations on expanding their common ground on the fundamental objects and purposes of this treaty.



Presentation of Mayors for Peace Joint Appeal to the PrepCom Chair (left) on May 10

Ms. Jacqueline Cabasso (Mayors for Peace Executive Advisor and North American Coordinator) presented the Joint Appeal to Ambassador Syed Mohamad Hasrin Aidid, the Chair of the Preparatory Committee, and it was also distributed to the government representatives at the conference venue. It was also sent to all UN Member States, the UN Secretary-General, and the UN Under-Secretary-General and High Representative for Disarmament Affairs. We ask all Mayors for Peace member cities to widely share this message with your governments and civil society members.

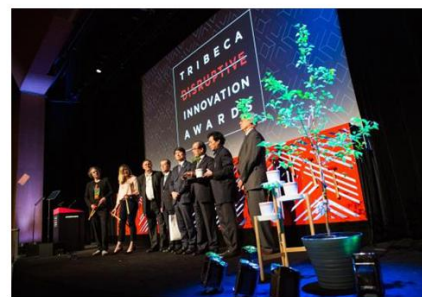
▼ Mayors for Peace Joint Appeal for Common Ground on the NPT (The Mayors for Peace website):

http://www.mayorsforpeace.org/english/statement/openletter/data/MfP_Joint_Appeal_NPT_2019_final.pdf

■ Mayors for Peace awarded the 2019 Tribeca Disruptive Innovation Award

[May 3, 2019]

Mayors for Peace has been awarded the 10th Annual Tribeca Disruptive Innovation Awards presented in collaboration with the Tribeca Film Festival and the Harvard Business School's Professor Clayton Christensen, originator of disruptive innovation theory. The awards acknowledge and uplift those who have challenged social norms to present world-changing inventions or ideas. Mayors for Peace received the Hersey Prize, a prize that was established last year to recognize contributions in the field of nuclear disarmament and world peace.



The 10th Annual Tribeca Disruptive Innovation Awards Ceremony

The Mayors of Hiroshima and Nagasaki, the Mayor of the US Lead City Des Moines, Iowa, and the Secretary-General of Mayors for Peace attended the awards ceremony held in New York on May 3. Both a seedling of a callery pear tree that endured the 9/11 terror attacks on the World Trade Center and a ginkgo tree seedling whose mother tree survived the atomic bombing of Hiroshima were on display. The organizer of the awards talked about a project by Mayors for Peace to raise public awareness of peace by having the descendants of A-bombed trees taken care of by citizens of member cities around the world.

When Mayor Matsui of Hiroshima accepted a red-headed hammer as the official award, he pretended to bring it down saying "Let's smash the doctrine of nuclear deterrence with this!" He then presented a wreath of a thousand paper cranes he had brought from Hiroshima as a symbol of peace, to which the audience responded with a warm round applause in support.

▼ The honorees of the 2019 Tribeca Disruptive Innovation Awards (The Disruptor Awards Website):

<https://www.disruptorawards.com/2019-honorees>

■ Regional Chapter Activities

< Catalan Chapter >

* Launch of the Chapter's new monthly newsletter

The Catalan Chapter of Mayors for Peace has launched a new monthly newsletter to inform and update all the Catalan members on its activities. This newsletter in Catalan language keeps you up to date on special projects and events organised by the Catalan Chapter and the Secretariat of Mayors for Peace.

This new channel of communication will help to maintain ongoing connections with contacts and members as well as increase traffic to the website and boost social media following.

< Report from the Catalan Chapter of Mayors for Peace >

▼ To sign up:

<http://wp.granollers.cat/alcaldesperlapau/subscriu-te-al-butlleti/>

▼ Past issues:

<http://wp.granollers.cat/alcaldesperlapau/butlletins/>

< UK & Ireland Chapter >

* Release of the UK & Ireland Chapter progress report No. 22

The latest Policy Briefing for the UK and Ireland Mayors for Peace Chapter is now available. It gives members an overview of the NPT Conference, a Basel divestment conference, the outcome of the House of Lords inquiry into nuclear weapons and a progress report on Chapter and wider Mayors for Peace activity. It also encourages its members to pass resolutions to endorse the ICAN Cities Appeal and to call on the divestment from Council pension funds from companies that support the production and maintenance of nuclear weapons, with model resolutions contained in the report. The next UK and Ireland Mayors for Peace Chapter meeting will take place in Manchester on the 13th September with further details on it to follow.

< Report by Sean Morris, UK & Ireland Mayors for Peace Chapter Secretary >

▼ The UK and Ireland Mayors for Peace Policy Briefing 22 (The Mayors for Peace Website):

http://www.mayorsforpeace.org/english/whatsnew/activity/data/2019/M4P_Briefing_No_22_NPT_and_progress_report.pdf

■ Member City Activities

< Manchester, UK >

* 2nd anniversary of the Manchester Arena attack, 22nd May 2019

The second anniversary of the 22 May 2017 Manchester Arena terror attack, which took 22 lives, will be marked with a civic memorial service at St Ann's Church at 2pm on Wednesday 22 May 2019. This will be a personal and private event for the families of all those directly affected by this terrible terrorist attack.

Like last year, at 10:31pm on 22 May 2019 – the exact anniversary – bells will ring out from buildings across the city centre including Manchester Town Hall, Manchester Cathedral and St Ann's Church. Manchester Cathedral will also be open all day for private reflection.

It has been decided that a permanent memorial to those who died in the attack will be in an area behind Manchester Cathedral close to the Arena and the River Irwell. The design of the memorial is being closely discussed with the families affected. Manchester City Council and the people of Manchester and around the world will remember those affected by these and all other incidents of terrorism.

<Report by Sean Morris, UK & Ireland Mayors for Peace Chapter Secretary>

▼ Plans announced for 22 May second anniversary commemorations (The Manchester City Council Website):

https://secure.manchester.gov.uk/news/article/8154/plans_announced_for_22_may_second_anniversary_commemorations

* Manchester Peterloo Festival, June - August 2019

On 16th August 1819, 60,000 people gathered on what was then known as St Peter's Field in Manchester to peacefully demand the reform of parliamentary representation. When troops, including local government forces, charged the crowds, the tragic result saw 18 people lose their lives and around 700 injured. This was to become known as the 'Peterloo Massacre'. In Manchester, and further afield, 'Peterloo' symbolises public protest, the struggle for democracy, and the fight against political repression, at a time when such was the need for economic, social and political reform that ordinary people in numbers never seen before took to the streets.

With the 200th anniversary of this pivotal event in the history of Manchester, a major festival of events to consider the implications of Peterloo to the present day is being held in Manchester and across Greater Manchester from early June to August. The festival will culminate with a special 200th anniversary event where large numbers of people will walk from across the county to the location of Peterloo and be present at the unveiling of an official memorial to the incident, which has been developed by Turner Prize winning artist Jeremy Deller. The festival includes exhibitions, workshops, talks, music and dramatic performance. As a Vice President of Mayors for Peace, Manchester welcomes you to these festivities.

<Report by Sean Morris, UK & Ireland Mayors for Peace Chapter Secretary>

▼ For further details of the Peterloo festival:

<https://manchesterhistories.co.uk/projects/peterloo2019>

< Montréal, Canada >

Organizing a UNESCO round table on "Improving How We Live Together in Cities" in Paris

Celebrating the International Day of Living Together in Peace (16 May), proclaimed by the United Nations in 2017, the International Observatory of Mayors on Living Together — an initiative by the City of Montréal — organized a round table on "Improving How we Live Together in Cities" at the UNESCO Headquarters in Paris, France, in cooperation with the Delegation of Canada to UNESCO and the Permanent Delegation of Algeria to UNESCO with the participation of local actors and members of civil society.

This celebration was an opportunity to mobilize efforts of the international community to make efforts in favor of peace, tolerance, inclusion, mutual comprehension and solidarity and to express a profound desire to live and to act together, unified in difference and in diversity in order to build a sustainable world based on peace, solidarity and harmony.



Round table on "Improving How We Live Together in Cities" (Photo: The City of Montréal)

The round table highlighted initiatives led by different social actors involved in the promotion of living together through their networks and was an occasion to share experiences and lessons learnt. This round table also contributed to the preparation for [the 2nd Mayors Summit on Living Together](#) that will take place in Düsseldorf (Germany) in August– September 2019.

▼ Round table on "Improving How We Live Together in Cities"(The UNESCO website):

(English) <https://en.unesco.org/events/round-table-improving-how-we-live-together-cities>

(French) <https://fr.unesco.org/events/table-ronde-mieux-vivre-ensemble-villes>

< Report from the City of Montréal, an Executive City of Mayors for Peace and the Lead City of the Canadian Chapter >

■“Peace News from Hiroshima”

(Provided by the Hiroshima Peace Media Center of the CHUGOKU SHIMBUN)

The third Preparatory Committee for the 2020 Nuclear Non-Proliferation Treaty (NPT) Review Conference closed on May 10. During this session at the United Nations headquarters in New York, which opened on April 29, the state parties to the treaty discussed the three pillars of the NPT: nuclear disarmament, nuclear non-proliferation, and the peaceful use of nuclear energy. However, due to confrontations between the nuclear weapon states and the non-nuclear nations, the participants failed to adopt the draft recommendations by consensus.

Malaysian Ambassador Syed Mohamad Hasrin Aidid, the chair of the session, issued recommendations on 67 items in five fields, including nuclear disarmament. The document is treated as a working paper, which will be forwarded to the 2020 Preparatory Committee or the Review Conference. Mr. Syed said that working papers did not have the same authority as consensus recommendations, but that he hopes the working paper can serve as a basis for discussions at the Review Conference.

The nuclear-armed states and non-nuclear nations expressed dissenting views on nuclear disarmament during this Preparatory Committee session. Article 6 of the NPT stipulates that state parties have an obligation to make efforts for nuclear abolition, but the non-nuclear states are dissatisfied with the actions of the nuclear weapon states, saying that there has been some progress in the fields of non-proliferation and the peaceful use of nuclear energy, yet there is a long way to go with respect to nuclear disarmament.

There were also differing opinions concerning the Treaty on the Prohibition of Nuclear Weapons. Many of the non-nuclear states expressed their support for the treaty, but the nuclear weapon states continually voiced criticism, saying that the treaty could weaken the NPT regime. Next year is the 50th anniversary year of the NPT entering into force. How can the effectiveness of the treaty be maintained? Serious challenges remain prior to next year's Review Conference.

Please visit the Hiroshima Peace Media Center website and see the following peace-related articles.

- Nihon Hidankyo members call on Disarmament Ambassador of Japan to sign and ratify nuclear weapons ban treaty
<http://www.hiroshimapeacemedia.jp/?p=91068>

- Nihon Hidankyo's assistant secretary general submits signatures calling for nuclear abolition to NPT Preparatory Committee
<http://www.hiroshimapeacemedia.jp/?p=91070>

- Nations at odds over draft recommendations at NPT Preparatory Committee
<http://www.hiroshimapeacemedia.jp/?p=91065>

- Third session of Preparatory Committee for 2020 NPT Review Conference opens in New York
<http://www.hiroshimapeacemedia.jp/?p=90993>

- ZERO Project exhibition held in New York to appeal for a world without nuclear weapons through art
<http://www.hiroshimapeacemedia.jp/?p=91014&query=zero>

- Renovated main building of Hiroshima Peace Memorial Museum receives favorable response from visitors
<http://www.hiroshimapeacemedia.jp/?p=91005>

■Request for Payment of the 2019 Mayors for Peace Membership Fee

In order to facilitate future activities and strengthen the sense of solidarity amongst member cities, Mayors for Peace introduced an annual Membership Fee in 2015.

This year again, we ask each member city to pay a Fee of 2,000 Japanese yen (about 19 USD/16 Euro as of March 19, 2019) per city. If your city has not paid their Membership Fee in previous years, we ask your city to pay the total amount owed for each unpaid year since 2015. The collected Membership Fees will be allocated toward new and existing projects listed on the Mayors for Peace Action Plan 2017-2020.

A request for payment of the 2019 membership fee was sent to each city by email on April 1. We deeply appreciate your kind cooperation.

▼Request for the 2019 Mayors for Peace Membership Fee (The Mayors for Peace website):

http://www.mayorsforpeace.org/english/outlines/membership_fee.html

■Call for Input: Examples of initiatives to foster peace-seeking spirit

The Mayors for Peace Secretariat has been seeking examples of peace education initiatives conducted by any organization (city hall/school/NGO, etc.) in Mayors for Peace member cities that are conducive to raising peace-seeking spirit among future generations. The Mayors for Peace Secretariat accepts reports on a rolling basis, so please send your report whenever your project is completed. The submitted reports will be posted on our website and in the Mayors for Peace News Flash as a source of information for other member cities that are planning to launch their own peace education program.

▼Call for Input on the Mayors for Peace website:

<http://www.mayorsforpeace.org/english/ecbn/projects.html#section10>

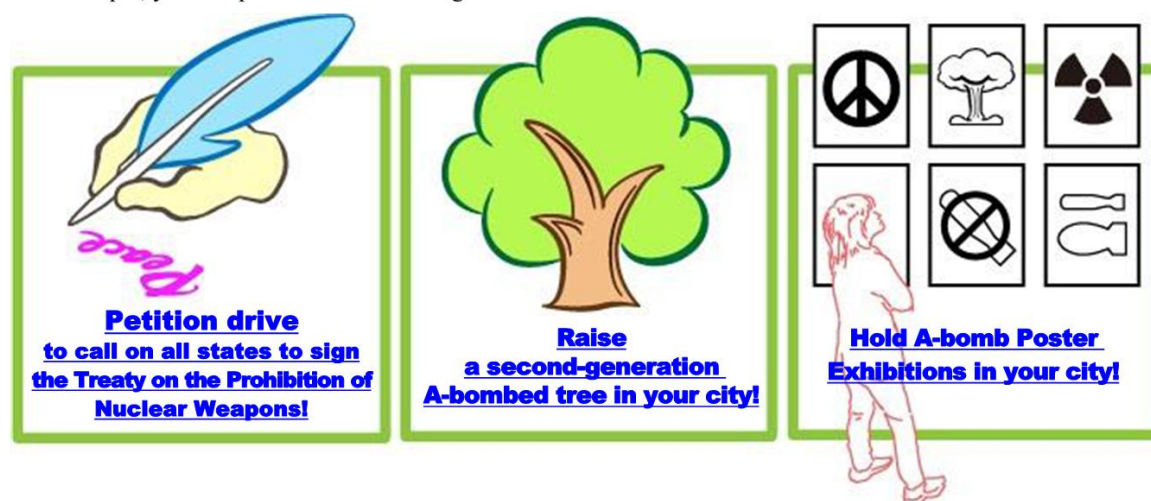
■Request to Promote Various Measures Based on the Mayors for Peace Action Plan (2017-2020)

At the 9th General Conference of Mayors for Peace held in Nagasaki in August 2017, we decided our Action Plan for up to the year 2020, aiming for lasting world peace. Together, we hope to make significant strides toward realizing this goal. Please promote all appropriate measures based on the Action Plan within your own municipality or regional group.

▼Mayors for Peace Action Plan (2017-2020):

http://www.mayorsforpeace.org/english/report/meeting/data/9th_meeting/Action_Plan_2017-2020_E.pdf

For example, you can promote the following measures:



■Mayors for Peace Collaboration with “The Hibakusha Appeal” Signature Campaign

Based on the Action Plan decided at the 9th General Conference in August 2017, Mayors for Peace is promoting a petition drive urging the nuclear-armed states and their allies to participate in the Treaty on the Prohibition of Nuclear Weapons. It was also decided that in doing so, Mayors for Peace would collaborate with “The Hibakusha

Appeal”, a signature campaign launched by the hibakusha of Hiroshima and Nagasaki. The Mayors for Peace Secretariat will compile the number of signatures collected and present it to affiliates of the United Nations.

▼For more information about “The Hibakusha Appeal”:



■Last Month's Visitor to the President of Mayors for Peace

President Kazumi Matsui welcomed the following visitor last month and asked him to support the activities of Mayors for Peace and cooperate on membership expansion.

*April 19 - H.E. Sanjay Kumar Verma, Ambassador Extraordinary and Plenipotentiary of India to Japan

■Mayors for Peace Member Cities - 7,756 Cities in 163 Countries/Regions

Thanks to your invaluable support, on May 1, we gained 12 new member cities, bringing the total membership to 7,756.

From Spain we welcomed two cities: Bilbao and Redondela. When Mayor Matsui visited Spain in April 2018, he asked the Vice President of Biscay Province to help in expanding the membership of Mayors for Peace in Spain. Thanks to his invitation, Bilbao has joined Mayors for Peace. Redondela joined Mayors for Peace thanks to the encouragement of an elementary school, which learned about Mayors for Peace through interacting with a Peace NGO in Argentina. From Australia, we welcomed Shire of Augusta Margaret River, which came to learn about Mayors for Peace through ICAN Australia at a local event called “Peace Weekend”. From Poland, we welcomed the City of Zabrze thanks to the invitation from Zabrze’s German sister city Essen. From Germany, 6 cities joined thanks to the continued efforts of Hannover, a Vice President and Lead City of the German Chapter of Mayors for Peace. We also welcomed two cities from Norway; Hamar and Stange.

We encourage further initiatives to promote membership and can provide support from Hiroshima as needed. Please continue inviting mayors who are not yet members to join Mayors for Peace.

▼List of New Members (PDF):

http://www.mayorsforpeace.org/data/pdf/03_newmembers/2019/newmembers1905_en.pdf

▼Map of Member Cities:

<http://www.mayorsforpeace.org/english/membercity/map.html>

If you have any comments or questions, please contact us at:

Mayors for Peace Secretariat

1-5 Nakajima-cho, Naka-ku, Hiroshima 730-0811 Japan

Tel: +81-82-242-7821 Fax: +81-82-242-7452

Email: mayorcon@pcf.city.hiroshima.jp

OUR REFERENCE NUMBER: A446571



17 May 2019

Ms Pauline Koritsa
General Manager Business and Community Services
City of West Torrens

By email:

Dear Ms Koritsa

Re Reporting Directions and Public Interest Disclosure Guidelines for Consultation

I refer to your letter dated 3 April 2019 and thank you for your comments in relation to the draft Reporting Directions and Public Interest Disclosure Guidelines (**the draft publication**).

I have considered all of your comments. I thought it might be of assistance to offer the following in response to some of the matters raised in your letter.

Part One of the draft publication has been removed. Part One was intended to replace the existing Directions and Guidelines that the Commissioner has made under s 20 of the *Independent Commissioner Against Corruption Act 2012* (SA) (**the ICAC Act**). After considering the comments we have received on the draft publication it is apparent that combining the Directions and Guidelines under s 20 of the ICAC Act with the Guidelines under the *Public Interest Disclosure Act 2018* (SA) (**the PID Act**) is likely to cause confusion.

Part Two of the draft publication does not purport to be a manual of instruction nor a comprehensive guide of the PID Act. Reading Part Two of the draft publication is not a substitute for reading the PID Act. Moreover the Guidelines cannot supplant the PID Act.

The Attorney-General's Department is responsible for delivering an education program in respect of the PID Act. In due course that Department will release further information of relevance to the PID Act and its operation.

At paragraph 2.2 of your letter you state that 'Part 1 of the Guidelines states if "there is a serious risk of harm ..."' and that '[t]his only relates to the definition of environment and health information' and the 'definition of public administration information does not require risk to be considered'.

I advise that the phrase has been amended to 'imminent risk of serious physical harm or death'.

In the context of paragraph (1) of Guideline One, it matters not whether the content of the public interest disclosure relates to environment and health information or public administration information. So long as

PAGE 1 OF 2

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WWW.ICAC.SA.GOV.AU

the content of the disclosure suggests that there is an imminent risk of serious physical harm or death (which could arise from either environment, health or public administration information), the recipient should take appropriate action to address the risk.

Paragraphs 4 and 5(d) of Guideline One have been amended for clarity.

Paragraph 5(e) of Guideline One has been amended to make clear that if the recipient determines that no action is to be taken the recipient is still required to notify the OPI.

Paragraph 1(a) of Guideline Three contains two paragraphs which are to be read together.

At paragraph 3.7 you suggest there should be more clarity about the application of the Guidelines where a member of the public makes a disclosure of public administration information. A member of the public who is not a public officer and who makes a disclosure of public administration information is not eligible for the protections provided by the PID Act. Therefore the Guidelines cannot make any provision for such persons.

We have recommended to the Government that s 12(4) of the PID Act be amended to include local councils.

I enclose a copy of the updated draft PID Guidelines which is also available on our website at www.icac.sa.gov.au. I envisage this version of the guidelines will come into effect when the PID Act commences on 1 July 2019.

I thank you again for your comments on the draft publication.

Yours faithfully



Michael Riches
Acting Independent Commissioner Against Corruption



AMAC *Australian Mayoral Aviation Council*

PO BOX 21, ROCKDALE, NSW 2216

MINUTES OF A MEETING OF THE EXECUTIVE COMMITTEE OF THE AUSTRALIAN MAYORAL AVIATION COUNCIL, HELD IN THE BOLTE 2 BOARDROOM, FOUR POINTS BY SHERATON HOTEL, DOCKLANDS DRIVE, MELBOURNE AT 4.00PM ON WEDNESDAY 1ST MAY 2019.

ITEM 1 Welcome to Delegates.

As Vice President, Mayor Phil Marks advised his arrival was delayed the Committee elected Mayor Michael Coxon as Acting Chair who then opened the meeting and extended a welcome to all present.

ITEM 2 Attendance and Apologies

The following were in attendance:

Mayor Michael Coxon SA
Councillor Jack Medcraft, VIC
Mayor Khal Asfour, NSW
Councillor Michael Polley AM TAS
Mayor Phil Marks Vice President WA (From Item 12)
John Patterson Executive Director, AMAC

An apology was tendered and accepted from:

Ron Hoenig MP, Past President NSW

ITEM 3 Confirmation of the Minutes of the Executive Committee meeting held at the Travelodge Hotel, Hobart Airport on Saturday 2nd February 2019.

RESOLVED

THAT: The Minutes, as circulated, be confirmed.

ITEM 4 Business arising from the Minutes

Noted that any ongoing matters are covered in reports contained in the agenda.

ITEM 5 National Drone Registration and Accreditation Scheme

RESOLVED

THAT: The advice be received and noted.

ITEM 6 Rate Equivalent Payments - Tasmania

Councillor Polley confirmed that there had been a preliminary hearing on the 27th February at which the Commonwealth tabled an 8000 page submission.

The Executive Director confirmed advice had been received that a hearing date has been set for 22nd July with 5 days allocated for the hearing.

RESOLVED

THAT: The information be received and noted and the Executive Director continue to monitor developments with a view to updating the Committee members as the matter progresses.

ITEM 7 Airservices Activities

RESOLVED

THAT: The information be received and noted.

ITEM 8 Airport Activities

With regard to Adelaide Airport, Mayor Coxon advised of evidence presented at a Senate Committee hearing regarding Airservices proposal to reduce fire fighting personnel on duty in curfew hours such that fire services during that period will become a reactive, rather than a proactive resource.

Mayor Coxon also tabled correspondence from Airservices advising of an intended change to approach procedures in relation to aborted landings on the airport's secondary runway.

Aircraft utilizing on-board Baro-VNAV technology will see the current missed approach point of 450 feet reduced to 400 feet.

Aircraft approaching Runway 12 from the northwest required to make a missed approach will be required to climb to 500 feet before turning resulting in a shift in the aircraft track 400 metres laterally.

The change is to be implemented from July 2019.

RESOLVED

THAT: The information be received and noted.

ITEM 9 Western Sydney Airport

RESOLVED

THAT: The information be received and noted.

ITEM 10 Productivity Commission Submission

RESOLVED

THAT: The report be noted and the submission endorsed.

ITEM 11 Airlines for Australia and New Zealand (A4ANZ)

RESOLVED

THAT: The information be received and noted and that the activities of A4ANZ continue to be monitored..

ITEM 12 Membership Subscriptions, Executive Directors Report, Financial Statements and Draft Budget 2019/2020

Vice-President, Mayor Phil Marks arrived during this item.

RESOLVED

THAT: The Executive Directors Report, 2017/18, 2018/19 and 2019/20 Financials be endorsed for submission to the 2019 Annual General Meeting.

ITEM 13 Election of the Executive Committee for the Period 2019/2020

RESOLVED

THAT: The following nominations be accepted and recommended to the Annual General Meeting:

NSW Mayor Khal Asfour, Canterbury Bankstown Council
SA Mayor Michael Coxon, City of West Torrens
TAS Councillor Michael Polley, Northern Midlands Council
VIC Councillor Jack Medcraft, Hume City Council
WA Mayor Phil Marks, Belmont City Council

ITEM 14 Election of the President and Vice President for the Period 2019/2020

Mayor Phil Marks and Mayor Michael Coxon were nominated unopposed for the positions of President and Vice President respectively.

RESOLVED

THAT: Mayor Phil Marks and Mayor Michael Coxon be elected unopposed to the Executive positions of President and Vice President respectively for the 2019/20 term.

ITEM 15 Conference Session Chairs

RESOLVED

THAT: The Chairs for the conference sessions be:

Session 1	Mayor Khal Asfour
Session 2	Mayor Phil Marks
Session 3	Councillor Jack Medcraft
Session 4	Nil – attendance at ALAANZ Conference
Session 5	Mayor Michael Coxon
Session 6	Mayor Michael Coxon

ITEM 16 Conference Venue and dates 2020

RESOLVED

THAT: The 2020 Conference and Annual General Meeting be scheduled for Sydney on the 7th and 8th May 2020.**ITEM 17 TAAAF Update**

RESOLVED

THAT: The information be received and noted.

ITEM 18 Recognition of Service

The Executive Director advised that, while he had intended to be at the conference dinner to make service recognition presentations, Foundation President, Ron Hoenig was unable to be in attendance for health reasons.

RESOLVED

THAT: The advice be received and that the Committee place on record its appreciation for the service and contributions made by Jock Campbell, John Trainer and Paul Tully as members of AMAC's Executive Committee and as long serving representatives of their communities.

ITEM 19 Conference Session Information

RESOLVED

THAT: The information be received and noted and that Committee members ensure delegates meet the set arrival and departure timetable.

ITEM 20 Upcoming Executive Committee Meetings

RESOLVED

THAT: Committee members note that the next meeting of the Committee is set for 12.45pm Saturday 14th September at the Parkroyal Hotel, Melbourne Airport.

FURTHER

THAT: The date for the first meeting in 2020 be set as Saturday 8th February.

AND

THAT: The Executive Director establish whether a suitable fly in/fly out timetable will allow the February meeting to be convened at the Atura Adelaide Airport Hotel. If not then the meeting be again scheduled at the Parkroyal Hotel, Melbourne Airport.

ITEM 21 General Business

No items of General Business where presented.

CLOSE: The meeting closed at 6.10pm.

Office of The Mayor



17 May 2019

Mayor Michael Coxon
City of West Torrens,
165 Sir Donald Bradman Drive
Hilton SA 5033
Australia

Dear Mayor Michael Coxon

I am writing to thank you for your message of condolences in the wake of the atrocity that struck at the heart of Christchurch's Muslim communities in their time of prayer on March 15 this year. This act of terror was inspired by a hatred that I and my fellow councillors cannot begin to comprehend.

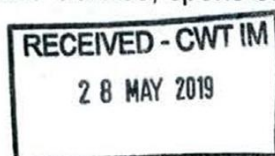
The response locally, nationally and internationally, on the other hand, has been inspired by love, compassion and kindness, and from our local Muslim brothers and sisters we have heard of the infinite capacity for forgiveness, which was so eloquently expressed at the National Remembrance Service by Farid Ahmed, whose wife was killed at Al Noor Mosque.

"I don't want to have a heart that is boiling like a volcano. A volcano has anger, fury, rage, it doesn't have peace. It has hatred, it burns itself within, and it burns the surrounding. I don't want to have a heart like this and I believe no one does. I want a heart that is full of love and care and full of mercy, and will forgive lavishly, because this heart doesn't want any more life to be lost. This heart doesn't like that the pain I have gone through, that any human being should go through. That's why I have chosen peace, love and I have forgiven."

An act that was designed to divide us has united us as a city and as a nation. And the message has gone out around the world that this is how to respond to terrorism - not with retribution, but with generosity of mind and spirit, as we build bridges across cities and across the world.

As Imam Gamal Fouda, stated at the Call to Prayer a week after the attack: "We are broken-hearted, but we are not broken. We are alive, we are together, we are determined to not let anyone divide us. To the families of the victims your loved ones did not die in vain, their blood has watered the seeds of hope. Through them the world sees the beauty of Islam and the beauty of our unity."

New Zealand's Prime Minister Jacinda Adern, who also spoke at the National Remembrance Service, spoke of how we had all felt lost for words in the wake of the attack.



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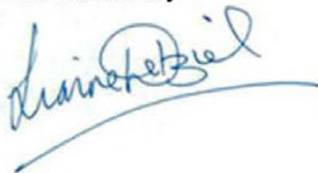
She said: "What words adequately express the pain and suffering of 50 men, women and children lost, and so many injured? What words capture the anguish of our Muslim community being the target of hatred and violence? What words express the grief of a city that has already known so much pain? I thought there were none. And then I came here and was met with this simple greeting. Asalamu Aleykum. Peace be upon you. ...even when we had no words, we still heard yours, and they have left us humbled and they have left us united".

And as a city, we have chosen not to be defined by what happened on that day, but rather all the goodness that it has inspired, and the knowledge that we can all make a difference.

All the messages we have received, especially those that have come from places that have known our pain, have helped to uplift our Muslim communities and our city as a whole. We stand in solidarity with you in our condemnation of terrorism. We stand with you in support of human rights. And we reject all actions that engender hatred, violence and division. We now know where that can lead.

Thank you once more for your message and for the commitment to being the change we all want to see in the world.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Lianne Dalziel', with a long horizontal flourish extending to the right.

Lianne Dalziel
MAYOR

22 CONFIDENTIAL

22.1 Sale of Property for the Non Payment of Rates

Reason for Confidentiality

The Council is satisfied that, pursuant to Section 90(3)(a) and (i) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this agenda item is:

- (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

because this report recommends that Council issues an order, in accordance with Section 184 of the Local Government Act 1999 which provides the ability for Council to sell property when the rates due on the property have been in arrears for three years or more, to sell property which meets this criteria and, to assist Council to determine whether to issue an order in this instance, the report contains information which would, if dealt with in public, result in the unreasonable disclosure of the personal affairs of the ratepayers named within that report.

- (i) information relating to actual litigation, or litigation that the Council or Council committee believes on reasonable grounds will take place, involving the council or an employee of the Council.

because there is a possibility that the issuing of the order will result in litigation involving the Council and as such the release of this information could prejudice Council's position.

RECOMMENDATION

It is recommended to Council that:

1. Pursuant to Section 90(2) of the *Local Government Act 1999*, Council orders, that the public, with the exception of the Chief Executive Officer, members of the Executive and Management Teams in attendance at the meeting, and meeting secretariat staff, be excluded from attendance at so much of the meeting as is necessary to receive, discuss and consider in confidence, information contained within the confidential report Item 21.1 Sale of Property for the Non Payment of Rates , attachments and any associated documentation submitted by the Chief Executive Officer, specifically on the basis of the provisions of Section 90(3)(a) and (i) because the report involves personal affairs of the ratepayers named in the report and Council litigation.
2. At the completion of the confidential session the meeting be re-opened to the public.

23 MEETING CLOSE

INDEX

1	Meeting Opened	1
2	Present	1
3	Apologies	1
4	Disclosure Statements	1
5	Confirmation of Minutes.....	1
6	Communications by the Chairperson.....	1
7	Questions with Notice	1
	Nil	
8	Questions without Notice.....	1
9	Motions with Notice	1
	Nil	
10	Motions without Notice.....	1
11	City Services and Amenity Reports.....	2
11.1	Jubilee Park Reserve, Glandore - Amazone Tower	2
11.2	E-Scooter Trial and LGA Submission	24
11.3	Urban Services Activities Report	94
11.4	Community Services Activities Report - May 2019	120
12	Meeting Close	126

1 MEETING OPENED**2 PRESENT****3 APOLOGIES****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 Services and Amenity Standing Committee held on 7 May 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 SERVICES AND AMENITY REPORTS

11.1 Jubilee Park Reserve, Glandore - Amazone Tower

Brief

This report provides a summary of the actions taken to date and seeks Council's guidance on the Amazone Tower playground installed at Jubilee Park Reserve, Glandore.

RECOMMENDATION

The Committee recommends to Council that at Jubilee Park Reserve, Glandore:

- 1) The Amazone Tower is retained in the current location and no further action be taken.

Or

- 2) The Amazone Tower is retained, improvements are made to the vegetation including additional plantings to provide natural screening with the neighbouring property and shade structures proposed within this report are installed in order to provide appropriate screening with the neighbouring property.

Or

- 3) Consultation with adjoining residents of the Reserve be undertaken relating to the proposed new location of the Amazone Tower and subject to no adverse feedback being received, the Amazone Tower be relocated within Jubilee Park Reserve once appropriate funding in the order of \$35,000 is approved at the next available budget review. Further, should any adverse feedback be received, a further report will be presented to Council to seek direction on the next steps to be undertaken for the Amazone Tower.

Introduction

At its meeting held on 15 January 2019, Council was provided a summary of options available for consideration regarding the Amazone Tower (*Tower*):

- **Option One:** Retain the Tower and no further action to be taken;
- **Option Two:** Retain the Tower and improve the vegetation including additional plantings to provide natural screening with the neighbouring property;
- **Option Three:** Retain the Tower, improve the vegetation as with Option Two, and install the shade structures proposed within this report in order to provide appropriate screening with the neighbouring property;
- **Option Four:** Remove the Tower and relocate to Mellor Park Reserve, Lockleys and install suitable play equipment at Jubilee Park as detailed within this report.

The Council Agenda Report of 15 January 2019 is included for further reference (**Attachment 1**).

At this meeting, Council resolved the following:

"That the consideration of this matter be deferred to allow for further negotiations between the Administration, the residents (Mr and Mrs Benson) and the two Ward Councillors (Cr John Woodward and Cr Elisabeth Papanikolaou)".

Background

In April 2018, an upgrade of the playground at Jubilee Park Glandore commenced and part-way through the upgrade, Keswick Ward Councillors received an email from Mr and Mrs Benson outlining a number of concerns with the Amazone Tower regarding their privacy due to the Tower being located adjacent their property.

In July 2018, contractors remediated the Tower in order to ensure that there was no potential of overlooking into the Benson's premises from inside the Tower. Vents within the Tower were removed and replaced with block-out fixtures. Mr and Mrs Benson were not satisfied and the Administration continued to investigate further screening options.

At the Council meeting held on 7 August 2018, Cr John Woodward moved the following motion which was declared lost:

"That the 5.4m tower recently installed in Jubilee Park is relocated to another park in West Torrens that has funding approved as part of the 2018/19 Budget and Business Plan; and is replaced with height appropriate play equipment that protects the privacy of surrounding residents, and takes account of the feedback received from the community about options for new equipment at the Park."

At its meeting held on 21 August 2018, following a deputation from Mr and Mrs Benson in relation to the Tower, Council resolved the following:

"That Council provide a report into the options and actual cost to relocate the Amazone Tower at Jubilee Park to another budgeted park upgrade and replace the equipment with something more height appropriate. Options to replace the Tower would take account of the close proximity of houses to the boundary of Jubilee Park and ensure resident privacy was not impacted."

This report was presented to Council at its meeting of 15 January 2019 (**Attachment 1**).

Discussion

Following Council's meeting on the 15 January 2019, the Administration scheduled a site meeting with Mr and Mrs Benson on 31 January 2019. In attendance were Mr and Mrs Benson, Mayor Coxon, Cr Woodward, Cr Papanikolaou, Council's Chief Executive Officer and Council staff.

As a result of this site meeting, it was agreed for the Administration to propose a relocation of the Tower to another suitable location within the Reserve, to minimise the impacts of the Tower's height on Mr and Mrs Benson's property.

Investigations undertaken by the Administration proposes a new location of the Tower in the northern area of the Park (**Attachment 2**). This new location for the Tower allows the use of existing established vegetation within the Park (located in the general north-eastern direction of the proposed Tower location), to provide some screening to/from the Tower by nearby residents. This vegetated area also provides an opportunity for additional expansion of the vegetation by new plantings if it is deemed to be necessary in the future. Other locations have been considered but are unsuitable due to space taken by the Tower and the overall effect on the open area/space of the park.

The cost of the relocation of the Tower is \$28,400 (plus GST) and would require the closure of the park for approximately two weeks to undertake these works. It is also proposed to install selected toddler play equipment (i.e. rockers, springers, rotating etc.) within the play space area to be left vacant if the Tower is relocated. The expected costs of the proposed toddler play equipment is approx. \$5,000 - \$8,000. Arrangements can be made to install the additional toddler play equipment at the same time as the proposed relocation works of the Tower. It is proposed by the Administration to fund this additional expenditure from Council's Capital Works program at the next available budget review.

The Administration has not undertaken any further consultation or notification of the proposed new location of the Tower with nearby/adjoining residents or users of the park however, would consider it necessary prior to any new works commencing in the park. The Administration proposes to undertake consultation with adjoining residents of the park (approx. 19 households only) and if no adverse feedback is received, the project will proceed should Option 3 of the recommendation be approved. If adverse feedback is received by the Administration, a further report will be presented to Council to seek advice on the next steps to be undertaken for the Tower.

Conclusion

At its meeting held on 15 January 2019, Council was provided a summary of options available for consideration regarding the Amazone Tower (*Tower*). At this meeting, Council resolved to defer this matter until further negotiations could occur between the residents and Council.

As these negotiations have now occurred, the Administration proposes a new location of the Tower within the Park, as detailed within this report, and now seeks guidance from Council on how to proceed with the next steps at Jubilee Park Reserve, Glandore.

The available options to Council relating to the Tower including costs can be summarised as:

1. The Tower is retained in the current location and no further action taken - nil cost.
2. The Tower is retained in the current location and improvements are made to the vegetation including additional plantings to provide natural screening with the neighbouring property - \$5,000.
3. The Tower is retained in the current location, improvements are made to the vegetation (as per option 2 above) and shade structures over the play equipment are installed (as planned at a cost of \$43,900) with the addition of a side shade screen to provide additional screening to the neighbouring property - \$5,000 for vegetation (as per option 2) and \$11,100 for additional side shade screen making total of \$16,100.
4. The Tower is relocated within Jubilee Park (as per recommendation (3) of this agenda report) - \$35,000 total with \$28,400 to relocate the Tower and circa \$6,600 for other works and equipment.
5. The Tower is relocated to another playground site within CWT - \$38,200 total with \$15,576 to dismantle the Tower and \$22,632 to reinstall it elsewhere.

Attachments

1. **15 January 2019 - Council Agenda Report Item 14.14 - Jubilee Park Reserve, Glandore - Amazone Tower**
2. **Proposed New Location of Amazone Tower**

14.14 Jubilee Park Reserve, Glandore - Amazone Tower

Brief

This report provides a summary of a complaint received and subsequent action taken regarding the playground Amazone Tower installed at Jubilee Park Reserve, Glandore.

RECOMMENDATION

It is recommended to Council that at Jubilee Park, Glandore:

- 1) The Amazone Tower is retained and no further action be taken.

Or

- 2) The Amazone Tower is retained and improvements are made to the vegetation including additional plantings to provide natural screening with the neighbouring property.

Or

- 3) The Amazone Tower is retained, improvements are made to the vegetation as with Option Two, and shade structures proposed within this report are installed in order to provide appropriate screening with the neighbouring property.

Or

- 4) The Amazone Tower is removed and relocated to Mellor Park Reserve, Lockleys and suitable play equipment is re-installed at Jubilee Park as detailed within this report.

Introduction

Council at its meeting held 21 August 2018 resolved as follows:

"That Council provide a report into the options and actual cost to relocate the Amazone Tower at Jubilee Park to another budgeted park upgrade and replace the equipment with something more height appropriate. Options to replace the Tower would take account of the close proximity of houses to the boundary of Jubilee Park and ensure resident privacy was not impacted."

This report presents options and costs relating to the above matter for Council's consideration.

Background

The City of West Torrens currently manages approximately 170 hectares of community land classified as open space and provides over 60 playgrounds for community use. These playgrounds are dispersed across the City. Each year a number of playgrounds are replaced and upgraded using the allocated budget from the Capital Works Program.

The scheduled timing, budgeting and necessity to replace the playgrounds is driven by Council's *Recreation and Open Space Asset Management Plan* (the Asset Management Plan). The Asset Management Plan is developed from information collected from inspections, audits and condition assessments of the assets. The Asset Management Plan identified that the existing playground located at Jubilee Park Reserve - Wellington Street, Glandore (**Attachment 1**) was scheduled for replacement during 2018.

Jubilee Park is identified within Council's *Open Space and Public Places Plan* (the Open Space Plan) as Local Open Space. By definition, Local Open Space provides a focus for local residents, and generally services or benefits local neighbourhoods.

When upgrading playgrounds, the initial action is to erect a *Playground Upgrade Notice (Attachment 2)* on site, advising users that the site is nominated for upgrade and seeking feedback on elements to be included in the design. From this notification, any concerns/ideas received from the community are given consideration by the Administration and if requests can be accommodated within the project scope, they are included.

Concurrently, the Administration consults the market for design, supply and installation quotes for the required play spaces for the current financial years' Capital Works Program.

In the case of Jubilee Park playground upgrade for 2018, the aforementioned process of notification was implemented and signs were erected on site from August 2017. Eighteen (18) feedback responses were received from community members.

There were a number of requests for the construction of formal courts (basketball/tennis) on the site (11 respondents). As with any feedback, the Administration consider requests, however they must fit within the scope and size of the playground for the reserve, i.e. a flying fox requires substantial clearance and a tennis or basketball court would require the removal of a large portion of greenspace and would likely irritate neighbours with continual ball bouncing (there are neighbours on all four sides of this reserve), etc.

Further, the Open Space Plan provides guidance to the Administration when considering feedback and the use of open space. The *Local* classification of this park recommends equipment that promotes and enhances child development, and provides children with sensory experiences. The Open Space Plan identifies *District Level* Open Space as the ideal location for more formal recreation and sport infrastructure such as tennis courts/basketball courts.

In this case, feedback was sought solely for a playground upgrade and not a reserve upgrade, and feedback received of a reserve nature will be used in future planning of reserves across the City.

Of the feedback received regarding the playground, approximately one third of respondents requested a slide or a large/tall slide. A summary of feedback received was provided to Keswick Ward Councillors in June 2018.

Following scoping and design work, a letter was sent out to surrounding residents (35 households) advising of the upcoming works program and a plan of the proposed playground was included for reference (**Attachment 3**).

Although measurements were not provided of the Amazone Tower (Tower), an image of young children climbing up the steps of the Tower suggest the structure is of considerable height. It is important to note that although the overall height of the structure is 5.4 metres, the standing platform to access the slide is 3.1 metres high.

Discussion

The project began at the end of April 2018 at Jubilee Park and the upgrade included:

- Monkey bars;
- 2 x swings;
- Climbing hut;
- Jeep play structure;
- Interactive panels
- Amazone Tower with 2 slides.

Part-way through the upgrade, Keswick Ward Councillors received an email on 26 May 2018 from Mr and Mrs Benson (**Attachment 4**) outlining a number of concerns with the upgrade as their property borders the site:

1. The Tower is an eyesore;
2. The Tower is a safety risk; and
3. The Tower compromises their privacy as children can see into their property.

The Administration and Ward Councillors met with the property owner, and subsequently investigated options for shade and screening of the playground. The couple were advised that the structure meets all required safety standards for playgrounds.

In July 2018, contractors remediated the Tower in order to ensure that there is no potential for viewing the Benson's yard from inside the Tower. Vents were removed and replaced with block-out fixtures (**Attachment 5**). Mr and Mrs Benson were not satisfied as they believe children and adults could climb outside the structure and still view their yard. Signage was then installed directing users not to climb on the outside of the structure.

The Tower is located more than 6 metres from Mr and Mrs Benson's boundary fence and 18 metres from the rear of their home (**Attachment 6**). Dense screening plants along the boundary were maintained and expanded with the upgrade (**Attachment 7**). The Benson's concern that the Tower is an 'eyesore' is of a personal opinion and the view from their property of the Tower could be compared to living adjacent to a two-storey dwelling or high fence/pergola. Many similar play structures have been installed at other parks across Adelaide.

Further screening options as part of providing the shade structure for the playground areas have also been investigated by the Administration. The original proposal for the two play spaces at Jubilee Park was to provide two new shade sail structures. Subsequent modifications can be made to one shade sail structure to include a side shade screen in order to provide suitable screening of the Tower to the neighbouring property. The installation of the shade screen with additional new tree plantings along the reserve boundary will screen the play equipment from the neighbouring property (**Attachment 8**). The approximate cost of installing two budgeted shade sail structures over the two play spaces, with an additional side shade screen is \$55,000.

The Administration sought a quotation from the playground supplier for the removal and re-location of the Tower which was provided to Council at its meeting held 21 August 2018:

- Removal: \$15,576
(Does not include removing concrete footing slab which the Tower is bolted to or removal of slide footings. Subsequent investigations and discussions with suppliers by the Administration has confirmed that new suitable play equipment can be chosen to utilise or will not be affected by the existing concrete footings. The concrete footings can remain within the ground.)
- Re-installation within 10km of Jubilee Park: \$22,632
(Includes excavation for new concrete slab, concrete slab and slide footings).

The quotations remains valid to the 30 June 2019.

Playground upgrades currently budgeted for the 2018/2019 financial year are located at Mellor Park, Lockleys and Apex Park Reserve, West Beach. These two sites are currently undergoing wider reserve upgrades and any upgrades to these playgrounds would need to occur following current site works. Mellor Park would provide a suitable location for the Tower to be relocated.

Should the decision be made by Council for the Tower to be relocated to another reserve, additional item(s) of play equipment are required for Jubilee Park. The estimated cost of new play equipment including slide(s) and climbing features would be in the range from \$35,000 to \$50,000. This price includes installation. Suitable play equipment can be chosen for the play space area.

Council at its meeting of 7 August 2018, considered a motion proposing the relocation of the Tower to an alternate location identified in the Playground Upgrade Program for 2018/2019. A vote for the relocation of the Tower was lost. Subsequently, Mr and Mrs Benson provided a Deputation to the 21 August 2018 meeting of Council.

Since the August meeting, the Administration has not received any further correspondence from Mr and Mrs Benson. Two separate emails were received by the Administration during September 2018 from local residents requesting Council screen the neighbour rather than remove the Tower which their children enjoy (**Attachment 9**).

In summary the following options are available for consideration:

- Option One:** Retain the Tower and no further action to be taken.
- Option Two:** Retain the Tower and improve the vegetation including additional plantings to provide natural screening with the neighbouring property.
- Option Three:** Retain the Tower, improve the vegetation as with Option Two, and install the shade structures proposed within this report in order to provide appropriate screening with the neighbouring property.
- Option Four:** Remove the Tower and relocate to Mellor Park Reserve, Lockleys and install suitable play equipment at Jubilee Park as detailed within this report.

Conclusion

Following a planned upgrade to the Jubilee Park, Glandore playground, a complaint was received from one neighbouring property highlighting concerns of safety, privacy and an unsightly structure. Jubilee Park is a local park and its secluded location results in low usage of the site compared to neighbourhood, district or civic defined open space.

The Administration blocked viewing windows from the top standing platform of the Amazone Tower (3.1m high) to eliminate the potential for viewing the neighbouring property from inside the Amazone Tower. Although the Administration cannot stop people from climbing the outside of the structure and viewing the neighbouring yard, a sign has been installed discouraging climbing outside the structure.

Council has previously voted to retain the Amazone Tower and have heard a deputation from the Mr and Mrs Benson. The cost to remove and replace the structure in an alternate site has been quoted as \$15,576 and \$22,632, respectively. Additional costs would also be incurred to install a replacement structure at Jubilee Park, and potential demolition costs of concrete footings if not suitable for the new play equipment.

Two further residents have requested the structure remain in place as their children enjoy the equipment.

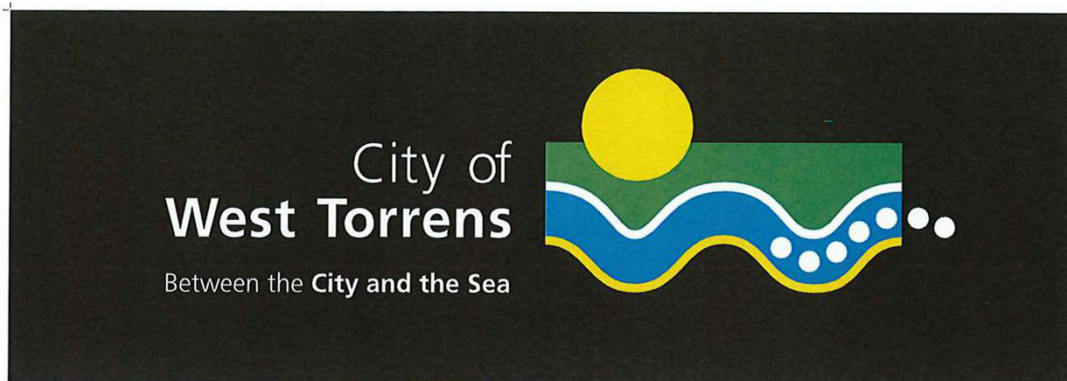
Attachments

1. Jubilee Park Location
2. Playground Upgrade Sign
3. Resident Notification Letter of Works Program and Plan of Proposed Playground
4. Email from Mr and Mrs Benson (26 May 2018)
5. Block-out Fixtures installed
6. Distance between Tower and Mr and Mrs Benson's Property
7. Boundary Vegetation Screening
8. Shade Structure with Screen
9. Supporting Emails Received from Local Residents

**Disclaimer**

The City of West Torrens accepts no liability for any reliance placed on the validity and accuracy of data in this publication. While care and effort has been taken in the presentation of this data it is only to be used for demonstration purposes.





Proposed new playground

The City of West Torrens wishes to advise that a new playground will be installed at this site. Council would like your suggestions on the type of equipment for this playground.

The proposed playground may feature swings, slippery dip, rockers, play deck, flying fox, ladders and soft landing material.

Suggestions are to be sent in writing to the Manager City Works, 165 Sir Donald Bradman Drive, Hilton SA 5033 or email csu@wtcc.sa.gov.au.

westtorrens.sa.gov.au

22 August 2018

Civic Centre
165 Sir Donald Bradman Drive
Hilton, SA 5033
Tel: 08 8416 6333
Email: csu@wtcc.sa.gov.au
SMS: 0429 205 943
Web: westtorrens.sa.gov.au



TO THE RESIDENT

Dear Sir/Madam

Playground upgrade at Jubilee Park, Glandore.

The City of West Torrens, as part of the Capital Works Program is undertaking the replacement of the playground at Jubilee Park, Glandore. The need for the removal and replacement of all the equipment is because the existing playground no longer meets all the requirements of the Australian Standards for playgrounds.

This project includes the removal of the existing playground and the installation of new modern equipment from the playground supplier Proludic. Proludic provides a broad range of different playground equipment for all ages of children and is generally suitable for toddlers to early teenage years. The equipment includes two swings, two springers, Monkey Bars, Climbing Hut, find the shape play panel, jeep with graphic games and a combination playground unit that includes slides and climbing structures. The playground area will also include rubber soft fall safety surfacing. Enclosed is a picture of the playground modules.

On-site works are scheduled to begin on Monday 30 April 2018. The project will take approximately 3 weeks to complete (with an expected completion date in late May 2018). Please note that this timeframe is a guideline only – poor weather conditions or other unexpected occurrences may lead to unforeseen delays.

Should you have any further queries on this matter please do not hesitate to contact Rick Johnston, Coordinator Horticulture Services, on 8416 6333.

Yours sincerely

Peter Richardson
Manager City Operations

Enc Playground concept map
cc Keswick Ward Councillors – Cr Michael Farnden & Cr John Woodward





From: K K & T Benson
Date: 26 May 2018 at 12:00:14 pm ACST
To: "jwoodward@wtcc.sa.gov.au" <jwoodward@wtcc.sa.gov.au>
Subject: Jubilee Park - Wellington St, Glandore - New Structure

John,

as you would be aware, the play equipment at Jubilee Park is undergoing an upgrade. We live next door to the park and are supportive of the upgrade.

The upgrade is part way through construction.

This morning, we were in our backyard and saw part of the upgrade of the adventure tower. (see attached photos).

We believe that this structure is aesthetically very poor and gross invasion of our privacy. The WTCC letter dated April 23, 2018 is misleading in that it didn't disclose the height of the Adventure Tower.

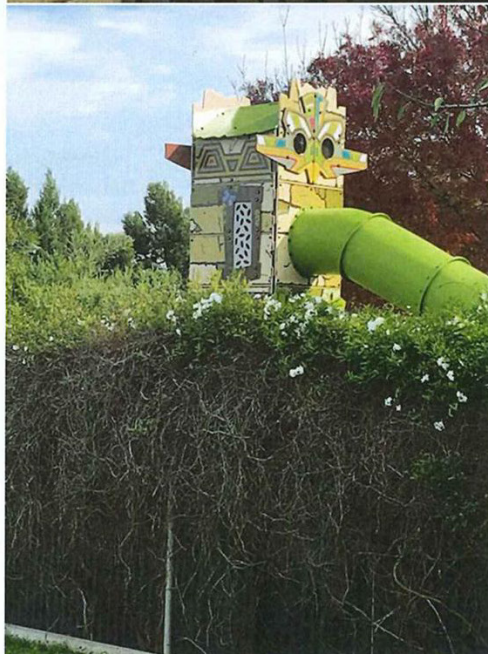
Please note that the previous slide structure was not visible from our backyard.

Please review and advise your thoughts.

Best Regards

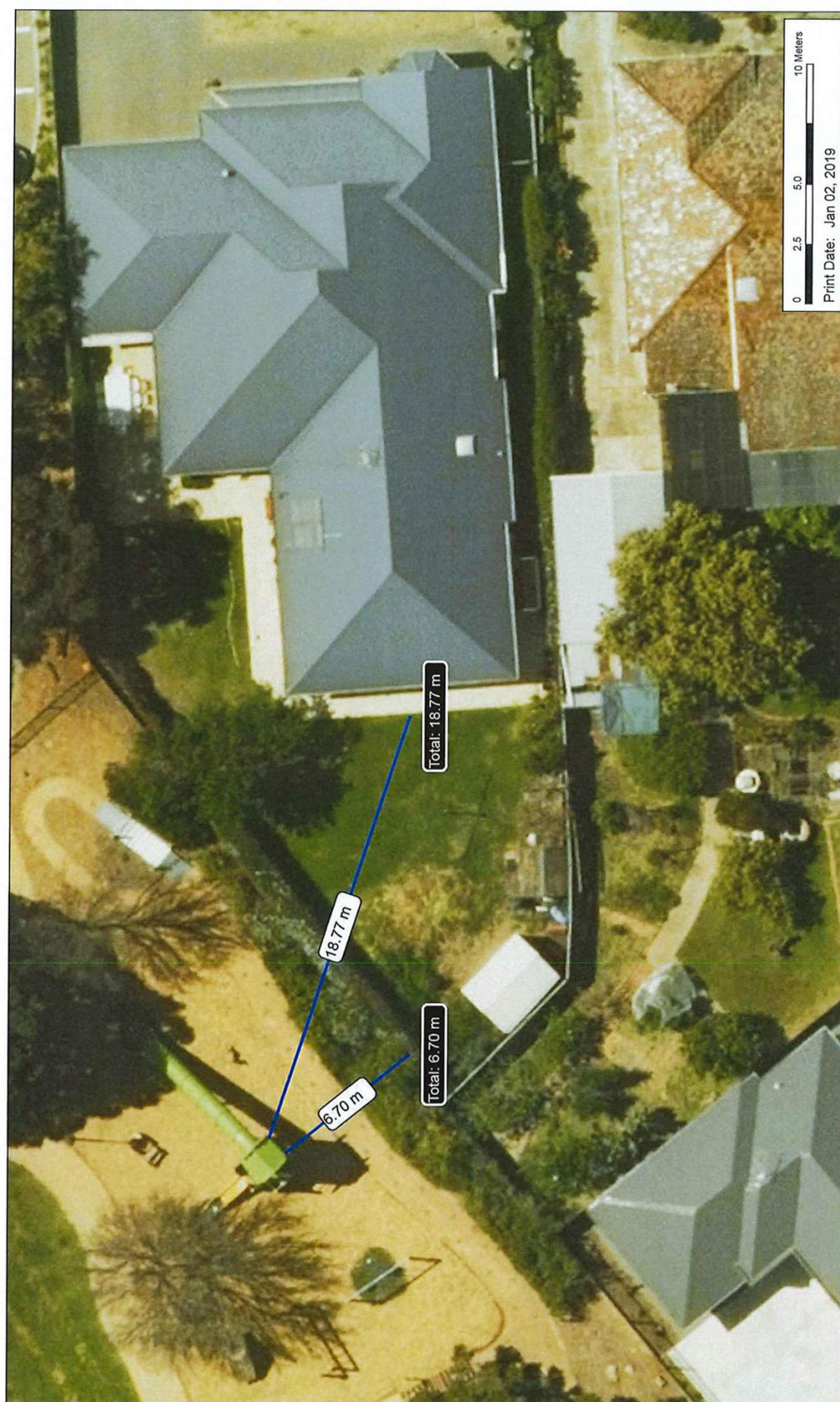
Kevin and Kath Benson

cc Michael Farnden







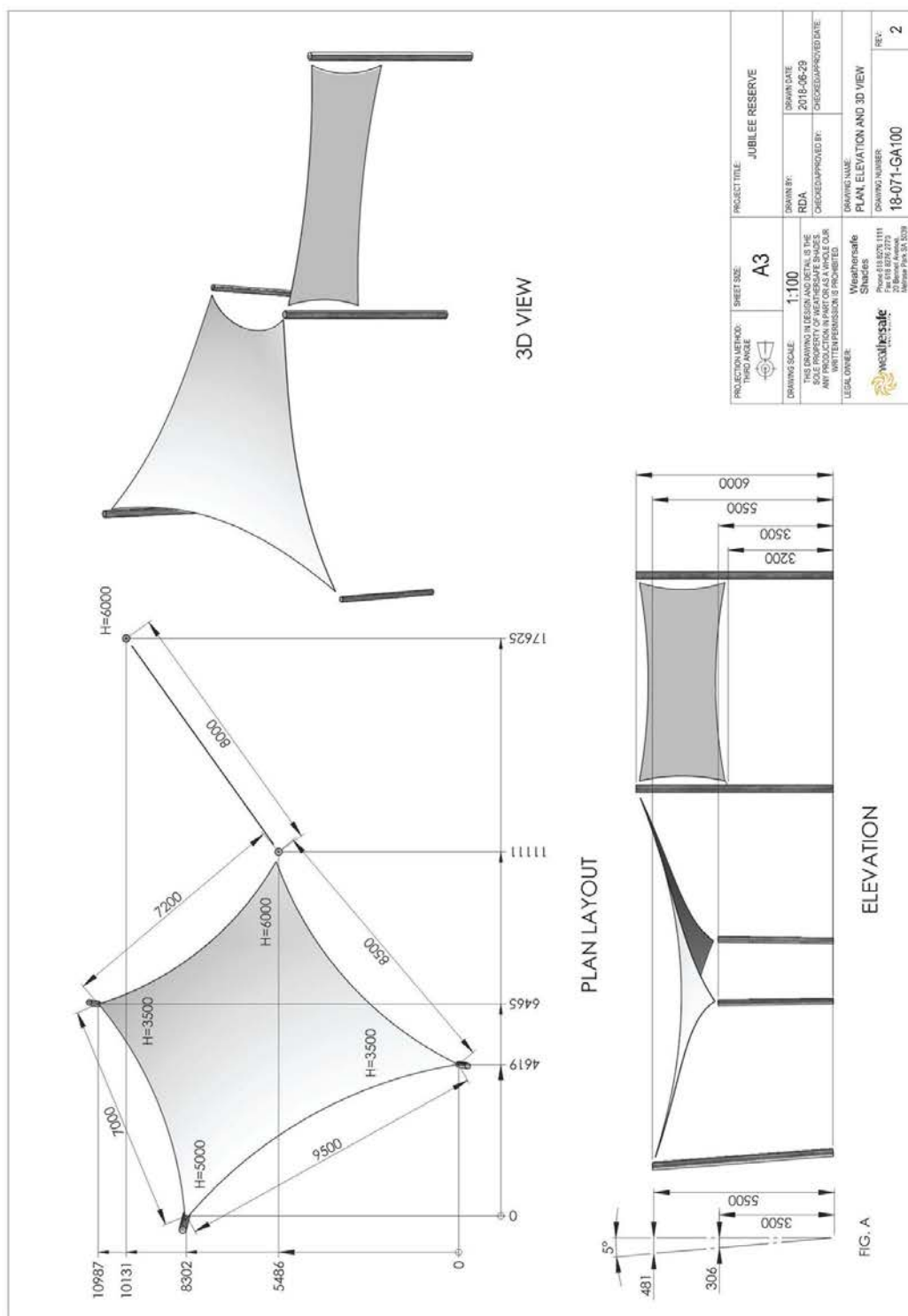


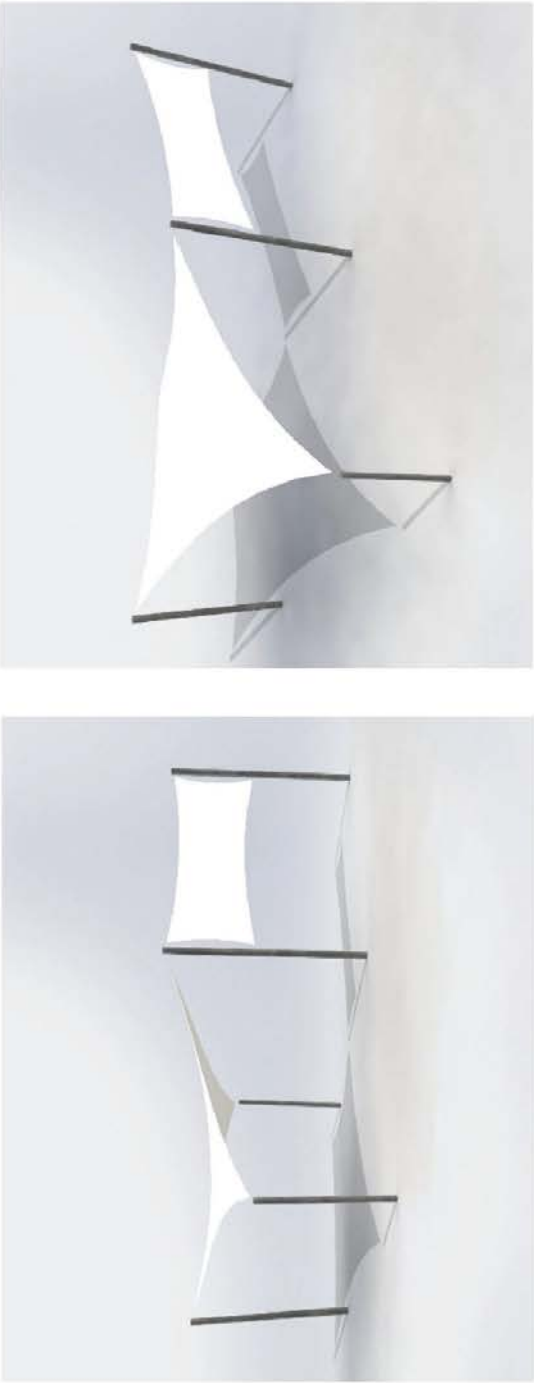
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PROJECTION METHOD: THIRD ANGLE	SHEET SIZE: A3	PROJECT TITLE: JUBILEE RESERVE
DRAWING SCALE: NTS <small>THIS DRAWING IN DESIGN AND DETAIL IS THE SOLE PROPERTY OF WEATHERSAFE SHADDES ANY REPRODUCTION OR USE WITHOUT OUR WRITTEN PERMISSION IS PROHIBITED.</small>	DRAWN BY: RDA	DRAWN DATE: 2018-06-29
LEGAL OWNER: WeatherSafe Shades <small>Phone 018 8078 1111 Fax 018 8078 2773 18-071-GA101 Maitland Park, SA 5039</small>	CHECKED/APPROVED BY: [Signature]	CHECKED/APPROVED DATE: [Signature]
	DRAWING NAME: 3D RENDER	
	DRAWING NUMBER: 18-071-GA101	REV.: 2

Council

Item 14.14 - Attachment 9

From: [Tanya](#)
To: [Council Enquiries](#)
Subject: Jubilee Park Playgound, Glandore
Date: Friday, 14 September 2018 7:37:12 AM

Hello,

Just hoping to direct this email to whom ever is handling the challenges with the Jubilee Park Playground in Glandore.

We have been using the park since the children were very small and love the new playground. We (with kids aged 3 and 5), along with friends have been testing the new equipment out. As far as the neighbours issue about children viewing over the fence, they really can't see anything. If an adult climbs up, then maybe so.

Talking with friends, we were wondering if a small screen could be added to the play equipment at the landing, at the top of the stairs and climbing wall (south western corner). That way there is definitely no chance of viewing over that direction and the neighbour would not need to worry about boundary shading issues in their yard.

Regards,
Tanya Firth
Glandore resident

15 January 2019

Page 110

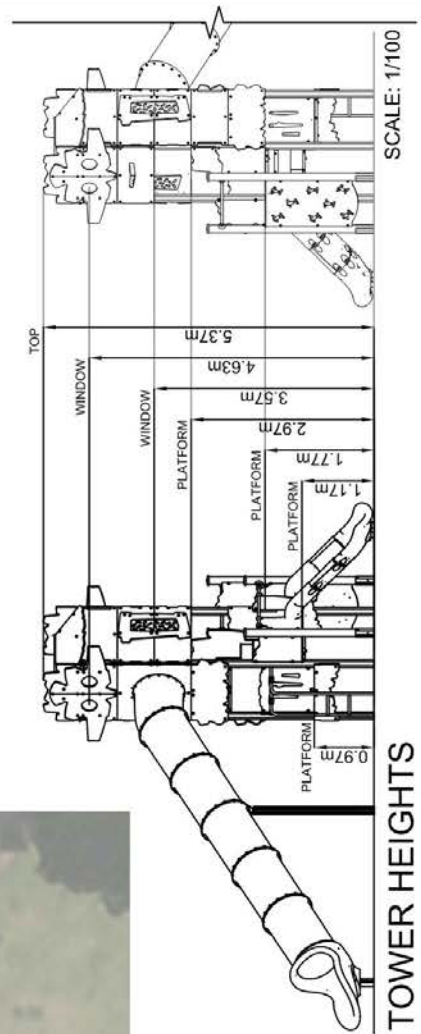
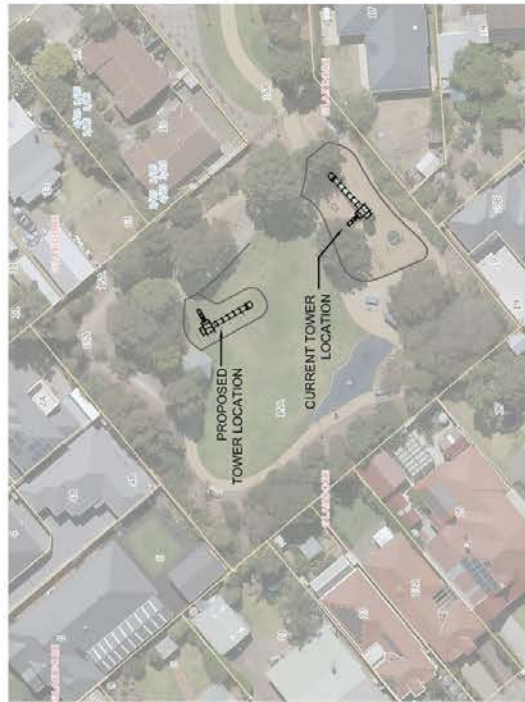
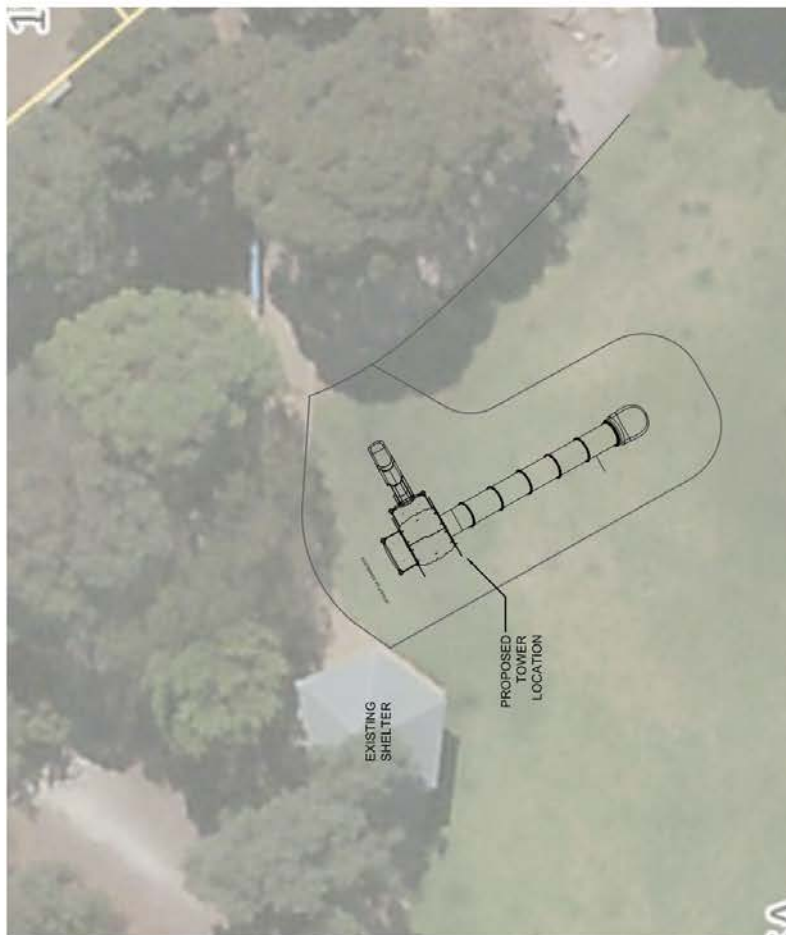
From:
To: [Council Enquiries](#)
Subject: CWT Website Contact Us form from Libby Kelsh - request for screening to block the slide in Jubilee Park
Date: Tuesday, 11 September 2018 7:06:27 PM

Reference #	3150661
Status	Complete
Type of feedback	Parks & playgrounds
Name	Libby Kelsh
Your email address	
Contact number	
Your address	
Details of enquiry	Could you build an aesthetician sreen-perhaps lattice or live/fake creeper screening to block out the slide in Jubilee pk for 5he neighbourrather than remove the fantastic,unique slide.it would be cheaper wouldn't it?
Last Update	2018-09-11 19:06:19
Start Time	2018-09-11 19:03:00
Finish Time	2018-09-11 19:06:19
IP	118.210.158.30
Browser	Chrome
OS	Mobile
Referrer	https://www.westtorrens.sa.gov.au/CWT/content/Council/Contact_Us

This email was sent to csu@wtcc.sa.gov.au as a result of a form being completed.
[Click here](#) to report unwanted email.



JUBILEE PARK - PROPOSED TOWER RELOCATION



11.2 E-Scooter Trial and LGA Submission

Brief

To provide Council with an assessment report regarding an e-scooter trial in the Council area and recommendations for the submission to the LGA's discussion paper on Bike Share Schemes and e-scooters.

RECOMMENDATION

The Committee recommends to Council that:

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.

Introduction

At the meeting of Council held on 16 April 2019, the following resolution under *Motions without Notice* was adopted by Council:

"That a report be presented to a future meeting of Council that considers undertaking an E-Scooter trial in the City of West Torrens."

Discussion

Background

Following the above resolution of Council, the LGA have also recently sent out a notice seeking feedback on a draft discussion paper in relation to Bike Share Schemes and e-scooters. The LGA discussion paper is focussed on the development of a consistent policy and procedure for Bike Share Schemes (and e-scooters) operating in South Australia. The closing date for the LGA submissions is 3 June 2019, however, the LGA have agreed to extend the deadline for the City of West Torrens to 5 June 2019 so that the outcome of discussions from Council's meeting of 4 June 2019 can be included in the feedback.

This Agenda report deals with the two matters: (1) Council resolution regarding an e-scooter trial and (2) Council submission to the LGA.

The request to consider an e-scooter trial follows on from the recent media news and the City of Adelaide (CoA) trial on the use of e-scooters in the CBD.

General information regarding e-scooters and the CoA trial

(Source of information: SA Government website – mylicence.sa.gov.au)

E-scooters can be a low cost, attractive and convenient travel option for people wanting minimal exertion. They are compact and portable, taking up less parking or storage space than a bike. Other potential benefits may include increased travel independence for users; an alternative to the motor vehicle for greater mobility choice; environmental benefits such as reduced pollution and greenhouse gas emissions and reduced noise.

What is an e-scooter?

An e-scooter is a two-wheeled device powered by an electric motor and battery pack. E-scooters must have a braking system and warning device and lights must be used if ridden at night. They are lightweight and designed for use by one person only, standing up. For the purposes of this trial the devices are being defined in South Australian regulations as Electric Personal Transporters. E-scooters do not include: motorised wheelchairs and mobility scooters (Gophers) typically used by people with mobility difficulties; moped scooters with internal combustion engines; electric bicycles and Pedalelcs; kick scooters.

Can I ride my own e-scooter?

You can only ride your privately owned scooter on private property - not on roads, footpaths or other public spaces. Otherwise, only e-scooters owned by the operator permitted by the City of Adelaide are to be used. If you are caught riding an e-scooter not approved you may be fined for driving an unregistered and uninsured motor vehicle \$1186.

Can I take an e-scooter on public transport?

E-scooters are not allowed on buses, trams or trains. E-scooters are not to be taken outside the trial area.

What happens if there is a crash involving an e-scooter involved in the trial?

The rider must give all possible assistance to anyone injured and report the incident to Police.

If you are involved in a collision while riding an e-scooter, you should contact the operator. The operator is required to hold public liability insurance.

If you are involved in a collision between a car and an electric scooter you may be covered by the CTP insurance associated with the vehicle if the vehicle is at fault.

It is an offence to ride a privately owned e-scooter or one owned by an operator without a permit.

City of Adelaide trial

The City of Adelaide have provided the City of West Torrens (CWT) with extensive and detailed information regarding their recent e-scooter trial in the CBD. Some of the more pertinent details are summarised below to provide the background and context to the trial:

- On 29 January 2019 the CoA approved a trial of shared e-scooters for the 2019 Adelaide Fringe and Adelaide Festival season.
- On 12 February 2019 LIME was selected by the CoA as the preferred e-scooter operator for the trial.
- On 14 February 2019, the SA Government released a Gazette Notice to permit e-scooters on public roads to enable the trial to proceed.
- On the 17 March 2019, the LIME e-scooter trial was concluded.
- Following the completion of the LIME trial, a second trial was commenced for a 6-month period (to 15 October 2019) with two other operators, RIDE and BEAM.

The State Government introduced amendments to the South Australian Regulations to permit the use of e-scooters on public roads to then enable the trial to proceed. The Gazette Notice included rules, regulations and the geographical area within which the e-scooter trial could operate.

On the Council's side, the CoA used Section 222 of the *Local Government Act 1999 (SA)* to issue a customised activity permit for e-scooter operators. This permit provided further controls for the CoA, including, to ensure that:

- e-scooters remain within the allowable area (some of the CBD areas are restricted for e-scooters for example Rundle Mall);
- users are educated about the rules for riding;
- e-scooters are parked appropriately and that operators adhere to the response time for dangerously or inappropriately parked e-scooters;
- operator reports are provided on statistics, complaints and injuries; and
- the requirement for the operator to indemnify the CoA and to release Council from all liability arising from or in connection with the use of the device of the operator.

Some of the statistics from the CoA's LIME trial that may be of interest are:

- The average distance travelled per ride within the trial area was 1.25km.
- More than 50,000 trips were undertaken by over 20,000 users during the first 3 weeks of the trial.
- A total of 11 incidents have been reported to the CoA, including 3 injuries from falling off the e-scooter, one rider crashing into a parked vehicle and one collision between a pedestrian and an e-scooter.

Regulations associated with the CoA trial

For the CoA trial, the Government regulations for e-scooters are detailed below.

E-scooter laws and road rules

The only e-scooters allowed to be used in the trial area are those operated subject to a business permit issued by the City of Adelaide.

Riders:

- *Must be at least 18 years old*
- *Must wear an approved bike helmet that is securely fitted*
- *May ride on footpaths and shared paths unless otherwise prohibited*
- *May ride on a road only when crossing or to avoid an obstruction for up to 50m. If road travel is required, riders:*
 - *Must travel less than 50m along the road to avoid the obstruction;*
 - *Must keep as far to the left as possible; and*
 - *Must obey any traffic signals.*
- *Must NOT ride on a road:*
 - *with a dividing line or median strip, or*
 - *where the speed limit is 50 km/h or more*
 - *which is one-way with more than 1 marked lane*
 - *if otherwise prohibited*
- *Must not ride in a bike lane or bus lane*
- *Must use a warning (e.g. bell, horn or verbal) to avert danger*
- *Must have proper control at all times and ride with due care and reasonable consideration for other persons*
- *Must use a flashing or steady white light at the front and a flashing red light and reflector at the back of the device when riding at night or in hazardous conditions*
- *Must not exceed 15km/h or a lesser speed if required in the circumstances to stop safely to avert danger*
- *Must not ride abreast*
- *Must not carry passengers*

- *Must not have a BAC (blood alcohol concentration) of 0.05 or more or the presence of THC (Cannabis), Methylamphetamine (Speed) or MDMA (Ecstasy) in their blood or oral saliva*
- *Must not use a mobile phone whilst riding*
- *Must not carry scooters on public transport.*

Economic development, transport and other perspectives

City Strategy provided the following opinions on the issue:

- In the (draft) Emerging Trends and Considerations Paper prepared as part of the Community Needs Analysis Project, it was identified that, in 2016, the average commuting distance for 26,323 employed people that live in the City of West Torrens was 8km.
- The West Torrens segment of the Western Region Tourism Destination Action Plan highlights Council's many off-road bike paths as a key asset that can be leveraged for tourism purposes. Off road bike paths may also be attractive to scooter users as a safe way to get around.
- From an economic development point of view this has a potential flow on effect to encourage more local spend- rather than leakage to city or beach areas.
- Given that, anecdotally, many university students are located in City of West Torrens (particularly inner western suburbs) and the zoning for High Schools in Adelaide's CBD extends to inner Western suburbs of West Torrens, those may also be key market segments to consider.
- This may assist to expand the geo-fence and reduce the likely incidence of scooters being stopped (by geo-fence restrictions) in unsafe areas (such as isolated parklands at night).

The LGA's draft discussion paper makes the observation that dockless mobility device sharing (including e-scooters) has an important role to play in South Australia's transport future and that Council's and dockless mobility operators can work together to achieve transport, environment, health and other related goals as well as maintain equitable use of public space, while minimising risk and inconvenience.

LGA Draft Share Bike and e-Scooter Policy & Procedures - Issues Paper May 2019

At the April 2018 Ordinary General Meeting, LGA member councils supported a motion from the City of Adelaide that the LGA works with all South Australian councils to develop, where appropriate, a consistent policy and procedure for Bike Share Schemes operating in South Australia.

With support from the Local Government Research & Development Scheme, the LGA Secretariat commissioned the draft LGA Issues Paper: Share Bike and e Scooter Policy & Procedures to examine the issues and recommend a framework for appropriate regulation of this sector.

The draft Issues Paper examines the experiences of a number of cities in Australia, New Zealand and the United states and recommends a regulatory model for councils to consider. The draft Issues Paper recommends:

- a new provision to be inserted into a Council's "roads" by-law; and
- a set of operational conditions and guidelines, to be adopted as conditions of a model permit, which can be adapted to suit the requirements of each council after discussion with proposed operators.

The LGA, via Circular 19.1, is now seeking council feedback on the Draft Issues Paper: "Share Bike and e-Scooter Model Policy & Procedures".

With respect to Council's submission to the LGA, the following comments are suggested to be included in the submission:

1. Council supports the LGA approach to 'standardise' the methodology and processes to enable e-scooters (and Bike Share devices) to be permitted for use in South Australia (as detailed in *Figure 4: Recommended framework relationship of the LGA draft discussion paper*).
2. Council supports the **Recommended Standard Operational Conditions & Guidelines and Model Permit** (as shown in *APPENDIX A of the LGA draft discussion paper*), as a means of standardising the conditions for all South Australian operations.
3. Council agrees with the general wording for Clause 2 **Safety & Insurance** and the \$20 million public liability insurance requirement from the operator in Clause 2.6.
4. Council agrees with the general description relating to Clause 2 **Equipment Standards**, however, Council would not be in a position to verify if the e-scooters (or Bike Share device) will comply with the Australian Standards or how to check if the mobility devices are of a 'sufficiently high quality'. While not nominated in this section of the guidelines, Council assume that e-scooters will specifically be restricted to a speed limit of 15 km/hr, and not the higher speed limit found in other States.
5. Council agrees with the general wording relating to Clause 3 **Operations & maintenance**.
6. While the general approach to Clause 3 **Parking of Devices** seems reasonable in a descriptive manner, there should be an attempt at a standardised layout which clarifies where e-scooters may be parked, so that each Council does not come up with different sets of requirements. One example of standardising a layout is the Outdoor Dining Bollards guidelines. Council recommends that the LGA further consider this issue.
7. Council agrees with the general wording relating to Clause 3 **Deployment and Density Requirements**. However, in the event that a Council is unable to nominate such a number, would allowing market demand to set this requirement be an acceptable approach? (see further commentary in Section 11 below).
8. Council agrees with the general wording relating to Clause 3 **Faulty, Damaged or Misplaced Bikes**. The wording 'Bikes' should be amended to 'devices' or alternatively to add "e-scooters" to the Clause.
9. Council agrees with the general wording relating to Clause 4 **Customer experience and education**. It is noted from new articles that one of the most common offences of e-scooter users is not wearing a helmet. More effort should be given in this area to ensure that, for example, an infrequent e-scooter user is not put off by the experience of incurring a hefty fine for not wearing a helmet.
10. Council agrees with the general wording relating to Clause 5 **Data requirements**. Two of the key pieces of data that Council would be interested in are statistics relating to complaints and crash/incident statistics. It is noted that users or members of the public are able to contact the Council concerned or the operator to lodge complaints. The integrity of the data relies on accurate recording of these complaints. It is unclear how this may be achieved with different channels provided for complaints to be lodged.
11. Given that e-scooters are new to Adelaide and that there is currently limited information available for South Australian conditions, other than the LIME trial recently completed by CoA, it is recommended that the LGA provide more detailed guidance to deal with the following specific matters:

Fleet Size – there are 4 suggestions in the draft discussion paper on how the fleet size may be calculated. A ‘standardised’ approach would be preferable, so that there is no difference in requirements across Council boundaries, in the event that the same operator is selected by Council. The ‘x devices per y residents’ seem to be the preferable measure. Perhaps a range, based on the above approach, should be adopted to give some flexibility to those Councils who may wish to encourage higher usage of e-scooters, e.g. ‘x devices per y1-y2 residents’ range and adopt this as the standard.

Deployment and Density requirements – given that e-scooters are new to Adelaide, Council would have difficulty specifying their particular deployment or density requirements for e-scooters. In the end, it may be market demand driven and operators would more appropriately determine how many e-scooters may be required at what locations. Therefore there may not be a need to set such a number in the Permit for specific locations. Further guidance and consideration by the LGA would be useful to address this aspect.

Preferred Parking and Exclusion Zones - it is noted that the CoA trial excluded Rundle Mall and Hindley Street (by time period) from use by e-scooters. Presumably, these areas were excluded because of the high pedestrian environment and the risk to pedestrians. While some examples of exclusion areas are provided in the draft discussion paper for Melbourne, the LGA should provide, if possible, a clearer view (based on the submissions of all councils) on what exclusion areas may be appropriate for South Australian conditions as a ‘standard template’ for Councils. For instance, should busy shopping strips be excluded, like Henley Beach Road, Glen Osmond Road, Unley Road (etc. similar to Rundle Mall)?

One of the significant concerns relate to e-scooter parking. While the CBD area typically have very wide footpaths, these same conditions are not present generally in suburban areas like in the CWT. It is unclear what the impact of footpath surface conditions may also have on e-scooter safety. Often, footpath areas have trees, street furniture, street and parking signs, service poles etc. which, in some instances, are narrow in width as well. These are some of the issues that would need to be considered if e-scooters were to be permitted for use Council-wide. Further guidance from the LGA, if possible, would be useful to address this aspect.

Fees – ideally, there should be a standardised fee structure across all Councils so that the same operator that has been selected would not disadvantage Councils across Council boundaries. Since the LGA is attempting to standardise the conditions of use of e-scooters with this discussion paper, it should also attempt to provide a ‘common’ or standardised fee structure as well.

Recommendations regarding the e-scooter trial for CWT

Based on the above assessment, any e-scooter trial in the CWT should have regard to the following:

1. Adopting a standardised methodology and process to enable e-scooters to be used – the LGA is currently seeking Council opinions on how the LGA’s methodology and process can be made into ‘standardised’ guidelines for use in South Australia. It would be premature to allow a trial of e-scooters to occur in the CWT, without the benefit of the ‘standardised’ guidelines being finalised by the LGA. For example, there may be other issues raised in the submissions to the LGA that may not have been considered in the draft discussion paper or drawn out from the first CoA LIME trial.

2. The CoA has extended the trial of the e-scooters for another 6 months. It would seem prudent to wait for the analysis of the results from this extended trial, before proceeding with any trial in the CWT. In particular, the crash statistical analysis and the types of problems encountered would be very important information to consider, so that any subsequent trial that may be undertaken by the CWT would have the benefit of that information.
3. If the CWT were to proceed with a trial at this stage, Council would need to include details about fleet size, deployment and density requirements, exclusion areas etc. in the Permit that would be issued for the trial. Council's submission to the LGA seeks further guidance on these matters and therefore it would be premature and difficult for Council to nominate these requirements, in the absence of further LGA advice or recommendations that may come up in the final version of the guidelines. This is particularly important for the CWT, given that trial undertaken to date is within a CBD environment, which is very different to suburban areas.

For all of the above reasons, the Administration is of the view that any trial of e-scooters should not be considered until such time that the LGA have finalised their guidelines on the use of e-scooters in South Australia.

Several companies have already expressed interest in an e-scooter trial in the Council area (BIRD, RIDE and LIME). Once Council is in a position to progress an e-scooter trial, consideration could be given to open an expression of interest to companies, similar to the approach by CoA.

Some possible deployment areas if e-scooters were to be considered for CWT

It should be noted that the discussions outlined in the LGA paper, Permit conditions and changes to regulations are solely to do with e-scooters provided for use by authorised permit holders.

A private individual with a privately owned e-scooter can only use the e-scooter on private property not on public roads or footpaths. This situation will not be changed by the LGA proposals.

If the use of e-scooters were to be permitted for an operator in the CWT, one particular location that could be considered is the Coast Park shared use path. One portion of the path is located in the CWT. The adjoining councils where this path is located have had preliminary discussions to consider jointly allowing the use of e-scooters on this path. There is opportunity to work with the other Coastal councils to further progress the review of the feasibility of allowing an e-scooter trial specifically for this path. However, it would depend on what the views of the other councils are. These discussions are on-going.

Another location that could be considered is the River Torrens Linear Park path.

Both path routes would seem attractive to e-scooter users from a tourism perspective. If in the event that only these path routes were chosen by the CWT for a trial, this would require 'geo-fencing' of these defined areas only, so that e-scooters are not taken beyond the authorised boundaries into other parts of the Council.

With the above two scenarios of allowing e-scooters on the Coast Park path or River Torrens Linear Park path, riders have to hire an e-scooter from an authorised company, which would incur a cost to the user. As an example, if a rider were to hire an e-scooter to travel between say Glenelg and Henley Square, assuming that it takes about 30 minutes to ride the 6km distance at the speed limit of 15 km/hr and, if at a cost of say \$1 (unlock fee) and 30c per minute (rates quoted for the CoA trial), the hire of the e-scooter would cost in the order of \$10 for this one-way trip.

It is difficult to estimate what the uptake would be for the hire of e-scooters, given that the CoA trial found that the average distance travelled was only 1.25km, which would be equivalent to a hire cost of \$2.50. What the price resistance may be is also unknown. As a final comment, it may be best left to the market to determine if such a hire business is viable. If there is insufficient business for a particular route, the operator may then deploy the devices to other locations.

Conclusion

The above assessment indicates it would be preferable to wait for the LGA to finalise standardised guidelines for South Australian Councils for Bike Share Schemes and e-scooters before considering proposals for an e-scooter trial in the Council area.

Attachments

- 1. LGA Draft Discussion Paper on Share Bike and e-Scooter Policy & Procedures**

DRAFT Share Bike and e-Scooter Policy & Procedures`

Issues Paper

May 2019

Executive Summary

This report seeks to inform the Local Government sector about the various methods of regulating emerging dockless mobility services and recommend a fit for purpose framework for councils in South Australia. It has been developed through a review of other cities' dockless mobility frameworks, and engagement with councils and dockless mobility operators.

The City of Adelaide has supported mobility sharing since 2005 through the Adelaide Free Bikes Program. Although this model is ideal for tourism and leisure, it does not offer the same level of flexibility as dockless bike share schemes and was not intended for daily commuter use.

Dockless bike share schemes operated in Adelaide between December 2017 and June 2018. Operations were untroubled when compared to the experience in the Eastern States. However, of the ten South Australian councils that enabled dockless bike share operations in their jurisdictions, only four had formal permit agreements.

South Australian councils have not yet established the tools to enter formal agreements with dockless mobility operators alongside enforcement options such as impounding or removing devices from the street, when necessary, in a timely manner. This Issues Paper proposes use of the existing permit framework under Section 222 of the *Local Government Act 1999* as the most appropriate method of regulation, accompanied with a recommended update of council by-laws.

Seven national and international examples of frameworks for regulating dockless mobility services are highlighted in this Paper. These frameworks varied significantly, from 2-page guidelines to 60+ page permit requirements. While all covered similar themes, each city's regulatory requirements reflected the specific issues experienced in that city. For example, the Sydney and Melbourne frameworks were focused in mitigating issues of dumping and impounding, whereas those from US cities were focused on procurement process and equity programs.

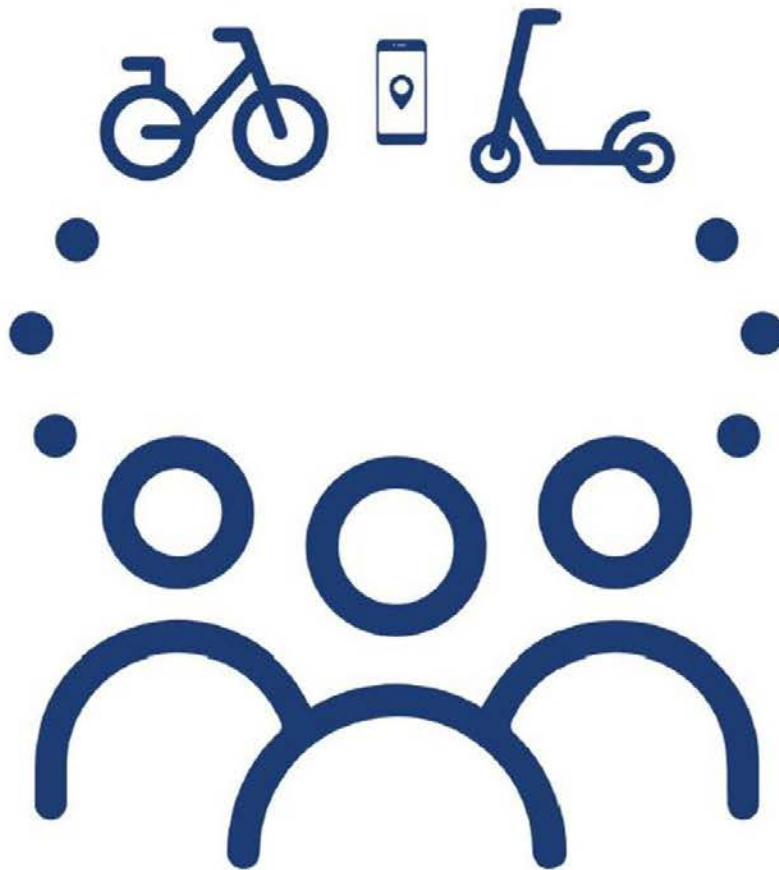
Key findings from this review have been summarised under the common themes of engagement, equipment standards, maintenance and operations, user education, data requirements and transit integration. The issues and opportunities identified by some metropolitan councils and dockless mobility operators were considered as well to determine how best practice outcomes may be applied in South Australia.

Based on these findings, it is recommended that a standard set of permit conditions are adopted by all South Australian councils. This will ensure that dockless mobility schemes are operated consistently across council boundaries, and the process of applying for and granting a permit for dockless mobility operators is streamlined.

Within this framework, there would be flexibility for councils to specify the requirements that directly impact on their localities and public spaces (such as fee, fleet size, deployment and density requirements, and preferred parking and exclusion zones). Advice is provided on how these parameters might be devised.

To ensure enforcement of the recommended permit conditions is legally viable, a new by-law, or by-law update is recommended.

Due to rapidly evolving technologies, service offerings and business models, no legislative changes have been recommended.



Definitions

- **Council:** A Local Government body.
- **Dockless Mobility:** Includes stationless, free-floating shared devices. These devices do not need to be physically locked or returned to a designated station.
- **Local Government:** The LGA of SA, the 68 councils and regional LGAs.
- **Mobility Device:** Or 'Device'. Includes pedal bicycles, e-bicycles, scooters and e-scooters as well as any other emerging personal transportation device that might be permitted under legislation (both now and into the future).
- **Operator:** Private, commercially operated companies providing dockless mobility services.
- **Scheme:** The service provided by the operator.
- **Shared Mobility:** The shared use of a vehicle, bicycle, or other transportation device that allows users to access these modes on an as-needed basis.
- **User:** Includes customers and riders. Any person making use of the service.

CONTENTS

Discussion Paper.....	i
1. INTRODUCTION.....	1
1.1 Overview of Bike Share in Adelaide	1
1.2 Current Legal & Regulatory Options.....	4
1.3 The Framework	11
2. Case Studies.....	14
2.1 Sydney, New South Wales.....	14
2.2 Melbourne, Victoria	16
2.3 Canberra, Australian Capital Territory	17
2.4 Auckland, New Zealand.....	19
2.5 United States of America	20
2.6 Summary	25
3. Policy Implications.....	29
3.1 Engagement.....	29
3.2 Equipment Standards	30
3.3 Maintenance and Operations.....	30
3.4 User Education.....	32
3.5 Data sharing requirements	32
3.6 Transit integration.....	34
4. Recommended Framework	35
4.1 Standard Operational Conditions & Guidelines and Model Permit.....	36
4.2 Update to By-laws.....	37
4.3 Local Government Specific Conditions	37
4.4 Engagement requirements.....	42
Appendix A: Recommended Operational Conditions & Guidelines and Model Permit.....	43
Appendix B: Summary of timeframes and protocols in other jurisdictions.....	53
Appendix C: Useful resources.....	58

1. INTRODUCTION

Sharing schemes for bicycles and other mobility devices offer attractive benefits to cities, such as increasing mobility options, promoting active transport, improving health and well-being, and reducing traffic congestion, air pollution and car parking demand. Accordingly, mobility device sharing schemes can play an important role in achieving key social, economic and environmental outcomes that cities are already working towards.

A shift towards new methods of shared mobility will see sharing schemes for bicycles and other mobility devices become increasingly central to a city's transport mix. The pace of technology-driven innovation from the private sector in shared transportation services is rapid and filled with opportunity.

Since 2016, 'dockless' bicycle sharing has rapidly emerged in cities around the world. Unlike previous generations of bicycle share, dockless bikes do not need to be physically locked with a conventional chain or returned to a designated station or rack. Users register, pay, unlock and lock dockless bicycles all through a mobile phone app. More recently this dockless model has expanded to include other personal mobility devices, such as electric scooters.

These systems present the opportunity for large scale mobility sharing without the expenditure and infrastructure typically required for docked schemes. Dockless systems enable mobility sharing in low-density urban environments where it is otherwise difficult to return a device to a particular location. In addition, the operator can provide cities with useful transport and mobility data that may assist in future mobility planning.

Whilst the potential of dockless mobility schemes is impressive, a lack of regulation around engagement, operations, fleet sizes and parking procedures has resulted in enforcement and safety issues, footpath clutter and bike dumping. As city streets are a finite resource, private operators and councils must be on the same page when it comes to expectations, roles and responsibilities if they wish to provide an effective service.



In addition to contributing to city-wide goals, a set of policies and procedures could be introduced to actively address the specific challenges related to dockless mobility device sharing.

1.1 Overview of Bike Share in Adelaide

Bicycle sharing services have been available in Adelaide since 2005, as part of the Adelaide Free Bike hire program. Co-funded by the City of Adelaide, the service is free of charge and over 200 bikes are now available for loan at over 20 staffed locations (including the Adelaide CBD, Port Adelaide, Semaphore, West Lakes, West Beach, Henley Beach and Hindmarsh).

As this bike sharing scheme involves the hire and return of bikes to the same staffed location, its services are limited to business hours, reducing the flexibility and spontaneity of trips. This model is unlikely to contribute significantly to the development of shared mobility options in Adelaide without significant investment. Therefore, the Adelaide Free Bike hire program is expected to continue providing visitors and residents sightseeing and leisure options rather than assisting in day-to-day commuting.

Private Bike Hire

In addition to the publicly funded Adelaide Free Bikes, there are a number of private bike hire offerings across Adelaide. These vary in purpose, cost and availability and can broadly be grouped into the following two categories:

- **Tourism & Leisure Hire:** These are a combination of automated hire stations and staffed locations, which are generally co-located with visitor accommodation or tourist destinations (such as hotels and caravan parks). There are at least three businesses with this offering, with locations in the Adelaide CBD, Glenelg, West Beach, Brighton, Barossa, McLaren Vale, Victor Harbor and Port Elliot. Some companies offer a consistent fleet of bikes while others offer a broader variety (e.g. tandem and children's bikes).
- **Speciality Hire:** These are generally operated by bicycle stores. These businesses offer bike hire for specific purposes such as racing, road and mountain riding. There are at least seven of these offerings across Metropolitan Adelaide. Typically, a day hire is required at minimum and this must be booked in advance. Prices vary significantly.

Despite this variety of bike hire offerings, they do not have the ability to provide the same service as dockless mobility schemes. While dockless bike share schemes may broadly compete with the tourism and leisure hire market (due to increased availability, affordability and flexibility), these bike hire offerings were not necessarily intended to contribute to a city's transport options, and their pricing is set as such to discourage daily commuter use.

Dockless Bike Share Operations

In 2017, a Funding Deed between the SA State Government and the City of Adelaide included \$1m to initiate a point-to-point city bike share scheme. Market research conducted by the City of Adelaide investigated a range of different options and bike share models. On the other hand, concurrent experience in Sydney and Melbourne showed that private and commercially operated dockless bike schemes could provide a viable bike share service without the need for such public investment.

By late 2017, Dockless Bike Share Operators, Ofo and O-bike, had approached the City of Adelaide to seek permission to operate. The two bike share operators were granted a 3-month trial by the City of Adelaide in December 2017. However, this did not stop users from riding the bikes to other council areas, where no formal permission had been granted at the time. Other metropolitan councils were subsequently approached to enter into agreements with the bike share operators.

While the SA State Government was supportive, these schemes were the within the responsibility of councils that were left to manage and regulate the bike share operators at their own discretion. For some councils, this led to debates around the legal framework

used, and legal advice was sought. For others, handshake agreements were made, and informal operations were allowed.

Overall, ten councils allowed operations in their jurisdictions (See Figure 1, overleaf). Four councils had formal permit arrangements, and another two commenced drafting such arrangements. Two councils allowed operations via an informal 'handshake agreement', while one was unresponsive, and operations were subsequently conducted informally. These inconsistencies in permitting the service were prevalent, creating complexities around both operations and customer experience.

While both operators started off with local operational staff and good communication protocols, by January 2018, O-Bike had become unresponsive. Issues of poor communication and business models, haphazard parking and inconsistent fleet distribution were common throughout operations. By mid-2018, both operators had withdrawn from Adelaide, and Australia as a whole.

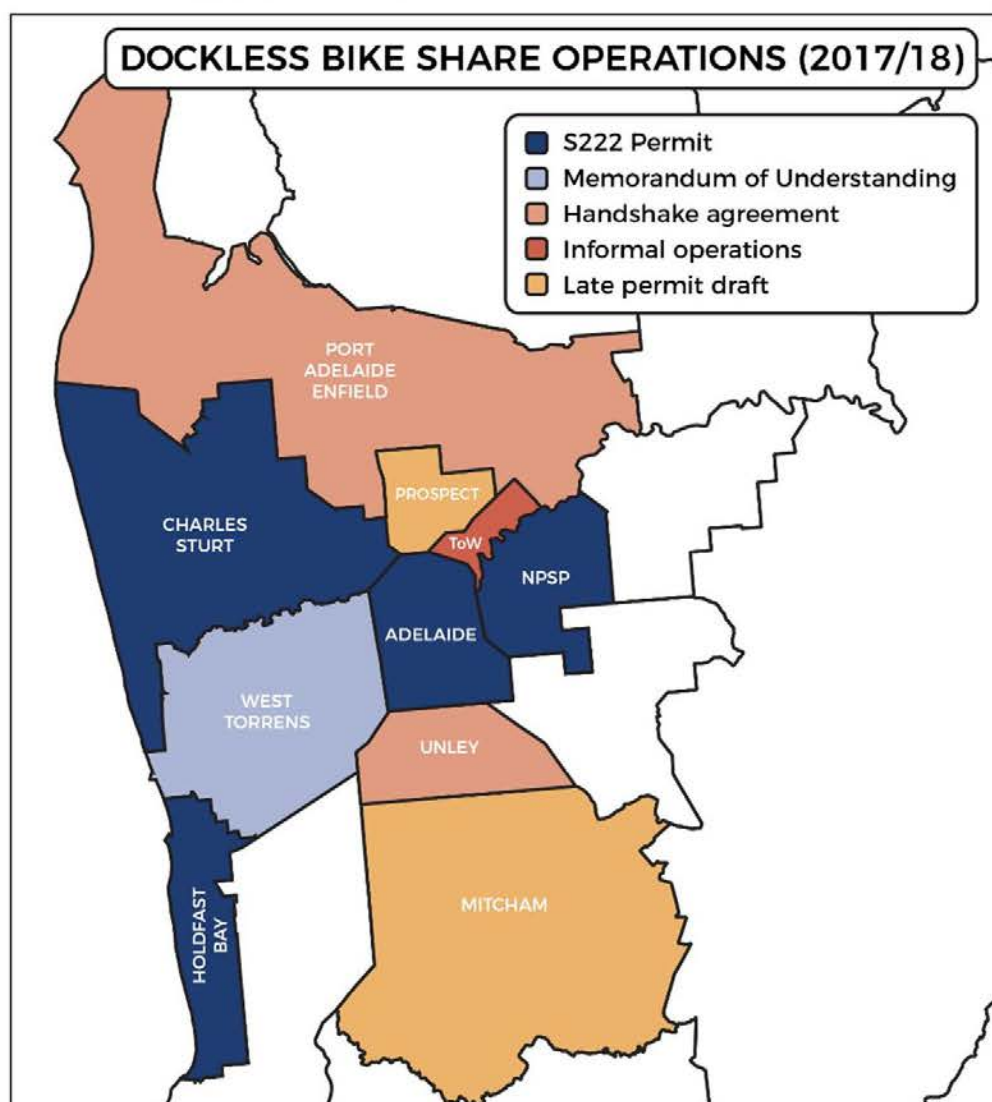


Figure 1: Map of Dockless Bike Share Operations in Adelaide (2017-18)

Compared to the experience in the eastern States, dockless bike share operations in Adelaide were generally uncomplicated. There was no instance of bicycle impounding nor was there the same level of dumping of bikes in waterways and other inappropriate locations that characterised operations in Sydney and Melbourne.

Despite the withdrawal of dockless bike share operators in metropolitan Adelaide, the City of Adelaide remained in communication with alternate dockless mobility providers, with the aim of enabling new services, such as e-scooters. E-scooters are regulated in a limited fashion, on a recreational level but in 2018 were not envisioned in an automated rental scenario. There are also additional operational considerations for these devices, such as re-charging and subsequent redistribution.

1.2 Current Legal & Regulatory Options

As an emerging service with a relatively new business model, dockless mobility sharing exists in a regulatory grey area. There are, however, options for regulation and enforcement within the existing State Legislation. These exist within:

- The *Local Government Act 1999*, including
 - *Permits under s222*
 - *Disposing of objects on roads under s234*
 - *Dealing with abandoned vehicles under s236-237, and*
 - *By-laws under s246*
- The *Local Nuisance and Litter Control Act 2016*

It is recommended that any legal framework ought to include provisions that ensure councils have the power to oversee these services as well as actively prevent negative outcomes through enforcement.

Local Government Act 1999

Permit for Business Purposes

Under the *Local Government Act 1999*, South Australian councils have the power to regulate and manage the types of activities permitted on footpaths, roads and road verges. In alignment with this legislation, potential dockless mobility operators can be directed to apply for a permit under Section 222 of the Act in order to operate their business on public land. As part of granting a permit, council can impose conditions. The conditions may include:

- the payment of a fee;
- the duration and commencement of the permit;
- the commencement of the permit being contingent on the occurrence of an event;
- the amendment of a condition related to the application;
- the area to which the permit applies; and
- where a permit is issued for an activity which will or may cause damage to a public place, the payment of a deposit or bond against such damage.

Section 222 provides sufficient options for a council to oversee these services through imposing such operational conditions. While these conditions may assist with regulation, enforcement options for a breach of permit condition are limited.

Furthermore, Section 222 permits are typically designed for activities in a specified location such as outdoor dining, busking and events. Permit conditions can vary significantly between councils.

Power to deal with abandoned vehicles

Councils have the power in *Sections 236 and 237 of the Local Government Act 1999* to deal with “vehicles”, (defined to include bicycles) that have been “abandoned” on a public road or public place. The definition of vehicles in this Act, however, does not extend to include scooters or other mobility devices. A “vehicle” may be considered abandoned after 24-hours, after which time council is able to issue a warning notice. A vehicle cannot be removed by council until 24-hours after the issue of a warning notice.

These provisions regarding abandoned vehicles were drafted with motor vehicles in mind and create a laborious process for a council that is insufficiently timely to address issues that may arise with shared mobility devices. Furthermore, these provisions are of little assistance in dealing with issues other than abandonment, nor with wheeled mobility devices other than bicycles.

Power to dispose of objects on roads and footpaths

Section 234 of the Local Government Act 1999 provides a council with a power to remove and dispose of objects from roads and footpaths in a timely manner. However, this applies only if the object has been left on the road without authorisation or a permit, or after an authorisation or permit has expired or been cancelled.

It is unclear whether this power applies to bicycles, which are considered vehicles under the Act. It is also unclear whether this power would apply in the instance of contravening a permit condition, for example if a mobility device was left on a footpath in breach of conditions prescribed in a permit.

By-laws

Councils may make by-laws under *Section 246 of the Act*. A council by-law may include vehicle related access and parking restrictions. A council is able to set its own penalties for a breach of by-laws, subject to a statutory maximum of \$750, and a maximum expiation fee no more than 25% of the maximum penalty.

For example, *City of Adelaide’s By-law No. 4 – Roads* prohibits (without council permission) locking, a bicycle “to any pole, fence or other structure on a road where it may cause obstruction”. The by-law also provides the City of Adelaide with the power to remove and dispose of any item on the road in breach of this by-law and recover the costs from the owner. This by-law does not deal with mobility devices other than bicycles. Nor does it deal with obstructions that may be caused by devices that are not locked “to any pole fence or other structure”. A recommended new by-law for councils to consider is provided in section 4.2.

The City of Adelaide by-law 4 also prohibits, without council permission, using wheeled recreational devices (defined to include scooters and e-scooters) on a footpath. If (after a trial period in 2019) the State Government were to legislate to permit the continued use of wheeled recreational devices (in particular, e-scooters) then the City of Adelaide presumably would need to subsequently amend its by-law.

Local Nuisance and Litter Control Act 2016

There are "litter" provisions that might be applicable to scooters but are not applicable to bicycles. *Section 22* empowers a council to issue fines for disposing of litter on land or water. However, these provisions do not apply to bicycles or motor vehicles that are covered by the "abandoned vehicles" provisions in sections 236 and 237 of the *Local Government Act 1999* (See above).

Therefore, these provisions might be relevant only to wheeled mobility devices other than bicycles, or perhaps to associated helmets and/or severed components of any devices. Furthermore, no offence of littering would occur if a mobility device was deposited on a road or a footpath "in accordance with" a permit issued by the council.

Currently, there are sufficient provisions under state legislation to enable councils to regulate and oversee dockless mobility schemes through the Section 222 permit framework.

However, there are no clear legal methods for a council to maintain the power to impound or remove a dockless mobility devices from the street once the activity has been permitted under the Section 222 permit framework.

Figure 2 overleaf provides an overview of the powers and inconsistencies of the different enforcement options for dealing with inappropriately located dockless mobility devices under existing legislation.

STATE LEGISLATION: ENFORCEMENT OPTIONS

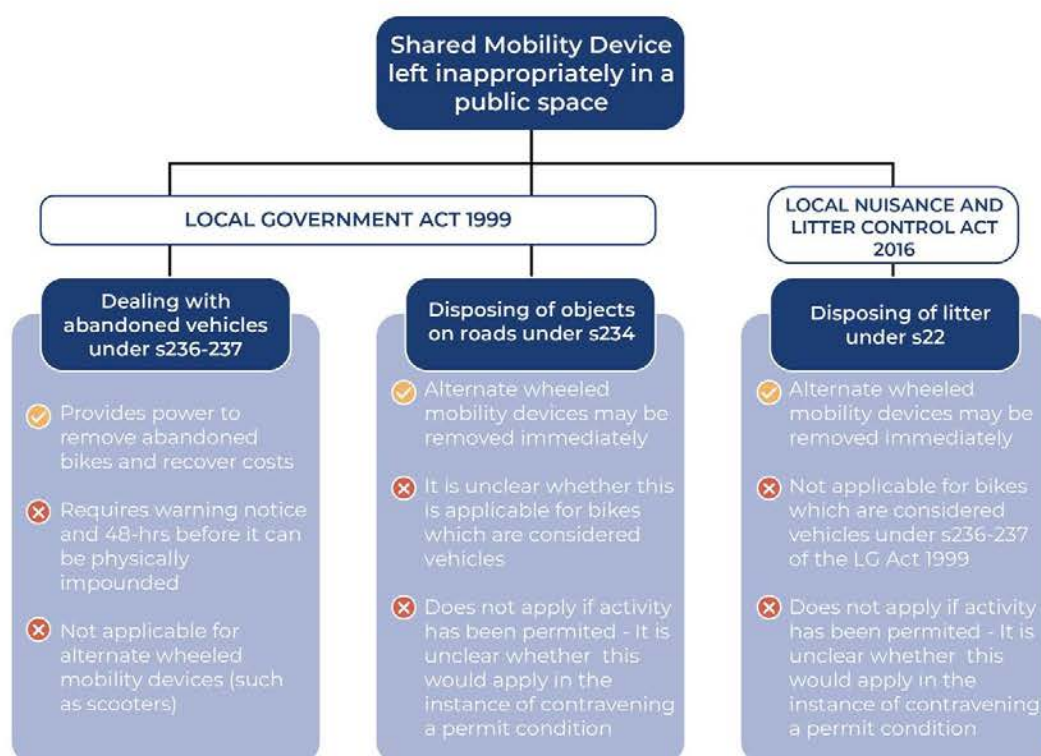


Figure 2: Summary of enforcement powers

Inconsistencies between the way bicycles and alternate wheeled mobility devices are defined creates complexities in enforcing dockless mobility schemes. Furthermore, enforcement options under s232 of the *Local Government Act 1999* and s22 of the *Local Nuisance and Litter Control Act 2016*, are unclear once the activity has been permitted by council.

Any scheme to regulate dockless mobility devices will involve overlap between the Australian Road Rules, State legislation and the statutory powers of councils. The State Government, through the *Road Traffic Act 1961* and its associated regulations, and adoption of the Australian Road Rules, determines standards for vehicles and mobility devices that are allowed on roads and footpaths.

The interconnectivity between various Acts and Regulations at the State level makes it problematic to recommend any specific legislative amendment. There would appear to be sufficient flexibility and powers to improve enforcement options under existing laws (such as the ability for council to make by-laws under s246 of the *Local Government Act 1999*), that no legislative amendment would be required, other than consideration of potential safety issues with new types of mobility devices.

There has been no suggestion that the State Government would want to legislate in this area to exclude the discretion or powers of councils. It is important that councils have oversight in the operations of dockless mobility schemes, to control issues such as parking and footpath clutter, as councils have responsibility for maintaining local roads and footpaths.

Figure 3 below provides an overview of the positives and negatives of the different options for improving both regulation and enforcement of dockless mobility schemes within the existing legal framework.

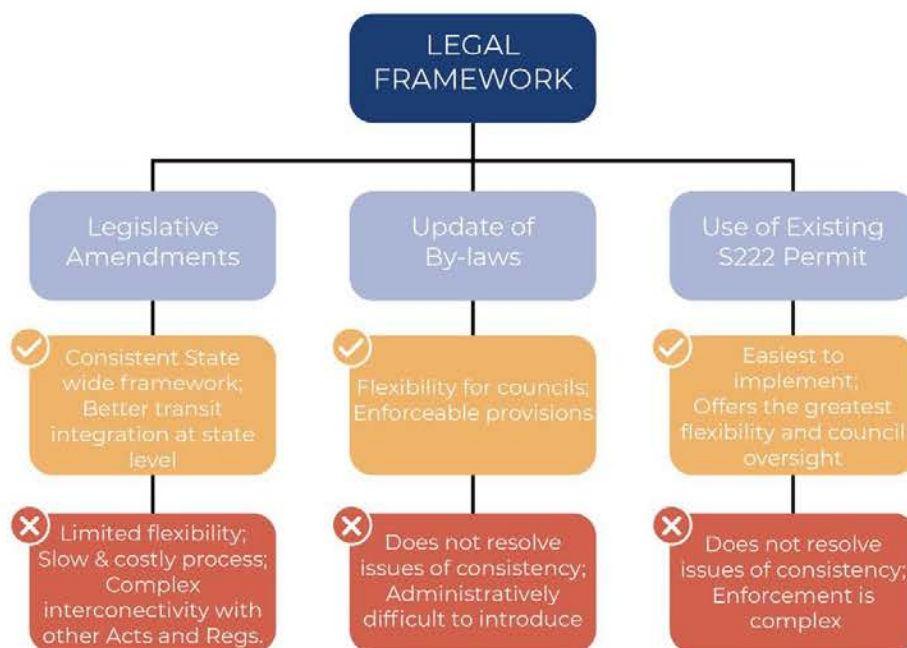


Figure 3: Positives and negatives of regulation and enforcement options.

For any devices which are permitted on roads and/or footpaths, all aspects of shared dockless mobility operations could be regulated under the existing provisions of Section 222 of the Local Government Act, with the possible exception of removing devices that might be left at inappropriate locations. While Section 222 permits are simple to draft and apply, options for enforcing a breach of a permit condition are relatively limited.

By-laws, such as the City of Adelaide example, may be drafted in such a way as to provide powers for a council authorised officer to deal with an abandoned bicycle or other mobility device. This may be the most appropriate method to ensure a council maintains control over the potential dumping and inappropriate parking of mobility devices. Section 246 by-laws are more administratively difficult to introduce but are more easily enforced.

A combination of a new by-law and a standardised permit template would provide councils with the tools necessary to impose operational conditions on dockless mobility operators while also maintaining the right to impound a dockless mobility device and recover costs.

Permit conditions offer the greatest level of flexibility, which is necessary when regulating rapidly evolving services. Despite any further evolution in technology and types of mobility devices, the issues of inappropriate parking and dumping will likely persist, warranting the implementation of enforceable by-laws to mitigate these issues.

Example Permit Review

The City of Adelaide was the first local government in South Australia to be approached by a dockless bike share operator. The Council sought legal advice to determine how to best manage these new services under the existing legislative framework. This resulted in regulation under the Section 222 of the *Local Government Act 1999*, by granting a Permit to use roads and footpaths for Business Purposes.

A set of permit conditions was drafted in 2017 by the City of Adelaide. These formed part of a formal agreement between the City of Adelaide and each of the two operators. The applicants (bike share operators) were each granted a permit after agreeing to the conditions in the permit. Key elements of the permit conditions included:

The operator's responsibilities to:

- provide customers with guidelines to ensure responsible riding and public safety;
- not to exceed the maximum number of bikes noted on the permit;
- provide reports and statistics when requested by council;
- ensure bikes remain in a safe and presentable condition;
- respond to and resolve issues within the prescribed response times. The council may impound bikes if they are not removed within these response times and associated costs may be recovered;
- adhere to directions of the council and relocate bikes not suitably parked; and
- reimburse the council for any damage or maintenance costs that may arise.

In addition, the operators agreed that:

- bikes would not be used for the sole purpose of advertising or marketing;
- bikes would be equipped with a GPS tracker and locations monitored daily;
- penalties for breaches may be issued by the City of Adelaide or SA Police;
- the permit could be cancelled, suspended or modified by council at any time; and
- a permit fee might be introduced in the future.

The conditions also defined 'Safe Bike Parking' and included an indemnity clause to ensure that the Council was released from all liability arising from bike share operations.

The City of Adelaide was the first to establish these permit conditions, which were subsequently utilised by other South Australian councils, following the Section 222 permit process (See Figure 1). Some councils made minor adaptations and alterations to the conditions to ensure that the permits were suitable for their jurisdiction.

Issues and Opportunities

Compared to dockless bike share operations across Australia, the experience in metropolitan Adelaide between the period of December 2017 and June 2018 was relatively uncomplicated. Unlike the prominent issues in Sydney, there were few instances of bike dumping and no impounding of bikes by councils. There was initially widespread community misunderstanding that a legitimately placed bicycle at the end of trip was “abandoned” which lead to many enquiries to councils. However, the City of Adelaide did not need to call upon the power in its by-law 4 to remove any bikes during this period. The relative success of these operations in metropolitan Adelaide between December 2017 and June 2018 has been attributed to good communications and relationships between the operators and councils. The few issues that did arise were generally solved through communication rather than enforcement.

Nevertheless, upon discussion with councils and dockless mobility operators, a range of issues and opportunities were identified with previous operations. A majority of these were consistent between the two operators, and can be grouped under seven key themes, as follows:

POLICY	ISSUES	OPPORTUNITIES
ENGAGEMENT	<ul style="list-style-type: none"> • Informal handshake agreements • Protocols for the termination of a permit are too time consuming • Unsure of the impacts of charging permit fees • Need to be able to cap number of permits/operators without acting solely on a ‘first-come-first served’ basis 	<ul style="list-style-type: none"> • Operators believe all previous permit conditions were reasonable • Councils with permit agreements used the same conditions as CoA with minor adaptations • Operators believe a permit fee is acceptable if it’s a flat rate rather than per bike/unit • Performance standards in the permit condition are useful
EQUIPMENT STANDARDS	<ul style="list-style-type: none"> • E-scooters were prohibited under legislation • Clarity around power levels of electric vehicles required • Most commercially-available devices exceed the current power level limits (200 watts, 250 watts for pedelec) 	<ul style="list-style-type: none"> • State government authorised an e-scooter trial during the Adelaide Fringe Festival in 2019 • Changes to State legislation to enable e-scooters • Operators can control the max speed/power level of devices
FLEET SIZE & DISTRIBUTION	<ul style="list-style-type: none"> • A perception that councils did not have the capacity to enforce restrictions on fleet numbers • Population density is too low for a self-calibrating system • Sustainability/cost/time of collection if staff must drive 	<ul style="list-style-type: none"> • Improvements in location technologies will enable better oversight and easier balancing of fleet

	around to collect dumped bikes	
PARKING	<ul style="list-style-type: none"> CoA at one stage suggested using line marking to define acceptable parking spaces, but this was not adopted due to aesthetic concerns 	<ul style="list-style-type: none"> Success of AirBike in ACT attributed to the return of bikes to 'hubs' Ofo were working towards designated parking areas (e.g. universities & libraries)
USER EDUCATION	<ul style="list-style-type: none"> NPSP had several community enquiries and complaints around parking (however there were no complaints of obstruction) 	<ul style="list-style-type: none"> Incentives and disincentives can be used to promote self-regulation and compliance
DATA-REPORTING	<ul style="list-style-type: none"> Some data requests were complex as the data was commercially sensitive and councils could not sign a non-disclosure agreement (NDA) Operators did not always have the capability to collect the data that councils wanted (technology constraints) 	<ul style="list-style-type: none"> Potential to provide valuable data and insights for council Data can be used to improve the service and assist in wider transport planning Operators are continually improving their data collecting and sharing technologies
TRANSIT INTEGRATION	<ul style="list-style-type: none"> How will this be integrated along GO zones on busy road corridors such as The Parade where footpaths are already cluttered/ at capacity 	<ul style="list-style-type: none"> DPTI were working with Ofo to create hubs at O-Bahn interchanges First and last mile considerations
LIABILITY / INDEMNITY	<ul style="list-style-type: none"> Clarity around insurance requirements is needed Some councils wish to be named on liability insurance – this is complex with various LGA's involved 	<ul style="list-style-type: none"> If operators hold public liability, Compulsory Third-Party insurance should not be required

Mitigating the issues, and facilitating the opportunities identified in the table will be important in the success of any future dockless mobility schemes. These issues and opportunities have been considered alongside any future policy implications (see Section 3) to ensure they are sufficiently addressed.

1.3 The Framework

Bike share and dockless mobility sharing schemes have an important role to play in South Australia's transport future.

This framework seeks to inform the local government sector about the various methods of regulating emerging dockless mobility services and recommend policy and procedures for South Australian councils to consider adopting.

This framework has been developed in response to discussions with council staff who have had experience with dockless bikeshare operations, and private operators with experience providing these services in metropolitan Adelaide.

The nature of mobility devices is that they will be used across council boundaries. Therefore users, operators and councils would all benefit from the adoption of a consistent set of policies and procedures. The recommended outcomes are intended to be applicable to councils both within and outside of metropolitan Adelaide and may be applied to any emerging transportation devices that are allowed under legislation (both now and into the future).

The key objectives of this framework are to:

- improve planning & enforcement of dockless mobility schemes
- effectively manage public space
- cater for public demand
- facilitate uptake & remove unnecessary red tape
- minimise risk and inconvenience to the public

As dockless mobility schemes are dependent on a network of users who would regularly cross council boundaries, it is desirable that a standardised approach is established for South Australian councils.

2. Case Studies

As businesses operating on city streets, dockless mobility operators require a level of oversight and regulation by public authorities. There have been various approaches taken by city authorities in attempt to regulate supply, manage public space, and ensure user safety.

This chapter provides an overview of how different cities around the world have approached similar issues.

2.1 Sydney, New South Wales

In mid-2017, dockless bike share appeared on the streets of Sydney, with no warning or prior approval. Dockless bike share operations in Sydney were characterised by vandalism, inappropriate bike dumping, and footpaths cluttered with unused bikes, due in part to lack of sufficient bike parking areas.

In response to the arrival of dockless bike share in June 2017, six inner Sydney councils (Inner West Council, City of Sydney, City of Randwick, City of Waverley, Woollahra Municipal Council and City of Canada Bay), came together to develop the [*Inner Sydney bike-share guidelines*](#).

The guidelines set out minimum standards for dockless bike share operations in Sydney and defined the roles and responsibilities of councils and dockless bike share operators. However, these guidelines were not part of a formal agreement or legal permit, making enforcement problematic. The structure and content of these guidelines is summarised below:

- **Customer safety and conduct:** The operator must inform customers of safe and responsible riding and parking, compliance with NSW road rules and Australian standards.
- **Safe bike placement:** The operator must educate users on parking impacts to the mobility and vision impaired and provide geo-fencing capabilities for preferred parking and exclusion zones.
- **Distribution and redistribution of bikes:** The operator must provide GPS tracking, monitor the location of bikes daily and be proactive in the redistribution of bikes. Council may determine appropriate bike deployment and nominate preferred parking areas.
- **Faulty damaged or misplaced bikes.** The operator must immediately deactivate broken bikes and remove or repair bikes within a specified timeframe. The Operator must also provide contact details on bikes and enable easy 24/7 customer reporting as well as a central point of contact for councils.
- **Legal and insurance:** Operators must hold relevant insurance, seek legal advice and advise customers of their personal risks and insurances.
- **Data sharing:** The operator must cooperate with council's request for data and work together to survey customers about share bike usage. Operators should work towards live data portals for sharing with council. Council may use data for transport and urban planning
- **Council staff access to bikes:** Operator must provide access to council staff to unlock and move bikes.
- **Fees:** Council may evaluate whether a fee or levy structure may be implemented.

- **Collection and relocation of faulty or damaged bikes:** The operator must comply with the specified timeframes when council or a member of the public reports damaged, faulty, abandoned or inappropriately parked bike. Council may remove and impound a dangerously placed bike at any time to make area safe.
 - Immediate (upon verification) for a bike reported as unsafe or significantly damaged
 - 3 Hours for dangerously placed bikes causing an unreasonable hazard
 - 1-7 days (depending on severity) for damaged bikes, bikes at inappropriate densities and illegally parked bikes
- **Unused bikes:** Council may instruct the operator to relocate an unused bike (after 11-days) or remove and impound an unused bike and charge a fee for the release of an impounded bike (after 15-days). Council may recycle an uncollected bike 28 days after impoundment.
- **Ceasing of operations:** The operator must remove all bikes from public places within 15 days.
- **Review of Guidelines:** Council may amend, expand and or alter these guidelines provided they give operators 14 days' notice prior to implementing the change(s).

The most important aspect of these guidelines for inner Sydney councils were the conditions under which a bike could be impounded if dangerously parked, damaged or abandoned, and the prescribed timeframes for the collection of such bikes. Many of the timeframes specified within the guidelines were subject to criticisms of perceived severity, potentially leaving scope for inconsistencies around the enforcement of this provision.

Despite the implementation of these guidelines, inner Sydney councils maintained their varying approaches to regulation, enforcement and impounding. For example, between December 2017 and March 2018:

- Waverley Council began impounding bikes as soon as the guidelines were implemented, charging a \$70 fee per bicycle for collection.
- City of Sydney and Inner West Council did not impound any bikes, nor did they rule out the impounding of bikes, with the intention to review after a three-month trial period.
- Randwick City Council considered a public tender to license two bike-sharing operations when three-month trial ended.

Following the three-month trial of the guidelines, the inner Sydney councils called for more legislative assistance from the State Government to cover dockless bike sharing. The New South Wales State Government then stepped in to provide more legislative power to councils to impound bikes.

The ***Impounding Amendment (Shared Bicycles and Other Devices) Act 2018 (NSW)*** made changes to the *Impounding Act 1993* from 1 December 2018 to empower councils to impound or move bicycles without issuing a removal notice. The changes clarified when a shared mobility device can be immediately impounded or is taken to have been abandoned. The amendments also significantly increased the maximum financial penalty for these offences.

Unlike the guidelines, the New South Wales legislation did not limit the definition of a device to dockless bikes only, but also encompassed any other device used for transporting persons. Since its introduction, the new law has been providing New South Wales councils with more scope to deal with new emerging dockless mobility devices.

Given the prominent issues of bike dumping and excessive footpath clutter in Sydney, these guidelines and subsequent legislative amendments were intended to assist in mitigating negative impacts to other street users and retaining amenity.

However, the increased power for councils to impound bikes and impose heavy fines, combined with the high levels of vandalism has undermined the profitability of these schemes. This has made Sydney a less attractive market for dockless mobility operators and led to the withdrawal of a number of dockless bike operators from the city in June 2018 (including Ofo, O-bike and Reddy Go).

2.2 Melbourne, Victoria

Like Sydney, the arrival of dockless bike sharing in Melbourne was abrupt, and operations were characterised by vandalism, inappropriate user behaviour and bike dumping. This has been attributed at least in part, to the influx of thousands of easily-accessible bikes without any (or sufficient) expansion of designated bicycle parking facilities.¹

In October 2017, the City of Melbourne, the City of Yarra and the City of Port Phillip developed and signed a *Memorandum of Understanding* (MoU) with dockless bike share operators in order to address a range of issues associated with the implementation and operation of bicycle share schemes.

Aside from public liability and insurance requirements, the agreement was not legally binding. The purpose of the agreement was to document the roles and responsibilities of the councils and operators, in exchange of information, maintenance and service standards, and mitigation of the impacts of bike-share on public amenity.

In signing the MoU, both operators and councils agreed to the delivery objectives and key principles of the service, the defined roles and responsibilities, protocols for communication and openness, dispute resolution and variations, as well as liability and Insurance requirements.

The MoU details the operator's requirement to:

- **provide a point of contact:** for communication with council and a 24-hour reporting system for users to report damaged, abandoned or inappropriately parked bikes.
- **monitoring and maintenance:** Monitor bike locations to avoid and address breaches of the deployment and parking guidelines. Provide adequate resources to action complaints. Immediately disable a damaged bike from Revenue Service and repair before returned.
- **bicycle density limits:** will vary by location as determined by council. Councils may also choose to introduce designated areas where dockless bikes should be parked.
- **deployment guidelines:** The Operator shall deploy bicycles in a manner consistent with the user parking guidelines and density limits.
- **parking guidelines:** defines the general provisions for safe bike parking.
- **user behaviour:** The Operator shall ensure users know that legal penalties may be incurred for not wearing helmets, reckless riding or riding through red lights.
- **data sharing:** Provide a summary record of activity to council on the first day of each calendar month. Provide specified data in a machine-readable format for the purposes of transport planning and research.

¹ <https://theconversation.com/the-problem-isnt-dockless-share-bikes-its-the-lack-of-bike-parking-102985>

- **bicycle infrastructure contribution:** The Operator agrees to pay a financial contribution to each of the councils (\$50 per bike). A proportion of this fee of this fee is refundable to the operator based on performance against this Agreement.

The MoU also specifies that councils may:

- determine if bikes are placed in appropriate locations or clustered in excessive numbers;
- nominate a central point of contact for communication with the operator;
- use its media channels to encourage good customer behaviour and reporting;
- encourage staff to report damaged or abandoned and inappropriately placed or dangerously placed share-bikes on council land; and
- advise the operator of impounded share-bikes and charge an impounding fee.

This MOU did not solve the issues of abandoned and inappropriately parked bicycles in Victoria. Subsequently over 30 bikes were impounded, left unclaimed and crushed by the City of Melbourne alone. As a result, Victorian Governments authorities acted to give councils increased authority to address these issues.

The Environment Protection Authority (EPA) Victoria classifies dumped and vandalised bicycles as 'litter' and has invoked the litter provisions of the ***Environment Protection Act 1970 (Vic)***. This enabled the EPA to issue a three-year Litter Abatement Notice against a former bike-share operator, oBikes. This gave Councils the power to issue fines of \$3,000 for each incident where the company did not adhere to the specific timeframes for removing bikes. The Litter Abatement Notice required oBikes to remove bikes within the following time limits:

- 2 hours for bikes creating a hazard, such as blocking a street
- 24 hours for damaged or vandalised bikes
- 24 hours for bikes cluttering the street in excessive numbers
- 48 hours for bikes in inappropriate situations, such as on a roof, up a tree or on inaccessible land, and
- 7 days for any bikes found in a waterway

The official Litter Abatement Notices also required the operator to produce a management plan for abandoned bicycles, and a publicity plan to promote their customer service hotline and email address. If these plans were not produced, the operator was subject to a fine which might have escalated if compliance had been further delayed.

Bike share operators were not able to meet these requirements set by Victoria's Environment Protection Authority within the given timeframes, and were asked to cease operation in June 2018. It is likely that the financial contribution requirements, penalties and fees imposed made operations unviable.

2.3 Canberra, Australian Capital Territory

Unlike operations in Sydney and Melbourne, dockless mobility sharing in Canberra is regulated by a singular government body. The ACT government is directly responsible for matters normally carried out by both State and local governments. The responsibility of managing these services has been delegated to Transport Canberra and City Services

Canberra's *Dockless Bike Share Guidelines* are not as prescriptive as Sydney or Melbourne guidelines. This is likely because Canberra did not experience the same abrupt arrival nor unruly operations as the larger cities. In addition, the lesser population density and wider street verges in Canberra (compared to Sydney or Melbourne) leave more room for unregulated bicycle parking. The ACT Government has subsequently taken an approach to regulation that attracts operators and creates a new market, rather than attempting to belatedly regulate a market already crowded with various operators.

The guidelines provide guidance to operators considering the establishment of dockless bike share systems in Canberra. They provide advice on application and engagement requirements rather than imposing specific operational conditions.

The guidelines briefly cover:

- **protection of the public realm:** in terms of parking, end of operations, re-balancing, repair and maintenance;
- **customer experience:** in terms of personal information, liability insurance, bike quality and helmet requirements; and
- **innovation and technology:** in terms of data sharing, software maintenance and electric bikes.

Transport Canberra and City Services worked with the National Capital Authority, the Australian National University and Australian-owned company AirBike to support a six-month trial of dockless bike share that commenced in July 2018.

The success of dockless bike sharing in Canberra has been attributed to the city's efforts to work with the operator to create hubs and preferred parking zones. Through the guidelines, operators are encouraged to work with the ACT Government to map appropriate parking locations. The ACT Government committed to marking these locations once determined.

While these guidelines are loose and do not detail any enforcement powers, they have helped to successfully establish a mobility sharing market that has not been characterised by inappropriate behaviour nor poor management. However, with no prescriptive provisions nor requirements, there is little that is measurable in order to evaluate the performance of an operator.

2.4 Auckland, New Zealand

Since December 2016, the New Zealand Transport Agency has convened a bikeshare working party for local authorities. The Transport Agency developed a template for a dockless mobility agreement that is based on London's code of practice. Auckland Council and Auckland Transport modified this template for the city's requirements. These resources have also been adopted in Wellington and Christchurch.

The City of Auckland implemented the *Code of Practice for Dockless Cycle and E-scooter Share* in September 2018. The Code of Practice outlines the requirements to which dockless mobility operators must adhere. Operators must agree to the requirements and recommendations in order to be issued with, and maintain, a licence approval.

Approvals are issued via mobile trading licences under Auckland's *Trading and Events in Public Places By-law (2015)*. An application and license fee are charged based on a set fee structure which takes into account location (e.g. inner city, outer city, outer suburbs). Application fees are not required for licence period extensions although fees are pro-rated according to the duration of the licence.

The Code of Practice sets out the operators' requirements in six key areas, as follows:

- **Engagement:** sets out the formal requirements for obtaining approval. The operator is required to supply plans demonstrating proposed operational logistics, communications, and strategic alignment with the city. The operator must also provide performance references and agree to work closely with the city.
- **Safety and maintenance:** requires operators to provide proof of ongoing public liability insurance, as well as detailed bike helmet supply, and servicing and maintenance plans. It also details equipment standards and GPS requirements. Operators must also agree that council may make new diagnostic and location technologies a requirement in the future.
- **Operations:** details the operators' requirement to comply with all relevant legislation, and the responsibility to ensure users are aware of these. Council maintains a right to limit the number of operators and the number of devices per zone and can also determine where devices can and cannot be parked. The operator must advise users of parking restrictions and have methods to incentivise good parking and penalise non-compliance. Operators must demonstrate their capability to manage the redistribution of devices, with geo-fencing capabilities likely to be a near-future requirement. Operators also agree to remove reported damaged or non-complying devices (within 12 hours), and devices in unlicensed areas (48 hours) or incur a removal cost charged by the council.
- **Customer Experience and Education:** requires operators to provide 24-hour communication channels for users. Operators must provide Auckland Council with a plan to respond to queries and complaints to minimise escalation to the council, as well a record of complaints and response times when requested.
- **Data requirements:** Requires operators to comply with the *Privacy Act 1993 (NZ)*. Operators must agree to share all anonymised data with the council via a prescribed data form as well as provide live real time information to the council. Operators agree to follow the General Bikeshare Feed Specification (GBFS), an open data standard for cycle share so that transportation-based apps can easily incorporate this data into their platforms. The City of Auckland also reserves the right to integrate the service into the city's transport mobile app.

- **Integration with New Zealand Transport Agency's Mobility Marketplace:**
Operators should ensure the technological capability to integrate their services into this Mobility Marketplace, allowing customers to view all transport choices in one place as part of the NZTA MaaS Pilot. Appendix A provides the key information requirements for Mobility as a Service (MaaS) integration.

The Code of Practice is very thorough in detailing the conditions under which dockless mobility schemes will operate, while also maintaining flexibility for the City of Auckland in terms of technological and service advances. While detailed, the conditions are not overly prescriptive.

The application process resulting from these requirements, paired with the license fee structure, work together to ensure that operators are committed to positively contributing to City of Auckland transport planning in establishing their schemes.

2.5 United States of America

The rollout of dockless mobility operations in the USA was inconsistent, involving a series of unpermitted schemes launched and subsequently closed. Numerous cities responded with pilot programs to permit a trial of dockless mobility share operations. By the end of 2017, five major dockless mobility companies reported operating in approximately 25 cities and suburbs.

The National Association of City Transportation Officials (NACTO) represents 62 cities and 11 transit agencies across North America. Amidst the uncertainty of dockless mobility, the Association developed Guidelines² to help cities regulate and manage new shared active transportation services. The Guidelines show how cities can effectively manage operations while allowing for flexibility and experimentation to welcome innovation and new mobility choices. Most permit requirements for American cities are based on these Guidelines.

The Guidelines set minimum standards for Cities to manage dockless mobility, including:

- permitting frameworks;
- communication mechanisms;
- standards for communicating with the public;
- data requirements;
- minimum equipment safety standards; and
- customer privacy standards.

In addition to policy areas where all cities should be in alignment, the Guidelines detail where cities and policy makers should evaluate conditions at a local level. This includes aspects such as fleet size, distribution, parking options and community engagement..

Due to the contextual differences in terms of legal framework, population density, city size, and market size and competition, American cities have taken a different regulatory approach to that of Australia and New Zealand.

Authorities responsible for managing dockless mobility in the USA are generally a city's transit authority, enabling better integration with existing transit options and greater consistency for users and operators on a city-wide scale. Many large

² <https://nacto.org/2018/07/11/shared-active-transportation-guidelines/>

American cities also had an existing shared mobility market in which new dockless mobility operators began competing for market share.

The following is a summary of operations and regulatory requirements for dockless bike share operators in American cities. Due to the various contextual differences these are summarised for the new and innovative provisions and methods they impose.

Seattle, Washington

The pilot for dockless bike share in Seattle paved the way for the first set of rules for managing dockless bike share operations in the US. The Seattle Department of Transportation (SDOT) has since released the 2018-19 reiteration of its *Free-Floating Bike Share Program Requirements*. The document details the requirements for permitting dockless bike share over 60-pages. The requirements include:

- Introduction and Goals
- Equipment and Safety
- Parking
- Operations
- Data Sharing
- Compliance and Enforcement
- Application and Fees.

The requirements under each heading prescribe ways to manage high demand from dockless mobility operators seeking to establish in the city. Key measurable requirements of the permit are used as performance indicators for project evaluation. Some unique elements of the requirements include:

- **Procurement:** Currently allowing three companies (Jump, Lime, and Lyft) to operate in the city, with up to 6,667 bikes each, making a limit of 20,000 bikes.
- **Fees:** A fee of \$250,000 (or \$50 per bike) - the highest permit fee in the USA – Revenue from the fees is applied to full time program staff, data analytics, community programs, auditing, ongoing evaluation and designated parking for 1,500 devices.
- **Vendor Plans:** all operators must think proactively about how they can meet city and program goals and provide a detailed plan upon application.
- **Adaptive Cycling methods:** Supplying a wide range of devices to offer diverse, inclusive ways for children and people with disabilities to ride (e.g. tricycles, hand-pedaled cycles, recumbent cycles, tandems) and create new mobility opportunities for a wider market of riders.
 - *Adaptive Cycling Partnerships:* \$50,000 of the permit fee is used to increase adaptive cycling access and help provide opportunities for people who would like individual fittings, wheelchair storage, or training in how to ride.
 - *Adaptive Fleet Size Bonus:* encouraging vendors to deploy adaptive cycles as part of their free-floating fleets. Vendors who deploy adaptive cycles receive application preference and could get a bonus of up to 1,000 extra devices.
- **Designated Parking Areas:** a portion of each vendor's permit fees funds a designated parking area program. SDOT will designate clear, orderly device parking in key spots around town.
- **Fleet Size and Distribution:** SDOT may reduce a vendor's fleet size for non-compliance or increase the permitted fleet size if there is demand. At least 10% of

devices should be available across three “equity focus” areas, ensuring geographical spread into varying socio-economic areas.

- **Rider Education and Equity:** prepare and implement a rider education plan, including the vendor’s proposed device signage and strategies for overcoming knowledge and language barriers in “equity focus” communities.
- **Compliance Auditing:** tools to proactively measure and enforce compliance. Baseline audit standards are set and include;
 - no more than 30% of devices may be improperly parked;
 - no more than 3% of devices can be an obstruction hazard;
 - at least 70% of the vendor’s deployed fleet to be in good working order and available for rental at any time; and
 - fewer than 10% of devices may have safety-related maintenance issues.

San Francisco, California

San Francisco reacted swiftly when dockless bikes and scooters started to show up on city streets. Photos of devices blocking sidewalks, littered in parks, or even dumped in rivers emerged on social media, along with complaints from residents. San Francisco banned dockless mobility operations and threatened steep fines until a city-approved permitting process was in place.

In June 2017, the San Francisco Municipal Transport Authority (SFMTA) finalised a permit application for dockless bicycle sharing programs. Compared to other American cities, the permit requirements are less prescriptive, and set out the criteria in terms of:

- equipment standards;
- operational standards;
- data sharing requirements;
- required attachments (application requirements);
- indemnification and insurance;
- permit revocation;
- compliance with applicable laws;
- payment of fees;
- removal of improperly parked bicycles;
- permit jurisdiction;
- permissible parking locations; and
- permit fees

In January 2018, SFMTA issued an exclusive permit to one company, (Jump Bikes) for a dockless bike-sharing pilot. The 18-month permit allowed for 250 electric bikes, with the potential to add an additional 250 bikes after a nine-month evaluation period. Other bike-share companies had worked with the city for months on their application to be part of the pilot project. The rival companies expressed disappointment in the agency’s permit granting process, claiming they met all requirements to receive a permit.

In addition to this permit application, Bay Area Rapid Transit (BART, the city’s public transit authority) issued a **property use agreement** authorising the parking of Mobility Devices on BART property. The agreement seeks to work towards better transit integration and enhancing the reach of the existing fixed line transit system. A licensing fee of \$590 per station is charged by BART to cover material and staff costs for marking out mobility device parking areas. The agreement details:

- parking requirements for system operation on BART property;

- parking requirements specific to each station;
- operating requirements for system operation on BART property;
- site/Business Signage and Prohibition on Advertising; and
- data sharing requirements for system operation on BART property.

Austin, Texas

In February 2018 Austin approved a dockless mobility pilot that included shared dockless bikes and scooters. The City began soliciting public input, while at the same time two dockless scooter companies began operating without permission.

By April 2018, the Austin City Council adopted an ordinance that authorised dockless scooter and bikeshare organisations to operate in the city with a citywide service license. The city's licensing system for both dockless scooters and bikes placed caps on the number of vehicles each company could operate, while also putting into place rules for both placement of vehicles and their safe usage by passengers. The *Director Rules for Deployment and Operation of Shared Small Vehicle Mobility Systems* included requirements for:

- dockless mobility units (e.g. equipment standards);
- service area and size of fleet;
- safety;
- parking;
- operations and customer service;
- privacy, data reporting and sharing; and
- insurance, performance bond and fees

Austin then licenced 7 dockless mobility operators with approximately 11,000 scooters and 850 bikes in total. The city then began working on two projects to address outstanding issues surrounding dockless mobility, including:

- Dockless Ordinance Refresh
 - aligning the business model and fee structure to offset infrastructure and other needs
 - investigating an operating authority model to better manage total number of companies and maximum fleet sizes
 - liability & discovery methodology and tools to hold users and companies accountable, where appropriate

- Safe Riding Ordinance
 - Austin Transportation Department was analysing data to develop a location-specific ordinance that would include safe and reasonable riding speeds and locations for all users
 - ATD would propose Dismount Zones, and other safety requirements for ALL riders, regardless of modal type
 - The outcomes of this work would be used to inform the development of a Safe Riding Ordinance; and
 - Clear indications of what was considered a riding violation making it easier to enforce any breaches.

Specific E-Scooter Considerations: Portland Pilot Project

E-scooters first launched in the U.S. in September 2017 through a series of unregulated entrances in US cities. By August 2018, e-scooters were available in 65 cities across the U.S.

The City of Portland, Oregon, conducted a four-month pilot project from July to November 2018. Portland's *e-scooter pilot program* was established by administrative rule and a permit that set specific conditions for providing e-scooters within the city. The total number of e-scooters was capped at 683 per company. The pilot scheme's key regulatory elements included:

- advance citywide equity goals, requiring each company to deploy at least 100 scooters in East Portland each day;
- companies required to limit e-scooters to a maximum speed of 15 mph (24 km/h);
- e-scooter riders required to wear a helmet and prohibited from riding on sidewalks;
- the use of motorized vehicles, including e-scooters, on trails in Portland parks was prohibited;
- companies and riders required to park e-scooters only on the sidewalk close to the curb, in a manner that did not interfere with pedestrian access or travel; and
- as a condition of receiving a permit, companies were required to educate riders about safe riding and proper e-scooter parking.

Operationally, e-scooters differ from other mobility services because they are usually picked up every night to be charged and deployed the next day. Companies hire a mix of independent contractors as well as regular employees to charge, deploy, maintain, and respond to service requests. During Portland's four-month pilot, companies reported working with 1,533 independent contractors (primarily chargers) and paying \$643,000 in total wages to these contractors.

During the Portland pilot period, e-scooter-related injuries increased. However, most e-scooter injuries were not severe enough to warrant emergency transport. There were no e-scooter-related traffic fatalities during the pilot period. Eighty-four percent of emergency room visits were the result of an individual falling off an e-scooter. The high number of public complaints regarding sidewalk riding, coupled with the 3 percent of injuries resulting from collisions with pedestrians, suggest an impact to pedestrian safety and comfort.

2.6 Summary

The frameworks used for regulating dockless mobility device sharing vary significantly, from 2-page guidelines to permit requirements of 60 pages or more, while all covering similar themes. Each city's regulatory framework and requirements reflect the issues identified with dockless mobility operations in that city. For example, the Sydney and Melbourne agreements were focused on mitigating issues of dumping and impounding. Canberra's open-ended guidelines were focused on attracting a market, whereas those from US cities were highly prescriptive and sought to regulate the existing market.

Only in Seattle and Austin did planning (and the fees that were charged to operators) allow for a revenue stream to fund the provision of mobility device parking facilities to accommodate the new demand.

For Sydney and Melbourne, the respective State Governments were not initially involved with the provision of any parking facilities, nor the enforcement of parking issues, believing these to be a normal part of the early stages of implementation. In these cities, councils developed and put in place agreements with the bicycle share operators. However, this did not solve the issues of abandoned and inappropriately parked bicycles, and further issues were created when operators did not collect council-impounded bicycles. As a result, the respective State Governments in Victoria and New South Wales both acted to provide councils increased authority to address these issues.

This is important to consider as, for most international cities reviewed, a singular transport authority was responsible for the management of dockless mobility schemes. Like Adelaide, operations in Sydney and Melbourne were managed by various councils. The interventions at the State level suggest that the policy response from a State level can either assist or effectively hinder or stifle take-up.

A summary of all key requirements from each city is provided overleaf. This has been collated under the common headings of engagement, equipment standards, data sharing, user education and safety, fleet size, distribution & deployment, parking, maintenance and transit integration.

	Sydney	Melbourne	Canberra	Auckland	San Francisco	Seattle	Austin
Engagement requirements	Councils reserve the right to implement a fee or levy structure to contribute toward bike share infrastructure; Remove all bikes from public places within 15 days after ceasing operations.	Agrees to pay a financial contribution (\$50 per bicycle) to each of the councils - A proportion of this fee is refundable to the operator based on performance against the Agreement.	All bikes are to be removed within 7 days after ceasing operations.	Must supply plans for: operational logistics, communications, helmet supply, maintenance, re-distribution and strategic alignment with the city; Provide previous performance references; Council has the right to limit the number of operators.	A permit fee must be paid before any permit is issued; Agrees to pay endowment of \$25,000 to reimburse the City for any costs that may be incurred; Permittee shall pay a fee to cover the cost of one standard bike rack for every two bikes in service; The permittee shall provide evidence to demonstrate payment of any penalties.	The vendor shall maintain a \$10,000 surety bond; Must submit parking and fleet management, rider education and equity plans (and submit monthly updates on progress); Must supply device design specifications shown to meet standards. A permit may be revoked if compliance targets are not appropriately satisfied.	The Director may terminate a license and require that the entire fleet be removed from within 10 days; Must have a staffed operations and customer service centre in the City; Licensee shall have a performance bond of \$100/unit.
Equipment Standards	Bicycles must comply with Australian Standards; incl. bells, helmets, front and rear lights, and reflectors; Provide GPS tracking; All bicycles must have kickstands.	Ensure that all share-bikes are easily identifiable; The size of any third-party advertising on the bicycles is to be approved by the council/s.	Each bike should be equipped with GPS; Bicycles must comply with Australian Standards; incl. bells, helmets, front and rear lights, and reflectors; Electric-assist limited to 200 watts/27kph - Pedal-assist limited to 250 watts/25 kph.	Comply with all NZ standards; Agree that council may make new diagnostic and location technologies a requirement in the future.	The Operator logo, and a unique identifier is displayed on both sides of the bicycle; Contact information for the Operator shall be displayed on all Bicycles; Equipped with on-board GPS capable of providing real-time location data; All electric-assist Bicycles must employ an electric motor of less than 750 watts.	All devices shall comply with appropriate national or international design standards; All devices must have the following components: unique identifier, location tracking GPS, lamps and reflectors, brakes, bell, security lock, maintenance mode, emergency unlocking; All devices deployed on or after March 1, 2019 shall be capable of real time tracking.	Display the name of the licensee, their contact information and a unique unit number; Equipped with an on-board GPS unit; Electric-assist limited to 750 watts; Max speed of 20mph for all devices; All devices must comply with the relevant Code of Federal Regulation.
Legal Requirements	Hold public liability insurance which names and indemnifies council; Seek independent legal advice.	Agrees to indemnify each council; Hold a current public liability insurance policy.	Must hold appropriate liability insurance.	Provide proof of ongoing liability insurance.	Indemnify and save harmless City and its officers, agents and employees.	Sign and record an indemnity agreement; Maintain commercial general liability insurance.	Licensee shall sign and record an indemnification agreement indemnifying and holding harmless the City.
Data sharing	Cooperate with council's request for data; <i>Specifies what the data may include;</i> Operators & council to work together to survey customers about bike use; Work towards live data portals for sharing with council.	Provide a summary record of activity relating to the share bikes to council on the first day of each month; Provide electronic data in a machine-readable format; <i>Specifies what data must be collected and shared.</i>	Adhere to the Information Privacy Act 1988; Provide the following, de-identified data at no cost and in a timely manner, including age & gender of riders, GPS Tracking incl. duration and distance.	Comply with the National privacy act; Provide a record of complaints and response times when requested; Agree to share all anonymised data with council via a <i>prescribed data form</i> ; Provide live real time information to council; Agree to follow the General Bikeshare Feed Specification (GBFS).	Provide a Privacy Policy that safeguards customers' information; Provide aggregate customer demographic data at least monthly; Provide real-time data through an API interface; Provide anonymized data for each trip record via a <i>prescribed data form</i> ; Provide bike availability data for oversight of parking compliance and bicycle distribution via a <i>prescribed data form</i> .	Must collect and submit deployed-device data and trip data as per <i>specified requirements</i> ; Deployed-device data should be provided in real-time; For each week ending on Sunday, the vendor shall submit the trip data on or before the following Friday at noon; Collect data on parking and maintenance reports and response times to submit each month.	Provide a Privacy Policy that safeguards customers' information; Keep a record of reported collisions and maintenance activities; On a monthly basis, provide a complaint and collision history report; Provide real time and historical information for their entire fleet through a documented (API) interface.

User education & safety	<p>Inform customers of safe riding and parking, and compliance with NSW road rules;</p> <p>Educate customers on parking impacts to mobility and vision impaired;</p> <p>Encourage customers to reposition poorly located bikes.</p>	<p>Ensure users are aware of legal penalties for misconduct;</p> <p>Encourage appropriate rider behaviour through instructions on the bike, in the App, website and/or Facebook page;</p> <p>Council will use its media channels to encourage customers and the public to report issues and store share-bikes appropriately.</p>	N/A	<p>Ensure users are aware of compliance with all acts and regulations;</p> <p>Convey appropriate parking areas to the user;</p> <p>Have methods to incentivise good behaviour and penalise non-compliance;</p> <p>Recommend that users under 18 years of age should be accompanied by an adult.</p>	<p>Instruct customers how to park a bicycle properly;</p> <p>Maintain a multilingual website, call centre, and app that is available twenty-four hours a day, seven days a week;</p> <p>During each calendar year of business operations, offer customers one safety training class every other quarter.</p>	<p>Educate riders how to operate and park its devices;</p> <p>Develop and implement a rider education plan;</p> <p>Provide rider education signage on each device;</p> <p>Offer a translated instructions or translation support.</p>	<p>Educate users on lawful and safe use.</p> <p>Instruct users on where parking is allowed and prohibited and how to park;</p> <p>Notify the user of the cities 'Dockless Mobility Code of Ethics'.</p>
Fleet size, distribution & deployment	<p>Monitor the location of bikes daily and be proactive in the redistribution of bikes;</p> <p>Council may determine appropriate bike deployment.</p>	<p>Deploy bicycles consistent with the parking guidelines;</p> <p>Monitor bike locations to avoid and address breaches of agreement;</p> <p>Densities must not exceed six bicycles per 200m except at locations determined by council;</p> <p>Council may determine if bikes are clustered in excessive numbers.</p>	<p>Have an appropriate number of staff available to redistribute and repair bikes.</p>	<p>Demonstrate capability to manage the redistribution of devices;</p> <p>Council has the right to limit the number of devices per zone.</p>	<p>At a minimum, density shall not fall below 3 bicycles per square mile for more than 10 minutes between 6am- 10;</p> <p>At least 20% of bicycle availability shall be maintained within groups of census tracts designated as 'communities of concern';</p> <p>Provide a contact for staff capable of rebalancing bicycles;</p> <p>Agree to relocate or rebalance bicycles within two hours of an SFMTA request.</p>	<p>Maximum fleet size to be determined with SDOT based on number of vendors;</p> <p>Minimum fleet size (at least 80% of maximum fleet size) must be deployed;</p> <p>Must distribute no less than 10% of fleet within prescribed geographic areas (equity).</p>	<p>Limit to a maximum of 500 units per initial license;</p> <p>Units must maintain a minimum monthly average of 2 trips per day - Should this not be met, units may be required to be relocated or removed;</p> <p>Must monitor distribution of units according to parameters set by Austin;</p> <p>Provide a contact for staff capable of rebalancing bicycles;</p> <p>Remove, relocate or rebalance units based on specified timeframes</p>
Parking within existing road and footpath environments	<p>Provide geo-fencing capabilities for preferred parking and exclusion zones;</p> <p>Specifies definition of safe bike placement;</p> <p>Council may nominate preferred parking areas.</p>	<p>Council may determine if bikes are placed in appropriate locations;</p> <p>Councils may designate areas where bikes cannot be parked, and the operator must implement a geofence to enforce restrictions;</p> <p>Councils may choose to introduce designated parking areas in certain locations;</p> <p>Specifies parking guidelines;</p> <p>Bicycles that breach the parking criteria can be seized by council.</p>	<p>Work with the ACT Government to map appropriate parking locations;</p> <p>ACT Government will determine and mark locations.</p>	<p>Council has the right to determine where devices can and cannot be parked;</p> <p>Specifies examples of inappropriate parking locations.</p> <p>Geofencing capabilities likely to be a near-future requirement;</p>	<p>Bicycles that are parked improperly shall be re-parked or removed by the Permittee within two hours;</p> <p>Bicycles that are parked at a location for 7 days or more may be removed by City staff and taken to a City facility for storage at Permittee's expense;</p> <p>Bikes should be parked in the furniture zone of the sidewalk or at a public bicycle rack.</p>	<p>The vendor shall park devices consistent with the parking requirements;</p> <p>Details generally where parking is allowed and prohibited (with specifications)</p> <p>SDOT may designate parking and restricted parking locations for the vendor to mark in its smartphone application;</p> <p>Upon notification of an is improperly parked device, the vendor must inspect and remove/repark the device within specified timeframes.</p> <p>Use geofencing technology to prohibit parking locations.</p>	<p>Details generally where parking is allowed and prohibited (with specifications);</p> <p>The Director may restrict parking in areas, through geo-fencing requirements or written notice;</p> <p>Units that are parked incorrectly shall be re-parked in a correct manner or removed by the operator within specified time frames;</p>
Provision of new parking facilities to accommodate demand	No	No	Yes, as defined by ACT Government	No	No	No	Licensees shall pay for the costs associated with the installation of Parking Boxes at a ratio of 5% of total fleet size for every 10 units permitted.

Maintenance	<p>Immediately deactivate broken bikes and remove/ repair bikes within a specified timeframe;</p> <p>Provide contact details on bikes and enable easy 24/7 customer reporting;</p> <p>Provide a central point of contact for council;</p> <p>Provide access to council staff to unlock bikes;</p> <p>Comply with the specified timeframes for reported damaged, faulty, abandoned, inappropriately parked or unused bikes;</p> <p>Council may remove and impound a dangerously placed bike at any time to make area safe.</p>	<p>Establish a notification system (including a 24hr number service) to report broken/damaged, abandoned or inappropriately located bikes;</p> <p>Provide adequate resources to receive and action complaints from the public and council;</p> <p>After notice from a council or the public, any inoperable bike shall be immediately disabled from Revenue Service suitably repaired before it is returned;</p> <p>Council will advise the Operator of any impounded bikes and charge an impound fee.</p>	<p>Any bikes removed or impounded may result in costs being incurred by the service provider;</p> <p>Service providers should have an appropriate number of staff available to redistribute and repair bikes;</p> <p>Bikes in need of repair or maintenance are quickly removed from the fleet and are not reintroduced until safe for riding;</p> <p>Users should be able to easily report a bike in need of repair/maintenance, and the service provider should immediately respond by locking the bike;</p> <p>Ensure the timely upkeep and maintenance of all software associated with the scheme, including online content and smartphone applications.</p>	<p>Requires operators to provide 24-hour communication channels for users;</p> <p>Remove reported damaged or non-complying devices (12 hrs), and devices in unlicensed areas (48 hrs) or operator will incur a removal cost from council.</p>	<p>Provide a mechanism for customers to notify operators of a safety or maintenance issue;</p> <p>Permittee shall have a 24-hour customer service phone number for customers to report safety concerns, complaints, or ask questions;</p> <p>Implement a maintenance, cleaning and repair plan;</p> <p>Bicycles that are not safe to operate shall be removed from the right-of-way within 24 hours after notice and shall be repaired before the bicycle is return to revenue service.</p>	<p>Maintain each deployed device in good working order and repair or remove any device that is not in good working order;</p> <p>Specifies good working order;</p> <p>If notified, remotely suspend rentals on damaged/unsafe devices until repaired;</p> <p>Specifies unsafe device;</p> <p>All devices shall be equipped with technology to remotely suspend new rentals of damaged devices;</p> <p>If any City department incurs costs addressing non-compliance, the vendor shall reimburse the City no later than 30 days after notification.</p>	<p>Must be capable of quickly identifying and addressing safety and maintenance issues;</p> <p>Provide a mechanism for customers to notify operators of a safety or maintenance issue;</p> <p>Have a customer service phone number, website, and app available 24/7 for customers to report safety concerns, complaints or ask questions;</p> <p>Licensees shall respond to complaints and obstructions within specified timeframes;</p> <p>All devices shall be equipped with technology to remotely suspend new rentals of damaged devices;</p> <p>Remove any unit that is not safe to operate within 4 hrs of receipt of notice;</p> <p>The Director may require the removal of units with batteries or motors that are deemed unsafe for public use;</p>
Transit integration	N/A	N/A	N/A	<p>Council reserves the right to integrate the service into the cities transport mobile app;</p> <p>Ensure the technological capability to integrate their services into this Mobility Marketplace.</p>	BART have a separate property use agreement for the right and license to place Mobility Devices on BART property	N/A	N/A
Liability/ Indemnity	<p>Operators must have public liability insurance which names and indemnifies councils and other public landholders.</p>	<p>Operators shall be the holder of a current public liability insurance policy to cover legal liability to third parties for personal injury or property damage</p> <p>The public liability policy shall extend to cover the each of the councils in respect to claims for personal injury or property damage</p> <p>The public liability policy should be underwritten by APRA approved insurer/s, and the sum insured should not be less than \$20,000,000.</p>	<p>Operators must have appropriate liability insurance in place, which includes costs incurred in the case of insolvency. The ACT Government does not accept any liability associated with the operation of private bike share systems.</p>	<p>Operators must hold public liability insurance of at least NZ\$1,000,000. The operators must be able to show ongoing proof of their public liability insurance.</p>	<p>Permittee shall indemnify the City and its officers, agents and employees from any loss, cost, damage, injury, liability, and claims thereof</p> <p>Permittee must maintain insurance in the following amounts and coverages:</p> <p>Workers' Compensation, Commercial General Liability Insurance, Commercial Automobile Liability Insurance, Professional liability insurance, Technology Errors and Omissions Liability coverage.</p>	<p>Commercial General Liability, Umbrella or Excess Liability, Automobile Liability insurance, Worker's Compensation, Employer's Liability or "Stop Gap"</p> <p>Operator shall include the "City of Seattle" as an additional insured to all the insurance coverage listed above, except for Worker's Compensation.</p>	<p>Licensee shall maintain commercial general liability insurance, worker's compensation, business automobile insurance. The City of Austin shall be named as an additional insured.</p>

***See Appendix B for detail around specified time frames and data requirements**

3. Policy Implications

South Australian councils considering dockless mobility operations in their jurisdictions are advised to establish a formal agreement with each prospective operator before any scheme is launched.

It is recommended that:

1. a formal agreement is accompanied by
2. a set of operational conditions to which the operator must adhere. This is best achieved with a permit under Section 222 of the *Local Government Act 1999*, backed up with
3. enforcement options within recommended newly-drafted by-laws.

The proposed framework for both permits and by-laws is discussed in detail in Section 4.

From the case study review in Section 2, it is evident that there are a range of approaches to imposing operational conditions, from open ended guidelines to prescriptive requirements. Most guidelines, requirements and conditions do, however, follow a similar structure.

The following are considered important aspects of any formal agreement with a dockless mobility operator.

3.1 Engagement

Permission might be granted only after an operator has demonstrated that it can meet the conditions set by authorities. A council might seek a detailed plan from the operator that demonstrates the methods and operational procedures used to meet the conditions and citywide goals. Guidance for application plan requirements is provided in Section 4.4.

Councils might wish to limit the number of operators permitted in their area and/or the total number of dockless mobility devices that may be deployed by each operator, or in total. In order to do so without acting solely on a 'first-come-first served' basis, some city authorities are releasing a request for proposals. A competitive process helps to determine which operators not only have the experience and qualifications to operate, but also have strategic and operational goals that align with those of the council. To reduce administrative costs, it is recommended that a successful proposal be implemented by issuing a permit, rather than entering a contractual arrangement which might necessitate appointment of a contract manager.

It is recommended that permits be issued for short, fixed-term periods to ensure a competitive market is maintained and innovation is encouraged. There could be scope for permits to be extended or revoked at the discretion of each council and based on the operator's performance against the conditions.

Other important considerations for the engagement of dockless mobility operators include:

- **Insurance:** as standard practice, proof of public liability insurance should be required prior to commencing operation. Prescribing insurance and setting minimum amounts of public liability insurance aims to indemnify users and the council. It should be necessary for an operator to name and indemnify the council as an interested party.

- **Fees:** Councils might choose not to charge any fees as they might see shared mobility as a service they would wish to assist in providing to the public (e.g. council is the customer and sustainable transport is the product). If fees are to be charged, care should be taken not to set them at a level that might discourage innovation. However, fees might be used to generate revenue which could be allocated to assist in public education or provide infrastructure such as designated parking facilities for shared dockless mobility devices, particularly in locations of high parking demand.
- **Evaluation & Review:** It is recommended that regular reviews are conducted to assess ongoing benefits and risks as well as address common and recurring issues. Some permit conditions include indicators against which the operator's performance may be measured. These indicators generally satisfied by the compliance of the operator against the specified time frames and maintenance protocols within the permit (e.g. ability to relocate, repair or remove a device within the specified times, compliance with specified fleet numbers etc.)

3.2 Equipment Standards

It is recommended that permits require dockless mobility devices to meet all relevant standards at national, state and local levels. Operators must have a system in place to ensure all devices, including helmets, continue to comply with legal standards and requirements.

At a minimum, it is recommended that:

- all devices and associated equipment must comply with Australian Standards and legislation;
- a compliant helmet must be provided with each device;
- all electric mobility devices must comply with state legislation in terms of speed and power level limitations;
- all devices must be equipped with GPS to enable their exact location to be tracked and monitored; and
- all devices must have a unique identifier.

Ideally, operators should be able to integrate on-board location technologies and eventually on-board wireless diagnostics, to more easily identify mechanical failure, and proactively intervene through preventive maintenance. Councils could revise permit conditions in future, to incorporate such requirements.

3.3 Maintenance and Operations

In terms of maintenance and operations, there are various elements for council input and oversight. Aspects such as maintenance protocols and response times ideally could be consistent across a wide region (such as metropolitan Adelaide), whereas some considerations such as fleet size, distribution, parking and exclusion areas are more appropriately determined at the local level.

At a minimum, it is recommended that each council adopt, within the conditions of any permit and/or the provisions of any new by-law, requirements for:

- minimum response times for the operator to correct improperly located or damaged devices. Operators should be required to respond to complaints or notification within a certain time frame, typically two hours depending on the situation. Each council is encouraged to ensure that it also has the authority to fine the operator or remove the device from the street at the operator's expense. Unless such a requirement was a condition of a permit, then the power would need to be found in a new by-law. See Section 4.2 below.
- easy 24/7 reporting of faulty or damaged devices, missing helmets or devices in inappropriate locations, through an app, website, email and a fully dedicated phone number that should be operational much longer than merely office hours.
- a detailed plan on how maintenance checks are to be undertaken and logged, as well as a proof of a process for users to notify the operator of any safety or maintenance issues. For any electric devices, councils are advised to seek a detailed plan from the operator on how devices will be charged and redistributed.
- a contact person from the operator with phone number and email (outside of the public customer service number) for the council to contact directly.

If councils adopted consistent permit conditions and by-laws it would ensure smooth operations and a more streamlined customer experience. Adoption of a model by-law would also assist a council to remove devices, including any that were ridden into a council area from another council's area

Councils would want to have input into some of the key operational considerations that will have a direct impact on their jurisdiction. The operator might consider each council area as a separate 'zone' with varying operational requirements. The following elements might well vary between council areas and are further discussed in Section 4.3 below.

- **Fleet size:** A council might wish to impose a restriction on the maximum number of devices allowable in its area, although it would be prudent to adopt some flexibility to reflect either increased public demand, or to penalise poor operator performance. This might be determined as part of the application and engagement process. Operators might be required to redistribute their fleet across each council area, and/or across council boundaries.
- **Device densities and distribution:** A council might wish to develop density limits, either in specific zones such as activity centres or in general to avoid clustering. Operators would need to agree to regularly remove and relocate devices that have been left in clusters at certain locations. Each council could seek a plan of how an operator intended to meet these distribution requirements. A council might also consider the environmental impact of collection and redistribution, if multiple vehicle trips were required to re-distribute clustered devices.
- **Preferred parking and exclusion zones:** A council might wish to allocate areas in which devices should and should not be parked. This may be as a set of general guidelines (e.g. to specify safe and unsafe parking on streets) or by designating and excluding parking in specific areas and creating 'hubs'. This might be enforced by the operator through geo-fencing capabilities or alternatively by providing incentives and penalties for non-compliance. These parking and exclusion areas should be denoted on all service maps. Councils might consider allocating a proportion of revenue derived from permit fees to fund infrastructure such as the installation of dedicated parking facilities for dockless mobility devices in popular areas.

3.4 User Education

Dockless mobility operators should include safety information for riders on their app and website. Such information should include educating riders to

- wear a helmet,
- inspect the device for damage before riding,
- submit a maintenance report,
- yield to pedestrians and
- park in appropriate locations.

Some operators use credit programs to incentivise self-regulation and compliance and discourage misuse.

At a minimum, councils are advised to ensure permit conditions require that:

- terms and conditions of use must be agreed by users when they use the dockless mobility device equipment and these terms must promote responsible and legal operation, public safety and good parking behaviour;
- operators must provide 24/7 communication channels for users, including a clearly advertised telephone number provided on their website, apps and devices, and must also have a complaint handling process to minimise escalation to the council; and
- operators have systems in place to incentivise good operational and parking behaviour and penalise non-compliance by users.

3.5 Data sharing requirements

The operation of shared mobility devices represents an opportunity for councils to better understand community transport needs and support transport planning. For this purpose, data sharing protocols are an important part of all formal agreements with dockless mobility operators.

Councils are encouraged to consider (as a condition of granting permits) requiring dockless mobility operators to submit periodic reports that include all anonymized trip data, maintenance activity data, complaints and response time log as well as crash and incident data.

It is recommended that periodic reporting occurs monthly in order to assist a council with planning and evaluation of the scheme. Anonymised trip data should be provided via a prescribed data form. This would ensure consistency of information to assist planning across council boundaries.

As a further step, councils might consider requiring operators to provide access to real-time data on the location of all operational devices, via a publicly accessible application program interface (API) in a standardised format, such as the General Bikeshare Feed Specification (GBFS). The GBFS is an open data standard that makes real-time data feeds publicly available online in a uniform format so that map and transportation-based apps can easily

incorporate this data into their platforms. Modelled after the General Transit Feed Specification, the GBFS is applicable for all dockless mobility devices, including scooters.

- At a minimum the operator should provide monthly data reports which include anonymised trip data, maintenance activity data, complaints and response time log as well as crash and incident data.
- Council could consider preferencing applicants who have the ability to provide real-time information on the entire fleet through a documented application program interface (API).

Councils might also require operators to distribute an annual survey to users in order to collect data on the demographics of dockless mobility users and how and why they use dockless such devices. Such data could help analyse progress toward council goals, such as expanding access, and where and to what groups the city should target efforts to encourage shared mobility use.

3.6 Transit integration

There are opportunities to link dockless mobility sharing devices with State-provided public transport services, to extend the reach of both types of transport. With co-operation between State and local government, and the providers of shared mobility devices, customers might ideally be able to use a single app to view and access a full range of transport options.

It is beyond the scope of this paper to recommend all steps towards a fully-integrated transit system. Nevertheless, councils are encouraged to partner with operators willing to work with State transit authorities to create hubs in appropriate locations such as stations and interchanges. Operators should also be able to demonstrate the protocols for managing the impacts of dockless mobility device clustering (e.g. at surrounding stations and interchanges).

Councils might consider giving preference to dockless mobility operators who have the technological capability to integrate their services into State transport apps, allowing customers to view all transport choices in one place. This capacity would be demonstrated by their compliance with the General Bikeshare Feed Specification (GBFS).

Preferably, dockless operators should provide devices that can be unlocked using an RFID card (such as the METRO card) or show willingness to work with State transit authorities to develop a payment platform that allows transfers between dockless mobility devices and public transport services.

4. Recommended Framework

Dockless mobility device sharing has an important role to play in South Australia's transport future.

Councils and dockless mobility operators can work together to achieve transport, environment, health and other related goals as well as maintain equitable use of public space while minimising risk and inconvenience.

From the research conducted, the following Policy Framework is recommended:

For optimum outcomes, dockless mobility schemes would operate consistently across council boundaries. For this reason, it is recommended that a standard set of permit conditions be adopted by all South Australian councils. A model set of permit conditions is provided in Section 4.1.

Within the model permit conditions, there are opportunities for councils to incorporate provisions that would apply to specific localities and public spaces. This includes fleet size, deployment and density requirements, and preferred parking and exclusion zones.

The model permit includes options for each council to determine an appropriate level for any fee. Any council-specific conditions could be the subject of negotiations with dockless mobility operators. Advice on how these parameters might be devised is provided in Section 4.3.

In order to improve a council's capacity to deal with dumped or inappropriately-parked mobility devices, it is recommended that each council introduce or amend a relevant by-law (e.g. an existing 'Roads' by-law). Recommended by-law provisions are provided in Section 4.2.

The relationship between the **Standard Operational Conditions & Guidelines**, the recommended **by-law provisions**, and the proposed **Section 222 permit document** is displayed in Figure 4 below.



Figure 4: Recommended framework relationship

The recommended framework process is demonstrated in Figure 5 overleaf. It outlines procedures that could be followed by any South Australian council that might be considering engaging or authorising a dockless mobility operator. The proposed framework would

streamline, for dockless mobility operators, the process of applying for and receiving a permit.

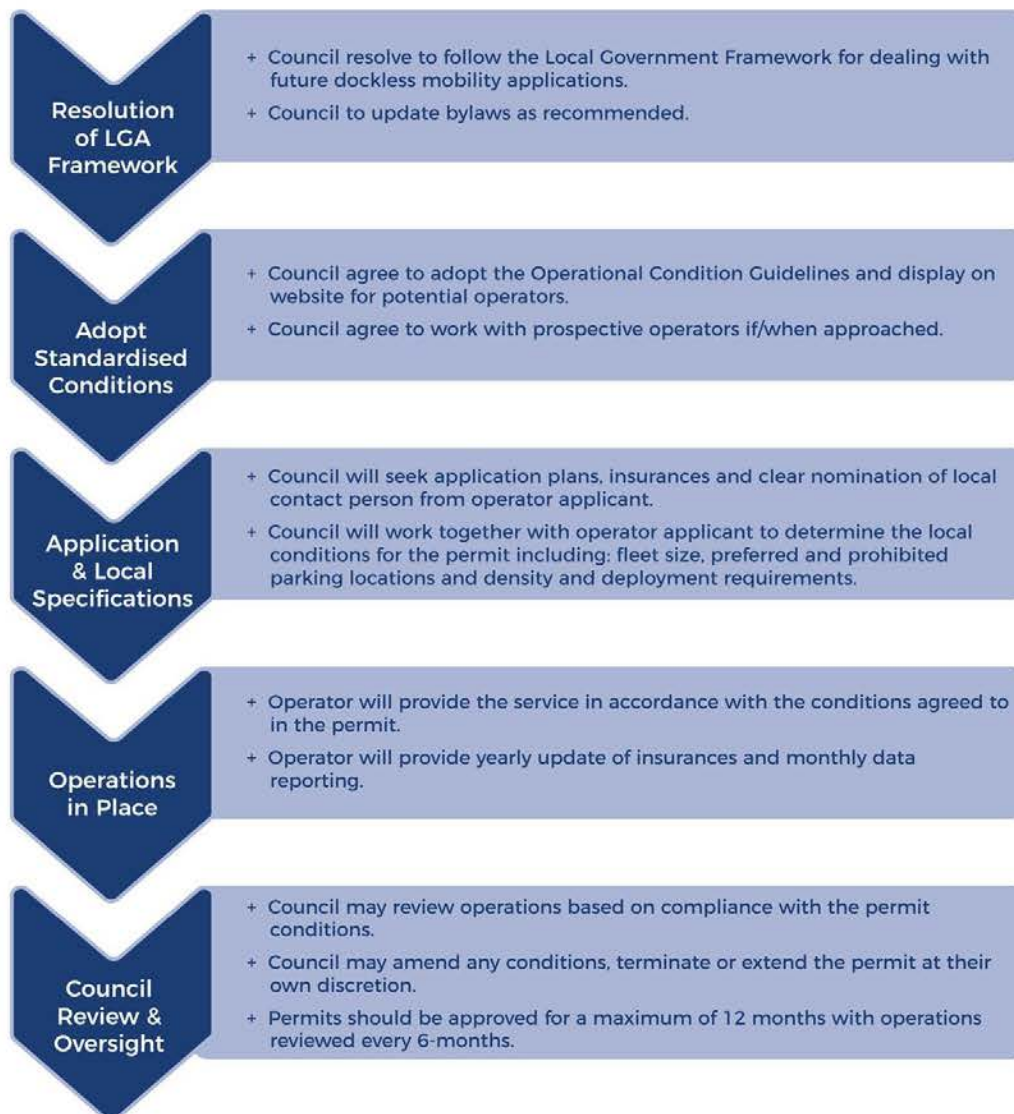


Figure 5: Recommended framework process

4.1 Standard Operational Conditions & Guidelines and Model Permit

A DRAFT of the *Standard Operational Conditions & Guidelines* recommended to be adopted by all South Australian councils is available in **Appendix A**. These conditions have been developed within the context of, and in response to the following:

- Issues and opportunities identified in previous operations;

- Conditions of a permit previously issued by the City of Adelaide;
- International best practice in regulating and managing dockless mobility sharing;
- Interstate and international guidelines, regulations and permits with contextual relevance to South Australian operations.

Appended to the *Standard Operational Conditions and Guidelines* is a model permit. This is an example of how councils could set out permit documentation to ensure clarity.

4.2 Update to By-laws

It is recommended that each council consider updating by-laws (specifically a “roads” by-law) to enable greater enforcement options for dealing with the collection, removal and recycling of dockless mobility devices that might be inappropriately located, damaged, or in inappropriate densities.

The proposed provision might be incorporated into a *Management of Roads* section in an existing by-law, as follows:

Activities Requiring Permission

No person shall without permission on any Road:

Lock, affix, place or park a bicycle or other personal mobility device on a road or road related area, where the bicycle or device may cause an obstruction or unreasonable hazard, other than on a structure or space specifically designed and set aside by the council for that purpose;

Removal of Objects

If any goods, materials, object or substance has been left on a road in breach of this by-law, an authorised person or her or his agent may remove the item and dispose of it in a manner that authorised person thinks fit and may recover the costs of so doing from the person responsible as a debt.

4.3 Council-specific conditions

The success of dockless mobility schemes depends, in part, on striking the right balance between providing regulatory flexibility to councils, while maintaining a degree of administrative and service consistency.

As part of this Paper’s recommended framework, the following parameters would be set by each council, separately, as conditions of a permit issued to an operator. These parameters would apply in addition to the response timeframes set out in clause 4.16 of the *Standard Operational Conditions & Guidelines*, which may be used to measure the performance of the operator against permit requirements.

As dockless mobility sharing is relatively new, there are no set standards for various operational requirements. The following sections provide advice drawn from best practice examples to assist councils to determine the conditions that are most appropriate for their area.

Fleet Size

It is advisable to place some limit on the number of dockless mobility devices deployed within a council area. Without a cap, operators could flood a council area with high quantities of devices to capture market share. However, if the fleet cap is set too low, the system will not be used because it will be too difficult to locate a device.

In order to ensure that dockless mobility operators provide a reliable, convenient transport option, a balance needs to be struck between providing dockless mobility services and overcrowding public space with infrequently used devices.

To date, cities have employed a variety of metrics to determine appropriate fleet sizes for dockless schemes. Some cities have developed permit requirements that phase in fleets, either over time to allow cities and operators to adjust, or by requiring operators to meet basic service thresholds in order to expand. Common methods of fleet size capping include:

- Total number of devices that can be effectively managed by city staff;
- x devices per y residents;
- x devices allowed in first month, y devices allowed in second month (and so on);
- If the average daily usage is 1 trip, per device, per day (or higher) the fleet may expand - Less than 0.3 trips, per device, per day may warrant a reduction in fleet size.

Deployment and Density Requirements

In order to provide reliable service, operators must ensure that devices are appropriately distributed across the service area. To ensure this, a council might prescribe that the operator must have a maximum and/or minimum number of devices in a defined area (e.g. identified shopping or medical precincts, particular suburbs etc.) or must provide a minimum service level in communities identified as being under-served. This could help to ensure more equitable spatial distribution of devices across a council area, and that devices can be more reliably found in less dense or less destination-heavy zones.

To date, cities have employed a variety of metrics to determine and regulate the distribution of devices throughout service areas. These include:

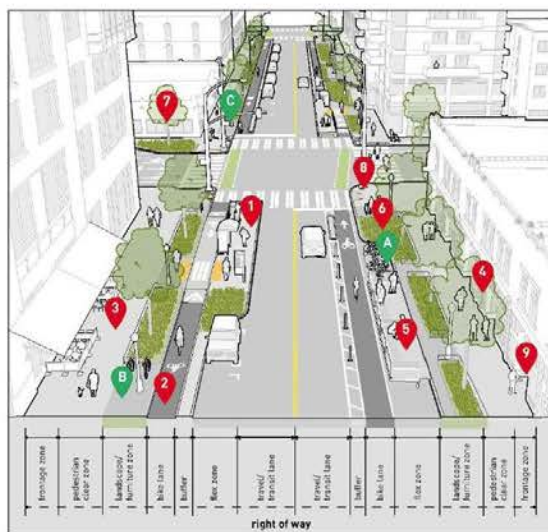
- Limiting the number of devices that can be located within any given area unit (e.g. metres or square metres)
- Defining geographic zones with maximum and/or minimum numbers of devices
- Requiring a certain number or percentage of the fleet to be maintained in a defined area
- Requiring that any unused devices (that have not moved in 7 days) be relocated.

As an example, councils in Greater Melbourne have employed an overall density limit of 6 dockless bikes per 200 metres. There is an exclusion for specified locations such as activity centres, train stations and any other area determined by a council.

Because dockless mobility devices move around cities and App data may not be fully reliable, distribution enforcement is difficult. Many cities have taken a manual approach, tasking community and council staff to conduct regular spot-checks. However, as location technologies and data sharing capabilities improve, a council might wish to make real-time location data a requirement, to assist in proactive re-distribution.

Preferred Parking and Exclusion Zones

Despite being “dockless,” allowing operators and customers to leave mobility devices in the public realm requires councils to determine locations where those devices can and cannot be parked. In some cities, device parking is unrestricted or “free floating,” meaning that customers can leave dockless mobility devices anywhere. In other cities, companies are required to tell their customers to only leave devices near the kerb, in the landscape/furniture zone (e.g. outside of the pedestrian zone) (see Figure 6).



DO

- A. Park in designated bike share parking areas and public bike corrals.
- B. Lock devices to bike racks* where they do not block pedestrian access.
- C. Park on hard surfaces in the landscape/furniture zone, near the curb.

*As a temporary measure, please do not lock devices to fixed objects, including bike racks, until March 15, 2019.

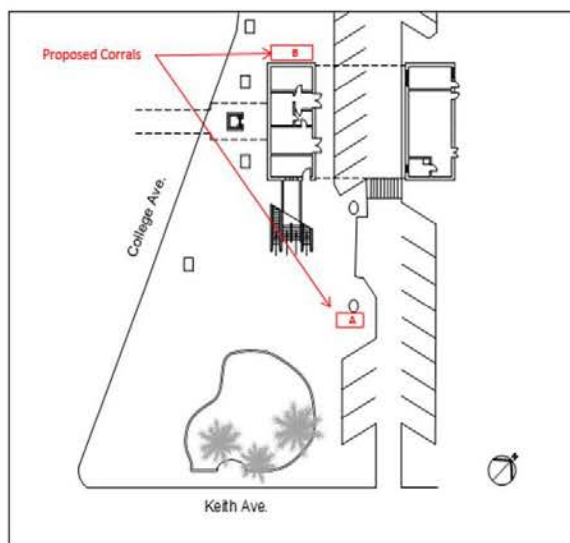
DON'T

- 1. Park at transit stops, loading zones, or disabled parking zones.
- 2. Park in travel lanes.
- 3. Park in the pedestrian clear zone. Leave at least 6 feet for pedestrians to pass.
- 4. Park in the frontage zone or against buildings. People with low vision use this area to navigate.
- 5. Block access to street features like parklets, parking pay stations, benches, and building entrances.
- 6. Park on grass, vegetation, or other soft surfaces.
- 7. Lock devices to trees, railings, or anywhere that will block access.
- 8. Park on corners, curb ramps, or crosswalks.
- 9. Block building entrances.

Figure 6: Parking requirements, general – Seattle Department of Transportation

Councils might specify designated areas where dockless mobility devices should be parked. This might not necessarily apply across an entire council area, but would be advisable in more congested areas such as shopping centres and transit stations (see Figure 7). There are a number of ways that councils and operators might wish to denote designated parking areas. These include:

- physical infrastructure such as designated racks, line-marking or signage;
- clear customer instructions via the operator's app (displayed on across all Realtime service maps), including incentives and penalties for non-compliance;
- information on a council's website; and/or
- geo-fencing capabilities



Designated parking area A



Designated parking area B



Figure 7: Parking requirements, Stations – Bay Area Rapid Transit (San Francisco)

Local governments might also wish to restrict mobility device parking in particular areas such as waterfronts, parks, car parks or other highly trafficked areas.

Currently, the limitations of GPS and geo-fencing technologies means that there is not a standard way to enforce parking restrictions. Typically, GPS can determine locations within about 3-7 metres but not to the finer degree of accuracy needed for parking spaces. Most cities rely on reported problems and spot-checks to assess compliance. As geo-fencing technologies are improved and refined, a council might include a requirement to geo-fence parking locations.

Fees

Councils are advised to ensure that the full cost of regulating and managing dockless mobility operators is considered when setting fees. A council might choose to waive aspects of the permit fee, to encourage provision of the service to the extent that it aligns with the council's strategic objectives.

Councils typically incur the following costs in managing or regulating dockless mobility schemes:

Administration & Oversight Costs

- Reviewing application
- Ensuring permit compliance
- Analysing and assessing data
- Responding to public complaints
- Liability insurance

Direct Costs

- Removing broken, damaged, and/or incorrectly parked devices if the Operators can't/won't

- Purchase and installation of physical infrastructure related to the system (e.g. rails, line marking)
- Potential reduction of available parking rails for private bicycles
- Loss of public right-of-way space, especially the pedestrian zone

Planning and Engagement

- Planning
- Advertising/outreach/encouragement
- Assessing Compliance

Some cities have calculated a permit fee based on these expected costs. Below is an example of how the city of Seattle calculated its permit fees:

Expense	Amount	Per Device (if 5,000 devices)
Program Administration	\$600,000	\$30
Program staff (1.5 full-time equivalent positions)	\$370,000	\$18.50
Data analysis, repository, and portal	\$50,000	\$2.50
Adaptive cycle share partnership (leverage community partnerships to increase adaptive cycling access)	\$50,000	\$2.50
Equity-based outreach and engagement	\$50,000	\$2.50
Compliance auditing	\$50,000	\$2.50
Ongoing evaluation (survey and other work to evaluate program)	\$30,000	\$1.50
Designated Device Parking (1,500 spaces)	\$400,000	\$20
TOTAL	\$1,000,000	\$50

Some councils in Australia have established an infrastructure contribution fee (approx. \$50 per device and hypothecated to ensure that funds are spent on cycling) to assist with the operational costs.

While councils have a power to charge fees, it is recommended that this is calculated at a flat rate permit fee, rather than per device. As these services are likely to align with a council's strategic plans and assist in meeting a range of city-wide goals, it is important to ensure that potential operators are not restricted from providing the service due to financial strain. Furthermore, alternate mobility sharing models would involve a high cost if a council were to provide a similar service.

4.4 Engagement requirements

Before engaging and permitting a dockless mobility operator, the recommended framework suggests working with the proposed operator to determine the factors detailed in Section 4.3, and also seek a range of plans.

It is advisable to seek these plans whether or not engagement is part of a competitive request for proposal. The proposed operator's plans should demonstrate how the proposed dockless mobility share scheme would adhere to the recommended *Standard Operational Conditions & Guidelines*. At a minimum, a proposed operator's plans should include::

- a helmet supply, servicing and maintenance plan detailing how helmets are to be provided, and devices maintained and documented;
- an electric charging plan to detail the procedure for collecting, charging and re-deploying;
- a publicity plan to promote the customer service hotline, contact information and a process for users to notify the operator in the case of safety or maintenance issues;
- a communications plan to respond to queries and complaints, and minimise escalation to the council; and
- a device distribution management plan. It is recommended that this plan should place the onus for re-distributing clustered devices on onto the operator.

Appendix A: Recommended Standard Operational Conditions & Guidelines and Model Permit

INTRODUCTION

Dockless mobility device sharing has an important role to play in South Australia's transport future.

Councils and dockless mobility operators are committed to working together to establish a balanced position that achieves transport, environment, health and other related goals as well as the fair use of public space.

Aim and scope

A key aim of these *Operational Conditions and Guidelines* is to ensure that dockless mobility device share schemes are well-designed to South Australia's needs and complement the State's urban areas, while effectively managing the use of public space.

These *Operational Conditions and Guidelines* sit under the s222 permit framework of the *Local Government Act 1999*. Dockless mobility operators should be directed to apply for a permit in order to operate their business on public land. As part of granting a permit, a council can impose conditions.

The *Operational Conditions and Guidelines* offer a standard set of permit conditions which can be adopted by any South Australian council to allow a dockless mobility scheme. The recommended model permit (below) adopts the provisions of the *Operational Conditions and Guidelines* as conditions of the permit.

This framework envisages flexibility for each council to specify the requirements that directly impact on its localities and public spaces (such as permit fees, fleet size, deployment and density requirements, and preferred parking and exclusion zones). These council-specific conditions should be the subject of negotiations with dockless mobility operator and may form part of the permit.

To facilitate enforcement of these permit conditions, each council is advised to update its "roads" by-law to deal with the collection, removal and recycling of dockless mobility devices that might be inappropriately located, damaged, or in inappropriate densities.

Operational conditions & guidelines and model permit

1. Engagement

In order to operate a dockless mobility device share scheme an operator must apply for and be granted a Permit for Business Purposes, under Section 222 of the *Local Government Act 1999*.

Prior to being granted a Permit, operators must contact council with a plan demonstrating how a proposed scheme will adhere to these *Operational Conditions and Guidelines*.

By applying for the Permit, the operator agrees to the following:

- 1.1 No more than the permitted number of mobility devices of each category (as specified in the permit) will be based in the council area although the permitted number does not include devices that may be based in other council areas, (under the authority of permits that might be issued by other councils) and that may enter the council area from time to time.
- 1.2 Provide a central point of contact to council and retain an open line of communication.
- 1.3 to adhere to the conditions set in this document, and those specified in the Permit, at all times
- 1.4 To pay the permit fee specified in the permit.
- 1.5 That council may cancel, suspend or modify the permit at any time by written notice to the Operator.
- 1.6 That the conditions of the permit may be revised with 30 days' notice to the Operator
- 1.7 .that in the event the Operator ceases trading, the Operator is obliged to remove all devices from public places within 15-days. Any devices removed or impounded by the council may result in costs being incurred by the Operator.
- 1.8 The Operator must indemnify or reimburse council for any damage or maintenance costs that may arise as part of this activity.

2. Safety & insurance

- 2.1 The Operator shall advise their customers of the need to comply with the South Australian Road Rules and all other Acts, Regulations, By-laws and Policies applicable to the operation. The Operator's customers must also consider the safety and comfort of other people on the road and footpaths.
- 2.2 The Operator must advise customers of risks and insurances applicable to users and recommend that users of dockless mobility devices aged under 18 years of age should be accompanied by an adult.
- 2.3 Accidents causing injury must be recorded and included in the data made available to council.

Insurances & Liability

- 2.4 The Operator must indemnify and release council from all liability arising from or in connection with dockless mobility share operations or the conduct of the Operator's business by the Operator or any of the Operator's agents, including:
 - any claim made by any person for injury, direct and indirect loss or damage arising in any manner.
 - any direct and indirect loss or damage to any property belonging to the Operator or other persons located in the vicinity of the Defined Area caused by the Operator or the Operator's agents.
 - any direct and indirect loss, damage, injury or illness sustained or incurred by the Operator or any of the Operator's agents.
- 2.5 The Operator must have public liability insurance with a minimum coverage of \$20 million and be able to show ongoing proof when requested.

Equipment Standards

- 2.6 Dockless mobility devices and equipment must be of sufficiently high quality to withstand constant public use, while meeting rider safety and comfort standards. The devices must include smart technology with an active global positioning system (GPS) and wireless connectivity to enable maintenance and proactive device re-distribution.
- 2.7 All dockless mobility devices must comply with relevant Australian Standards. When deployed, all devices must be supplied with a helmet. All bicycles must also have sturdy kickstands.
- 2.8 The Operator must include in its application, a detailed plan on how it will ensure each dockless mobility device is always supplied with a helmet.
- 2.9 Electric devices must be limited in speed and power levels as required by South Australian legislation.

3. Operations & maintenance

- 3.1 The operator must provide council with up to date and relevant locally based contact details for the operational point of contact who will resolve any issues that arise.
- 3.2 The operator must have a system in place to ensure dockless mobility equipment, (including helmets) continue to comply with legal standards and requirements. At a minimum all dockless mobility devices must be given a full service every six months, with regular checks and repairs throughout the year. All mechanical services and repairs must be logged and available for review by council at least every month or whenever requested.
- 3.3 The operator must enable easy 24/7 reporting of faulty or damaged devices, missing helmets or devices in inappropriate locations, through their app, website, email and a fully dedicated phone number.
- 3.4 After notice from council or a member of the public, any faulty or damaged device shall be immediately disabled from service and suitably repaired before it is returned to service;
- 3.5 Any dockless mobility device considered faulty or damaged must be removed by the Operator within the timeframes specified in clause 4.16 or it may be removed by council at the expense of the operator.

Parking of Devices

- 3.6 The Operator's devices must not cause disruption or nuisance. The Operator must ensure device sharing does not compromise or have a negative impact on other street users, including people with a disability. Dockless mobility devices must not be parked or allowed to remain on or in inappropriate locations such as:
 - a) Within the pedestrian zone of a footpath,
 - b) Where they could pose a safety hazard, or
 - c) Where they could interfere with pedestrian access generally or access to amenities;
- 3.7 Dockless mobility devices must be parked in an upright position beside cycle parking stands where possible. If this is not possible, they should be parked on wide footpaths, in areas of low pedestrian activity, and positioned kerbside; away from the building line. This information must be conveyed clearly to each customer.
- 3.8 Council may determine the location of preferred parking and exclusion zones. The Operator must have geo-fencing capabilities and other methods to implement and enforce preferred parking and exclusion zones. All preferred parking areas and exclusion zones set by council should be displayed on service maps.
- 3.9 Any dockless mobility device that is parked in an exclusion zone or outside of a permitted area must be relocated or removed by the Operator within the timeframes specified in clause 4.16 or it may be removed by council at the expense of the Operator.
- 3.10 In order to manage an expected increase in the numbers of dockless mobility devices, parking requirements will be subject to change as council adapts to the increase in dockless mobility devices as a result of these operations.

Deployment and Density Requirements

- 3.11 The Operator's fleet of dockless mobility devices must not exceed the maximum as specified by the council in the permit.
- 3.12 The Operator must deploy devices in a manner consistent with the Parking of Devices clauses.
- 3.13 Council may determine the appropriate dockless mobility device distribution and densities. These may vary by location as determined by council.

- 3.14 The Operator must monitor the location of all dockless mobility devices daily to avoid clutter or clustering of devices in any one location and adhere to the fleet size and density limits set by council.
- 3.15 The Operator must include in its application and maintain a plan to manage the redistribution of dockless mobility device to ameliorate clustering, in advance of major events or at the request of council.

Faulty, Damaged or Misplaced Bikes

- 3.16 If council or a member of the public reports a damaged, faulty, abandoned or inappropriately parked or located dockless mobility device, the following timeframes apply from receipt of notification:

ISSUE	EXAMPLES	RESPONSE TIME
Dangerously located	Creating a barrier or hazard to pedestrian access Parked on a roadway or traffic island	Within 2 hours
Damaged/Faulty	Missing Wheels Reported as unsafe	Immediately deactivate device and remove within 24 hours
Inappropriately located	Parked in an exclusion zone On private property	Within 24 hours
Inappropriate density	Clustering and breaching density limit set by council	Within 48 hours
Unused	Unused for more than 7-days	Within 7 days

- 3.17 Council may impound dockless mobility devices if they are not removed within the listed response times. These devices will then be treated as abandoned and may be disposed of as deemed fit. Associated costs may be recovered from the Operator.

4. Customer experience and education

- 4.1 The Operator must provide 24/7 communication channels for users, including a clearly advertised telephone number provided on their website, apps and devices. The Operator must also have a complaint handling process. The Operator must have a clear plan in place to respond to queries and complaints to minimise escalation to council. The Operator must provide council, when requested, a record of complaints received and response times.
- 4.2 The Operator's customers shall not use the Operator's devices unless they have agreed to the Operator's terms and conditions of use which must be consistent with these Guidelines and promote responsible and legal use, public safety and good parking behaviour.
- 4.3 The Operator must have systems in place to incentivise good parking behaviour and penalise user non-compliance. All preferred parking areas and exclusion zones set by council should be displayed on the Operator's service maps.

5.Data requirements

- 5.1 All personal information must be collected, processed and stored in accordance all relevant legislation.
- 5.2 Anonymised data collected by the Operator is to be shared with the council to assist with ongoing network planning and cycle facility improvements. The clauses below set out the data required.
- 5.2.1 The following table outlines the data to be provided to council for each trip record. This is to be sent to council at least once a month or as requested.

	Format	Description
Company Name	[company name]	n/a
Type of bicycle or e-scooter	"Standard" or "Electric"	n/a
Trip record number	Xxx00001, xxx00002, xxx00003, ...	3-letter company acronym + consecutive trip #
Unique, hashed and persistent ID of the user		So council can understand one-time vs regular users.
User Demographics as available		For example, country of origin (from mobile phone or app store), gender and age (if collected).
Trip duration	MM:SS	n/a
Trip distance	KM	n/a
Trip waypoints to track the route (at least every minute)	An XML file format to be agreed	n/a
Start date	MM, DD, YYYY	n/a
Start time	HH:MM:SS (00:00:00 – 23:59:59)	n/a
End date	MM, DD, YYYY	n/a
End time	HH:MM:SS (00:00:00 – 23:59:59)	n/a
Start location	GPS location	n/a
End location	GPS location	n/a
Bicycle or e-scooter ID number	xxxx1, xxxx2, ...	Unique identifier for every bicycle and e-scooter, determined by the company

- 5.2.2 The operator shall include any data regarding public complaints and response times, maintenance and repair activities, and incidents involving dockless mobility devices within the data that is sent to council every month.
- 5.2.3 The operator should have the ability to provide council on request with real-time information on the entire fleet through a documented application program interface (API). The data to be published to the council API should include the following information in real time for every parked device:
- Identification number
 - GPS Co-ordinate
 - Availability start date
 - Availability start time
 - Power level (if electric)
 - Date of last service
 - Time to next service

h) Service status

- 5.3 The operator will support the General Bikeshare Feed Specification (GBFS), an open data standard for cycle share. GBFS makes real-time data feeds publicly available online in a uniform format so that map and transportation-based apps can easily incorporate this data into their platforms.
- 5.4 Council reserves the right to display information about the operator on its website. The Department of Planning Transport and Infrastructure may choose to integrate cycle share into Adelaide Metro's MetroMATE Mobile app.

COUNCIL LOGO HERE

Pursuant to Section 222 of the *Local Government Act 1999*, a **Permit for Business Purposes** described below is hereby granted.

DESCRIPTION OF PERMITTED ACTIVITY	PERMIT NUMBER
Operation of a commercial dockless mobility scheme Maximum Number of mobility devices <ul style="list-style-type: none"> • Bicycles • e-bicycles • Scooters • e-Scooters • Other devices (specify) 24-hour contact number: xxx Contact: xxx	xxx
LOCATION	LICENCE TYPE
City of xxx	Trading Stands

Expiry Date: xxx

PERMIT CONDITIONS

The Permit Holder (dockless mobility operator) agrees:

- To adhere to all conditions set out in the *Operational Conditions and Guidelines*
- That the number of mobility devices (fleet size) is not to exceed the maximum noted on this permit, above.
- To adhere to and actively enforce the preferred parking and exclusion zones determined by council
- To adhere to and actively implement the deployment and density requirements determined by council
- **To pay Council a permit fee of \$XXXXXX per month.**

Council acknowledges that Permit Holder (dockless mobility operator) has satisfied the following:

- Proof of ongoing public liability insurance
- Detailed plans demonstrating how a proposed scheme will adhere to the *Operational Conditions and Guidelines*.

COUNCIL LOGO HERE

PERMIT HOLDER ACKNOWLEDGEMENT: -

I, the Permit Holder, acknowledge that I have received, read and understand the Permit and agree to abide by all the Conditions of this Permit.

NAME OF ORGANISATION:

Name.....

Signature.....

A.B.N.

COUNCIL AUTHORISATION:

Signed.....

Printed Name:

Position: Permit Officer

Date of Permit Authorisation: / /

Appendix B: Summary of timeframes and protocols in other jurisdictions

Recommended timeframes for the removal of shared mobility devices (bicycles and/or e-scooters where relevant)

Sydney

Incident	Timeframe	Action
Dangerously placed	3 hours	Where a device is causing an unreasonable hazard (i.e. parked across a road, carriageway etc.) the operator will relocate the device within two hours. Council/public landholder may remove and impound the device at any time to make the area safe. The operator will be contacted at the time of any such action.
Device reported as unsafe	Immediate (upon verification) 1-7 days (depending on severity)	Upon verification of an unsafe device, the operator will immediately deactivate it. The operator will check for safety/damage/faults and remove the device from the public area.
Significantly damaged	Immediate (upon verification) 1-7 days (depending on severity)	Upon verification of a damaged device, the operator will immediately deactivate it. Operator will check for safety/damage/faults and remove the device from the public area
Inappropriate device density	1-7 days (depending on severity)	Operator will be proactive in the redistribution of devices
Illegally parked	1-7 days (unless escalated by council or public land holders)	Dependent on location of device (For example private property, motorcycle or disabled parking)
Unused devices	7-11 days	If a device has not been moved after 11 days, a council/public landholder may instruct the operator to relocate the device. The device may be impounded after 15 days

Melbourne

Incident	Timeframe	Action
Dangerously placed	2 hours	Where a device is causing an unreasonable hazard (i.e. parked across a road, carriageway, etc.) the operator will relocate the device within 2 hours. A council or relevant authority may remove and impound the device at any time.

Reported as faulty / damaged / unsafe	0 - 24-hours	Operator will immediately deactivate the device. Operator will check device for safety / damage / faults and will remove it from the public realm until it is suitably repaired.
Inappropriate density	0 - 24-hours	Where excessive numbers are present the Operator will reduce the number at a single location by relocating the excess number of devices.
Device tipped-over	0 - 24-hours	Operator will upright the device, within 24-hours of being notified.
Inappropriately placed	0 - 48-hours	Where a device is parked in an inappropriate location, but where it is not causing an unreasonable hazard, the operator will relocate the device within 48-hours

Auckland

- Damaged devices parked in a non-compliant manner or place need to be removed by the operator within 12 hours of being reported. If not, operators will pay any removal costs incurred by council. The cost to get the device back from the council after removal is \$371 per item at time of writing. This cost may alter over time.
- Any device parked outside a licensed area, for 48 hours must be moved by the operator to a licenced location or it may be removed by Auckland Council at the expense of the operator.

Seattle

The vendor shall complete its inspection and correct any improper parking within the following times:

- if the notification alleges the device is an obstruction hazard and the report was made between 6:00 AM and 11:59 PM, two hours after the vendor receives notice;
- if the notification alleges the device is an obstruction hazard and the report was made between midnight and 5:59 AM, four hours after the vendor receives notice; or
- if the notification does not allege the device is an obstruction hazard, 24 hours after the vendor receives notice.

A device is idle if it has been parked in the same location in the City for more than seven days without being rented or being visually inspected by the vendor. If anyone notifies the vendor that a device is idle, the vendor shall inspect, repark, or remove the device no later than 48 hours after the vendor receives notice.

San Francisco

- Any device parked improperly shall be re-parked in a correct manner or shall be removed by the permittee within two hours
- Permittee shall relocate or rebalance devices within two hours of an SFMTA request.
- A device that is inoperable or not safe to operate shall be removed from the right-of-way within 24 hours after notice from the City and shall be repaired before it is returned to service.

Austin

Licensees shall rebalance the number of devices according to the following timelines

- Reduction shall occur within four (4) hours of receipt of notice on weekdays, 6am and 6pm, not including holidays;
- At all other times, reduction shall occur within ten (10) hours of receipt of notice

Licensee shall remove any device that is not safe to operate within four (4) hours of receipt of notice and shall not be redeployed until repaired.

Operator shall respond to complaints and obstructions within the following timeframes:

- Sidewalk Obstruction of less than 3 feet – 60 minutes;
- Travel and bicycle lanes – 60 minutes;
- Transit stop obstructions – 60 minutes;
- Environmentally sensitive area– 60 minutes;
- Private property – 2 hours;
- Rebalancing off-hours – 2 hours;
- Other obstructions and nuisances – 2 hours;
- Unauthorized portions of parks and trails – 2 hours; and
- Other unauthorized areas – 2 hours.

Data Sharing Requirements**Sydney**

This commercial-in-confidence data may include:

- The number of registered users
- The total number of trips
- Trip origins and destinations, and trip duration (time and distance)
- The number of devices deployed and deployment locations
- Device redistribution numbers and patterns
- Data regarding damaged or lost devices, and helmets replaced
- Customer service contacts and response times

Melbourne

Provide the following electronic data in a machine-readable format for the purposes of transport planning and research by the council, researchers and third parties.

- Provide DoT, via the LGA, with GPS trace information for all trips for modelling purposes.
- Share information about the number of devices deployed and their location.
- Share data about the number of devices collected or relocated and the reason for this.
- Share data about the number and location of devices in each council area.
- Share anonymised usage data about trips made, including origin, destination time and duration.
- Share data about the effectiveness of providing helmets, their usage rates and their attrition rates over time.
- Share data about the number and nature of complaints from the public and resolution times, including; location of incident; response timeframes and actions and response resolution.

Auckland

The following table outlines the usage data to be provided to Auckland Council for each trip record. This is to be sent to council at least once a month or as requested.

	Format	Description
Company Name	[company name]	n/a
Type of bicycle or e-scooter	"Standard" or "Electric"	n/a
Trip record number	Xxx00001, xxx00002, xxx00003, ...	3-letter company acronym + consecutive trip #
Unique, hashed and persistent ID of the user		So council can understand one-time vs regular users.
User Demographics as available		For example, country of origin (from mobile phone or app store), gender and age (if collected).
Trip duration	MM:SS	n/a
Trip distance	KM	n/a
Trip weigh points to track the route (at least every minute)	An XML file format to be agreed	n/a
Start date	MM, DD, YYYY	n/a
Start time	HH:MM:SS (00:00:00 – 23:59:59)	n/a
End date	MM, DD, YYYY	n/a
End time	HH:MM:SS (00:00:00 – 23:59:59)	n/a
Start location	GPS location	n/a
End location	GPS location	n/a
Bicycle or e-scooter ID number	xxxx1, xxxx2, ...	Unique identifier for every bicycle and e-scooter, determined by the company

Operators should have the ability to provide council with real-time information on the entire fleet through a documented application program interface (API). The data to be published to the council API should include the following information in real time for every parked device:

- Identification number
- GPS Co-ordinate
- Availability start date
- Availability start time
- Fuel level (if electric)
- Date of last service
- Time to next service
- Service status

Appendix C: Useful resources

- NACTO Policy 2018 Guidelines for the Regulation and Management of Shared Active Transportation - <https://nacto.org/wp-content/uploads/2018/07/NACTO-Shared-Active-Transportation-Guidelines.pdf>
- ITDP Optimizing Dockless Bikeshare for Cities - <https://www.itdp.org/2018/05/11/dockless-bikeshare/>; <https://3gozaa3xxbpb499eip30lxc8-wpengine.netdna-ssl.com/wp-content/uploads/2018/05/ITDP-Optimizing-Dockless-Bikeshare-for-Cities-1.pdf>
- Transport for London, Dockless bike share code of practice For Operators in London September 2017 - <http://democracy.cityoflondon.gov.uk/documents/s101100/Dockless%20Cycle%20Hire%20Report%20SW%20PT%20Sept18%20Appendix%202.pdf>
- WA LGA Bicycle Share Schemes Discussion Paper - <https://walga.asn.au/getattachment/Policy-Advice-and-Advocacy/Infrastructure/Urban-and-Regional-Transport/Bicycle-Share-Schemes/Bicycle-Share-Schemes-Discussion-Paper.pdf.aspx?lang=en-AU>
- International Municipal Lawyers Association Guidance for Regulation of Dockless Micromobility - https://nabsa.net/wp-content/uploads/2017/09/IMLA_Dockless_Guidance.pdf
- Portland Bureau of Transportation, 2018 E-Scooter Findings Report - <https://www.portlandoregon.gov/transportation/article/709719>

Reviewed permits/requirements:

- Inner Sydney bike-share guidelines - https://www.cityofsydney.nsw.gov.au/_data/assets/pdf_file/0010/295759/Inner-Sydney-Bike-Share-Guidelines-22-Dec-2017-1.pdf
- Melbourne Memorandum of Understanding - http://www.portphillip.vic.gov.au/MEDIA_RELEASE_-_Agreement_to_put_the_brakes_on_bike_share_clutter_-_1710....pdf
- Canberra Dockless Bike Share Guidelines - https://www.transport.act.gov.au/_data/assets/pdf_file/0018/1132434/Dockless-Bike-Share-Guidelines-A4-v7.pdf
- Auckland Dockless Cycle Share Code of Practice - <https://at.govt.nz/media/1975718/dockless-cycle-share-code-of-practice.pdf>
- Seattle DOT Free-Floating Bike Share Program Permit Requirements for the 2018-2019 permit cycle- https://www.seattle.gov/Documents/Departments/SDOT/BikeProgram/Seattle_Bike_Share_Permmit_Requirements_v2.1_20181219.pdf
- San Francisco MTA Stationless Bikeshare Program Permit Application - https://www.sfmta.com/sites/default/files/projects/2017/Bike%20Share%20Permit_v1.1_FINAL.pdf
- Austin, Director Rules for Deployment and Operation of Shared Small Vehicle Mobility Systems - http://www.austintexas.gov/sites/default/files/files/Transportation/Final_Notice_of_Rule_Adoption.pdf

11.3 Urban Services Activities Report

Brief

This report provides Elected Members' with information on activities within the Urban Services Division.

RECOMMENDATION

The Committee recommends to Council that the Urban Services Activities Report be received.

Discussion

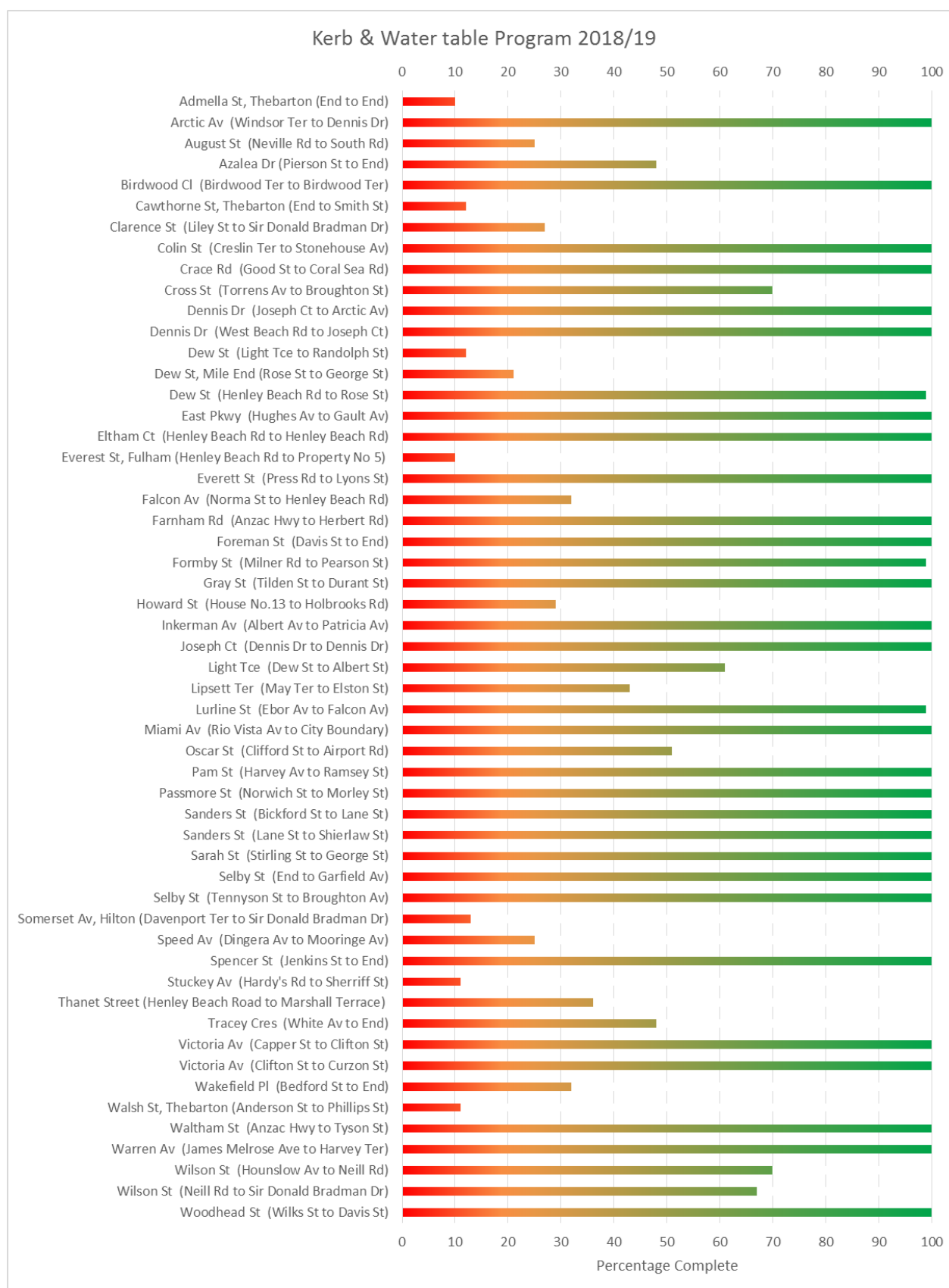
This report details the key activities of the City Assets, City Development, City Operations and City Property departments.

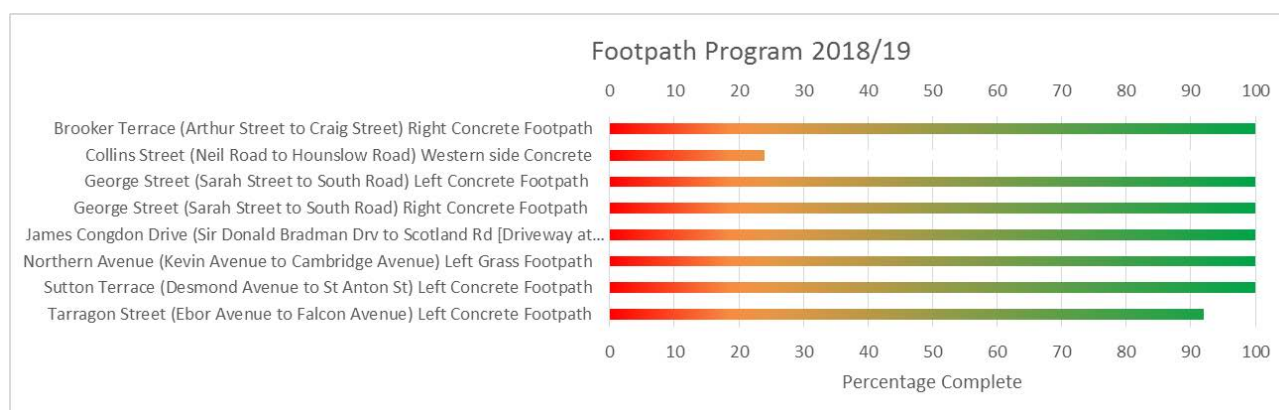
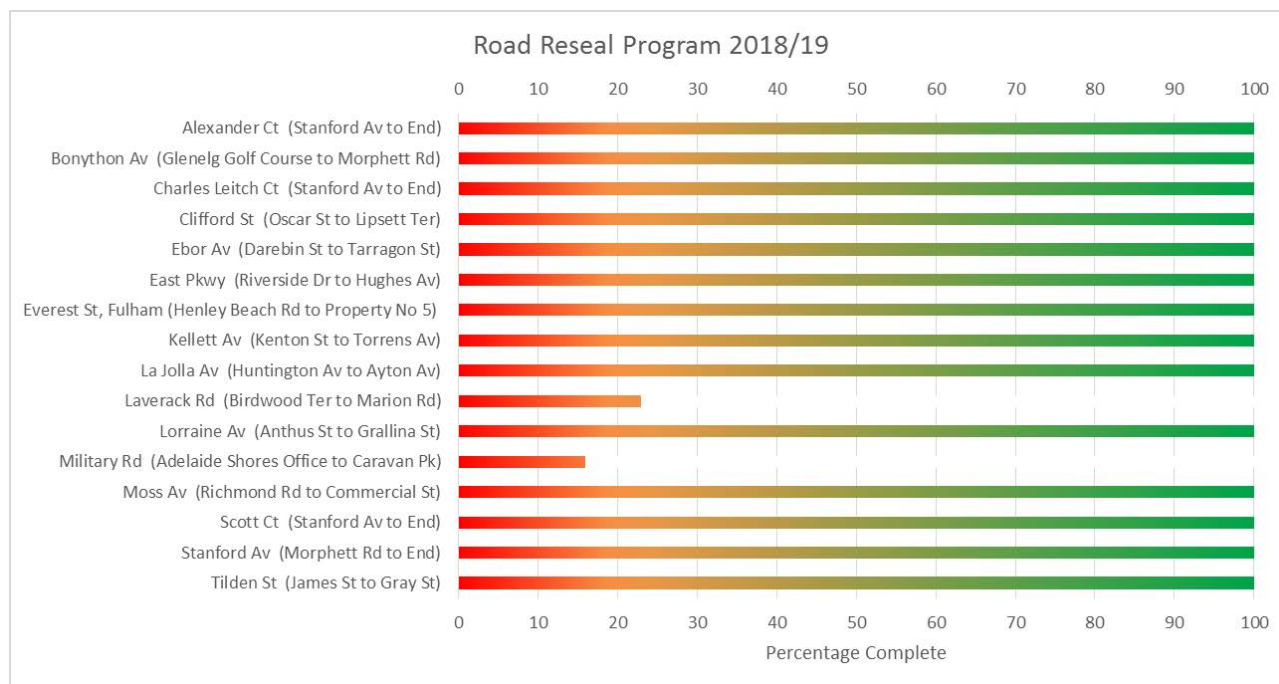
Special Project Work	
New Drainage System - Lockleys Catchment Henley Beach Road Crossings - Stage 5B Clyde Ave, Arcoona Ave, Franciscan Ave, Noble Ave, Torrens Ave, Kent Terrace and Elba Ave.	The major construction works are complete with minor ancillary works to be completed by mid-June 2019.
Rutland Avenue, Lockleys secondary drainage upgrade	Tendering and pricing for these works is currently underway. It is anticipated that works will commence late June 2019.
Brown Hill and Keswick Creek Maintenance	Works on multiple locations within the creek are completed.
Brown Hill Creek Bridge Replacements	Detail designing of these works are progressing, including costings and service authority agreements.
Shannon Avenue, Glenelg North, Stormwater Pump Station - Upgrade	The project to refurbish and upgrade to the Shannon Avenue stormwater pump station has commenced on site in May. The project is anticipated to continue through to the end of August 2019.
Westside Bikeway, (Pedestrian Path Lighting Project)	The staged site works for the 2018/2019 program - along the Bikeway at Long Street, Birdwood Tce and Osborn Tce, Plympton has commenced in April and will continue through to June/July 2019.
River Torrens Bank Repair Works - SA Water	Final landscape planting at both the Azalea Drive and Murray Street site were undertaken during late May 2019, as previously committed to by SA Water. Works at the Hardys Road, Torrensville site are still continuing. However, the project has encountered substantially worse ground conditions than earlier investigations had indicated and hence has necessitated a substantial redesign of footing design of the proposed works. These ground condition challenges have brought about delays to the project, but at present it is too early to determine to what extent this is likely to impact previously reported completion dates.

	<p>The Administration are in regular contact with SA Water and are seeking to confirm amended work schedules in particular when Council is likely to be able to access the site for further upgrades to be undertaken to the pathway by Council.</p>
Mortimer Street - Road Upgrade	<p>New verge upgrade works including new footpath pavements and irrigated landscapes are due for completion in early June 2019.</p>
Admella Street, Thebarton (George street to Chapel St) -Road Upgrade	<p>Detail design and documentation is near complete.</p>
LGA Public Lighting Working Group - Update	<p>In December 2018, a Public Lighting Working Group (PLWG) was established to:</p> <ul style="list-style-type: none"> • Provide a representative group for Councils to work with the LGA and SA Power Networks on public lighting matters. • Provide a forum for listening and discussion with Councils on public lighting. • Seek input from Councils and stakeholders on the transition from negotiated distribution services to alternative control services. • Build mutual understanding and trust between the LGA, SA Power Networks and public lighting customers. • Identify new service and product lines which will add value to public lighting customers. • Discuss current issues associated with public lighting. <p>Councils Manager of City Assets, Mr J Ielasi, is a member of the PLWG.</p> <p>The PLWG has been meeting on a monthly basis since its establishment in December 2018.</p> <p>A set of principles has been developed to guide discussion and decision making.</p> <p>SA Power Networks will work with the PLWG to develop a customer portal for public lighting. The aim of the portal is to provide a simple website for all councils to use to get more information on public lighting e.g. carbon usage reporting, requesting quotes etc.</p> <p>The LGA engaged an independent consultant to review SA Power Networks pricing outcomes for the 2020-25 regulatory period and report back to the PLWG. The LGA has submitted a response to the Australian Energy Regulator on behalf of all councils.</p>

Capital Works	
Road Reconstruction Works	<p>The following is an update on the road reconstruction projects occurring in our City:</p> <p>The following road reconstructions are complete:</p> <ul style="list-style-type: none"> – Saratoga Drive, Novar Gardens (Sheoak Ave to Pine Ave) – Broughton Ave, Kurralta Park (Tennyson to Beauchamp St) – Stephens Ave, Torrensville (End to Ashley St) – McArthur Ave, Plympton (Urrbrae Tce to Glenburnie Tce) – West Thebarton Road, Thebarton – Phillips Street, Thebarton – Delray St, Fulham (Gault Ave to Crispian St) – Wilford Ave, Underdale (Sherriff St to Hardys Rd) – Ashwin Pde, Torrensville (City Boundary to East St) – Durant St, Plympton (Gray St to James St) – Norman St, Underdale (Sherriff St to Holbrooks Rd) <p>The following road reconstructions are currently underway:</p> <ul style="list-style-type: none"> – West Beach Road, West Beach – Mackirdy St, Fulham (Henley Beach Rd to Samuel St) – Sherriff St, Underdale (Norman St to Henley Beach Rd) – Ashley St, Underdale (Sheriff St to Holbrooks Rd)
Rejuvenation Program 2018/19	The rejuvenation works to various street are near complete.

Capital Works (continued)





Capital Works (*continued*)

Playground Upgrade 2018/2019

The following is an update on the 2018/2019 replacement program for playgrounds at:

- Montreal Avenue Reserve, Novar Gardens - Works are complete;
- Cromer Street Reserve, Camden Park - Project is scheduled to commence in June 2019;
- Mellor Park Reserve, Lockleys - The project will be implemented as part of the Reserve Upgrade later this year.
- Apex Park Reserve, West Beach (additional equipment/expansion) - Project is included as part of the Apex Park Redevelopment and will be implemented in mid-2019.

Reserve Irrigation Upgrades 2018/2019	<p>The following is an update on the 2018/2019 irrigation upgrade program for reserves at:</p> <ul style="list-style-type: none"> • Westside Bikeway, Marleston / Plympton, (staged project, selected areas within the linear park) - Staged works are currently continuing along Birdwood Tce, Plympton • Lockleys Oval and surrounds, Lockleys - Project is included as part of the Lockleys Oval Redevelopment. • Cromer Street Reserve, Camden Park - Project is to be completed upon completion of the playground upgrade. • Stirling Street Reserve, Thebarton - This project was included as part of the Phillips Street road upgrade works and is complete.
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Traffic Projects and Parking Management

Torrensvile/Thebarton LATM	<p>The detailed design is complete for Ashley Street (between Holbrooks Road and Hayward Avenue), which includes the removal of the roundabout at Ashley Street and Sherriff Street. Works have begun on this project.</p> <p>A concept plan for the traffic calming treatment at Hayward Avenue/Ashley Street, located west of West Street, by the Torrensvile Primary School (including the removal of the "bus only" control) has been developed and consultation is scheduled to be undertaken.</p> <p>A concept plan was developed for traffic calming in Maria Street. Consultation closed on 1 March 2019. Feedback has been reviewed and a summary report has been prepared and is pending final review.</p> <p>Concept plans for intersection line marking upgrades for the Carlton Parade - Shipster Street and North Parade - Shipster Street intersections. Concepts are currently being reviewed prior to consultation.</p>
Novar Gardens/Camden Park LATM	<p>Results of the feedback were presented to the working party on the 21 May 2019. Proposed revised plan(s) were discussed and it was resolved to pursue further localised consultation before the LATM finalisation and project delivery.</p>
Richmond/Mile End LATM	<p>Results of the feedback were presented to the working party on the 21 May 2019. The proposed LATM plan was discussed. Further review of the proposed plan is required from Traffic Services prior to further consultation.</p>
Marleston / Keswick / Kurralta Park / North Plympton / Ashford	<p>Full data collection has commenced including parking surveys and analysis. Key traffic count locations have been identified for further analysis.</p> <p>The Department of Planning, Transport and Infrastructure (DPTI) have provided traffic data for some of the key traffic count locations identified which adjoin Council and State roads.</p>

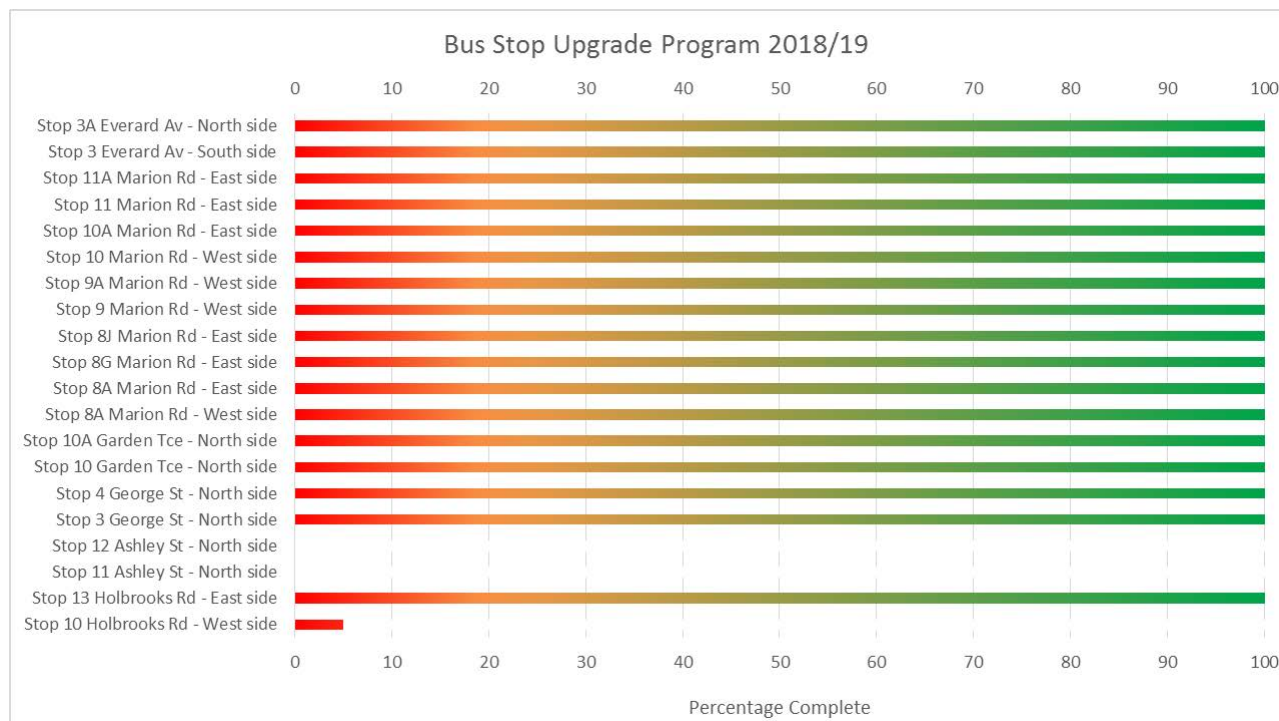
<p>Traffic and Parking Review</p>	<p>Parking Review:</p> <ul style="list-style-type: none"> Williams Street, Plympton - Consultation for parking restrictions is underway. Feedback period closes on 14 June 2019. Deacon Avenue, Richmond - Public consultation closed on 22 March 2019. Feedback has been reviewed and response to stakeholders has been distributed. The new signage (3 hr, 8am to 9pm, Mon-Fri.) was installed on 13 May 2019. Bice Street, Marlestone - On site parking surveys were undertaken and found a low kerb side parking saturation. In line with Councils parking criteria there is no warrant for implementing changes at this point. No further action required. Syme Street, Ashford - Consultation has closed and feedback reviewed. Formal notification has been distributed with the installation of the proposed changes, extension of "no stopping" to be carried out in coming weeks. Victoria Street, Mile End - Consultation has been undertaken to residents in Victoria Street in the vicinity of the <i>Love On Café</i>, located at the south western corner of Victoria Street and Gladstone Road. Consultation found that most residents opposed new parking controls and subsequently no changes to the existing parking controls are proposed. <p>Traffic Requests:</p> <ul style="list-style-type: none"> Frank Street and Airport Road, Brooklyn Park - DPTI advised that sufficient funding is not available to deliver the works. Council is now pursuing the option of cost sharing. Douglas Street, Lockleys - Concept for traffic and parking controls is complete and public consultation closed on 8 February 2019. Feedback has been reviewed and discussed with Ward Elected Members' and a revised concept has been prepared for implementation. Notification to the residents/tenants was distributed during the week commencing 29 April 2019. Works were planned to be undertaken late May 2019 and are dependent on weather. Lancaster Street, Lockleys - Public consultation closed on 22 March 2019 and feedback is being reviewed. Positive feedback was received for the implementation of a safety bar median delineation at the junction with Peter Street. Currently seeking quotes for the work. Lindsay Street, Plympton - Public consultation for the pavement bar medians has been distributed and closes on 31 May 2019. Tilden Street, Kurralta Park - Public consultation for the pavement bar median delineation closed on 8 March 2019 and feedback indicated lack of support for the implementation of the pavement bar median delineation.
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- Ashwin Parade, Torrensville - Request received from a resident for the review of pedestrian accessibility. A review was undertaken and found an average of 13 pedestrians and 3 cyclists crossed the road west of the Roundabout over 3 one-hour periods over 2 days. The usage does not warrant any further upgrades to the crossing.
- Torrensville Primary School, Parking, Pick-Up and Drop-Off: Issue has been investigated. Traffic engineer attended the Governing Council Meeting and discussed with the school different options to address the parking issues. Further discussion and direction from school regarding their position is pending.
- Lockleys North Primary School, Pick-Up and Drop-Off: The issue raised has been investigated. A response has been provided to the school principal with options for their consideration. An additional trial pick up and drop off zone has been implemented.

VMS Board:

- VMS Board moved to Coral Sea Road, with the next move scheduled for Long Street, Plympton and Ritchie Terrace, Marlestone.

Traffic Projects and Parking Management (*continued*)



<p>Blackspot project - Albert Street/George Street</p>	<p>Council has been notified that the proposed threshold treatment for the Albert Street/George Street intersection has been successful for funding approval by DPTI under the 2018/19 Blackspot Program.</p> <p>Council has re-developed the concept threshold treatment due to stormwater issues. DPTI advised that the concept does not require a separate approval and Council is able to install under its' delegation. Consultation closed on 22 March 2019 and feedback has been reviewed. Detailed design is complete and pricing is currently being sourced to undertake the works.</p>
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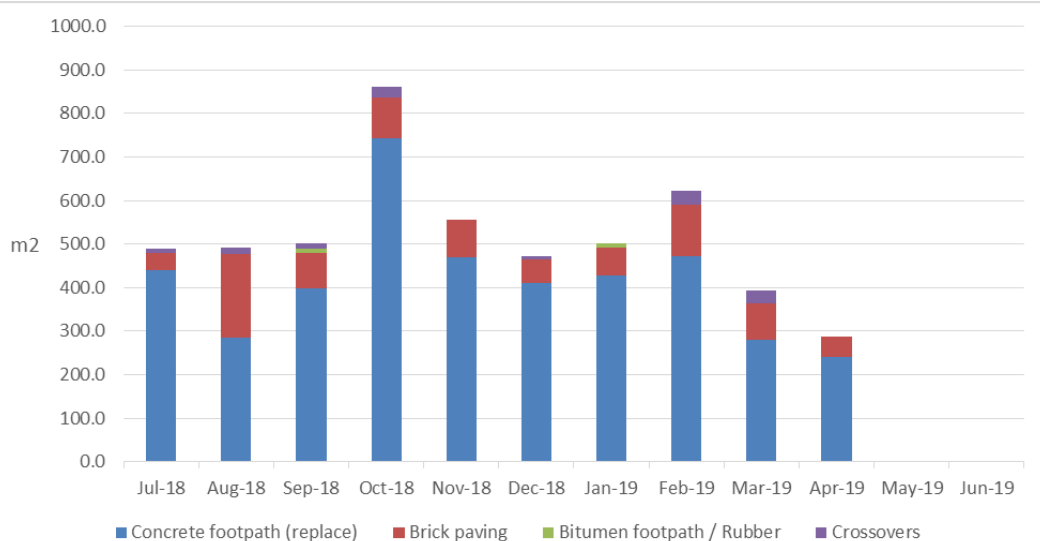
Property and Facilities

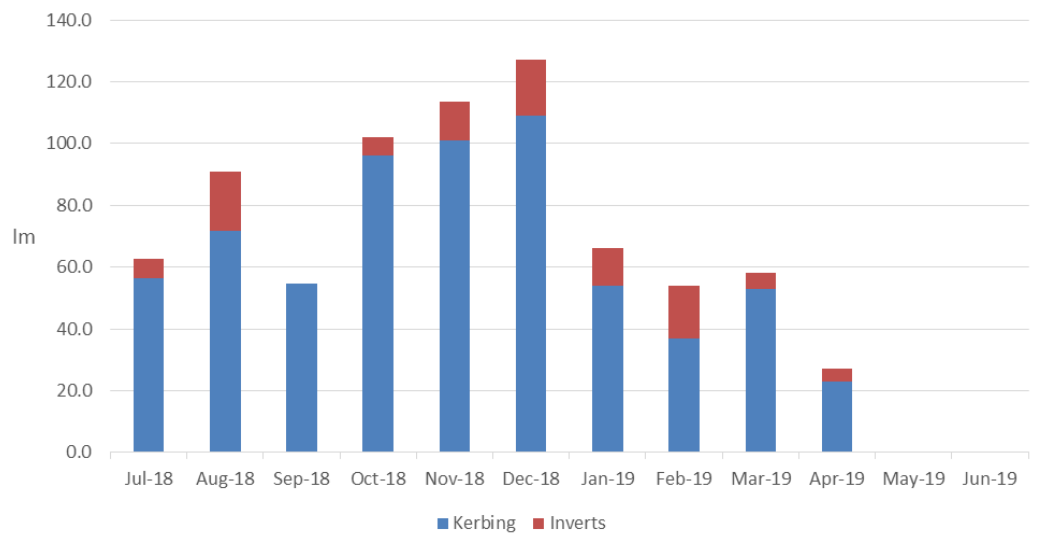
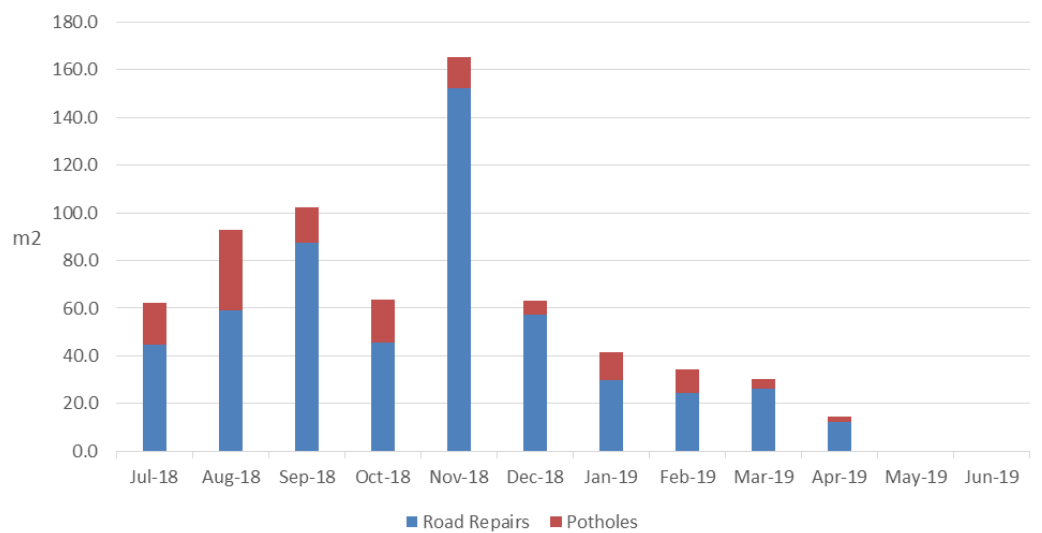
<p>Weigall Oval Masterplan and Facility Development</p>	<p>The procurement process is nearly finalised and a contract will be awarded for the Stages 2 and 3 works at Weigall Oval, ready for commencement in late June.</p> <p>The Administration continues to work with the Clubs on lease/licence documentation and will inform all stakeholders of the project timeframes as they are finalised with the successful contractor.</p> <p>Further updates were provided to the City Facilities and Waste Recovery General Committee meeting held on 28 May 2019.</p>
<p>Lockleys Oval Masterplan and Facility Development</p>	<p>Construction works have progressed at Lockleys Oval. Block work for the ground floor (internal walls) has been completed and preparation for the pouring of the first floor concrete slab is underway.</p> <p>Planning Consent was granted for the second phase of the upgrade (tennis courts, lighting, tree removal and car parking). Works on these elements will commence within the coming months.</p> <p>The Lockleys Oval upgrade will be completed in early 2020. The Federal Government, as funding body, have approved the updated completion date.</p> <p>An update report was provided to the City Facilities and Waste Recovery General Committee meeting held on 28 May 2019.</p>
<p>Apex Park Masterplan and Facility Development</p>	<p>The new community facility is 80% complete and the construction of the equestrian area, the civil works upgrade, and the works to the wetland and ponding basin is anticipated to be completed by late August 2019.</p> <p>A small community event will be planned in late September 2019 as an official opening of the site.</p> <p>Further information was provided to the City Facilities and Waste Recovery General Committee meeting held on 28 May 2019.</p>

Camden Oval Masterplan and Facility Development	<p>Stage 2 works are complete and both the Soccer Change room facility and the Football Clubroom and Change room facility have been handed over to Council.</p> <p>A small official opening of the facilities is proposed to take place in late June.</p> <p>A lease/licence agreement for the PHOS Camden Sports and Social Club is currently being finalised, and a report regarding future lease/licence options was provided to the City Facilities and Waste Recovery General Committee meeting held on 28 May 2019.</p>
Cummins House	<p>A confidential report was provided to Council at its meeting held 16 April 2019 regarding Council's involvement in the future of the Cummins House property.</p> <p>The Administration has notified the Department for Environment and Water (DEW) of Council's resolution on this matter and continues to negotiate with departmental representatives to give effect to Council's resolution from that meeting.</p>
Torrensvile Bowling Club	<p>Site works for the new synthetic bowling green and covered structure are continuing with expected completion by mid-2019.</p>
Hilton RSL - Relocation	<p>The concept plan approved by the City Facilities and Waste Recovery General Committee on 26 March 2019 is currently being progressed to the next stage (design and documentation). The approved building concept layout involves redesigning and extending the community building located at 173/187 Sir Donald Bradman Drive for the suitable relocation of the Hilton RSL Sub-branch.</p>

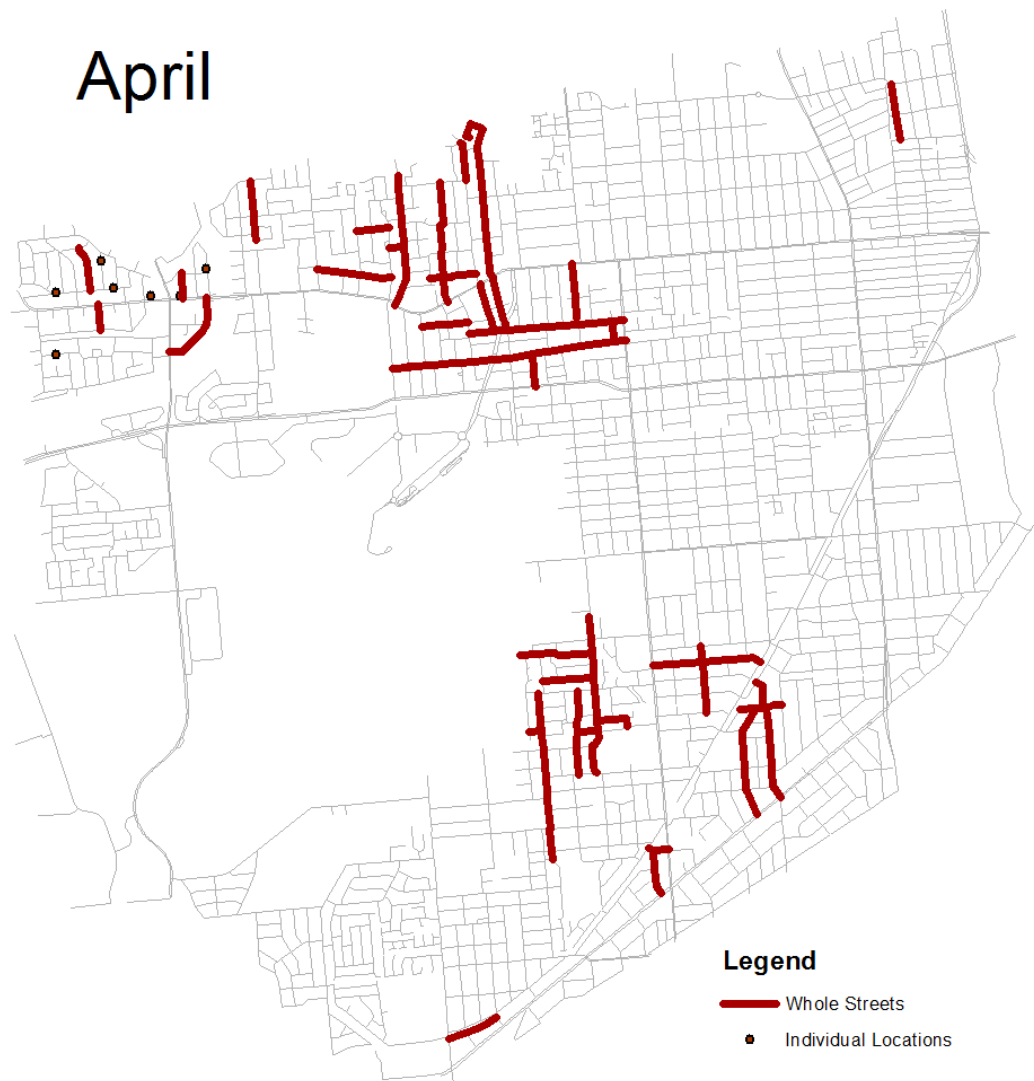
City Operations

Footpath Reinstatement

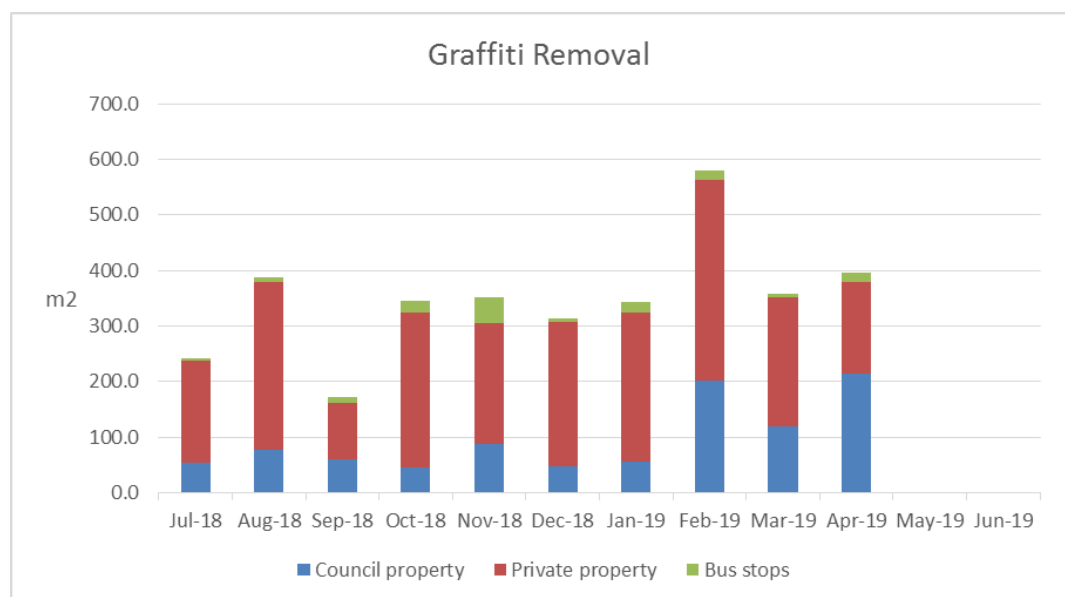


**Kerb &
Watertable /
Invert
Reinstatement****Road Repair
and Potholes**

Footpath Grinding Program

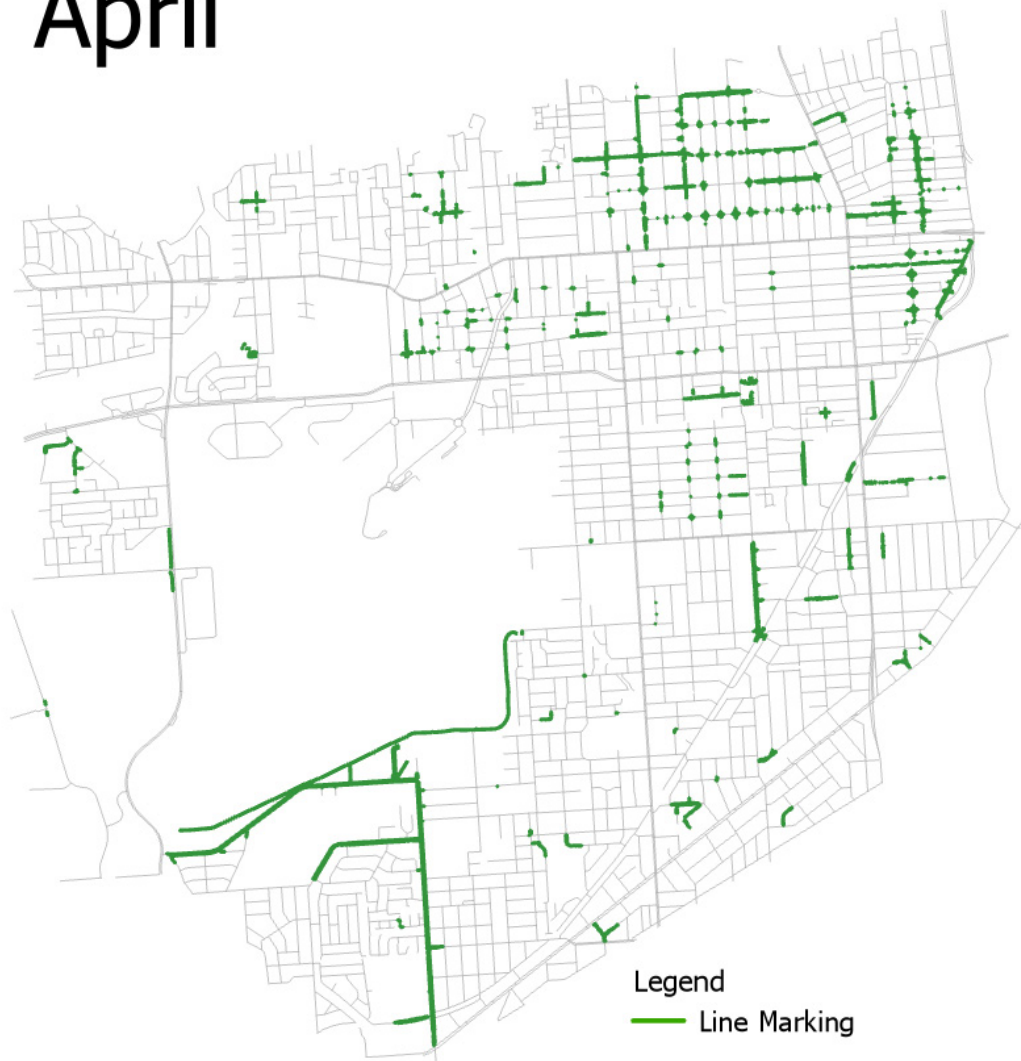


Graffiti Removal

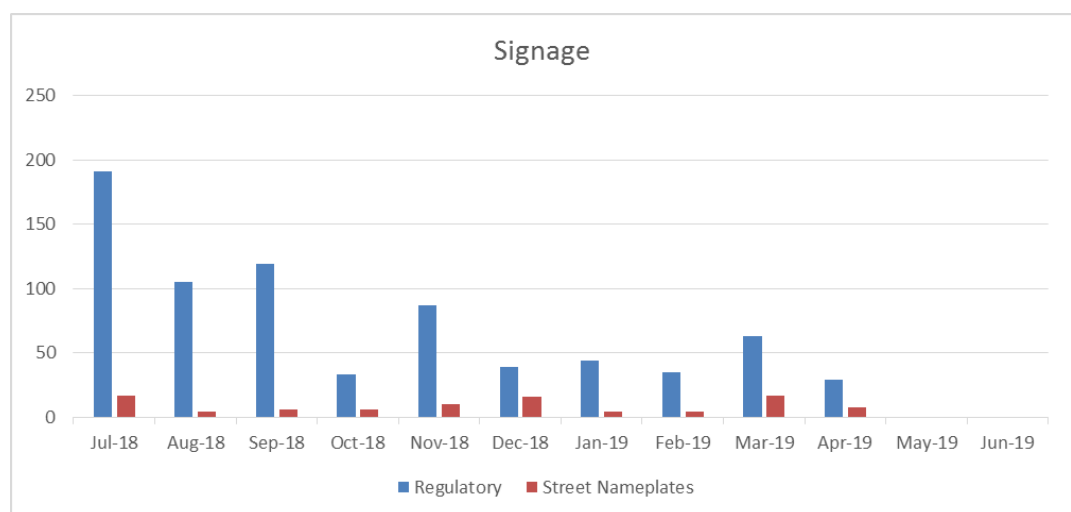


April

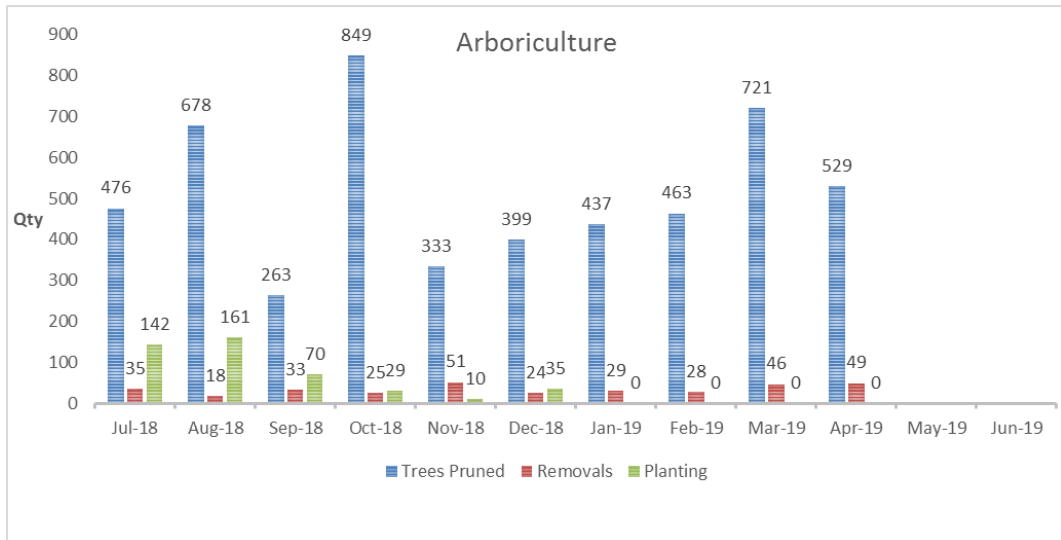
Line Marking



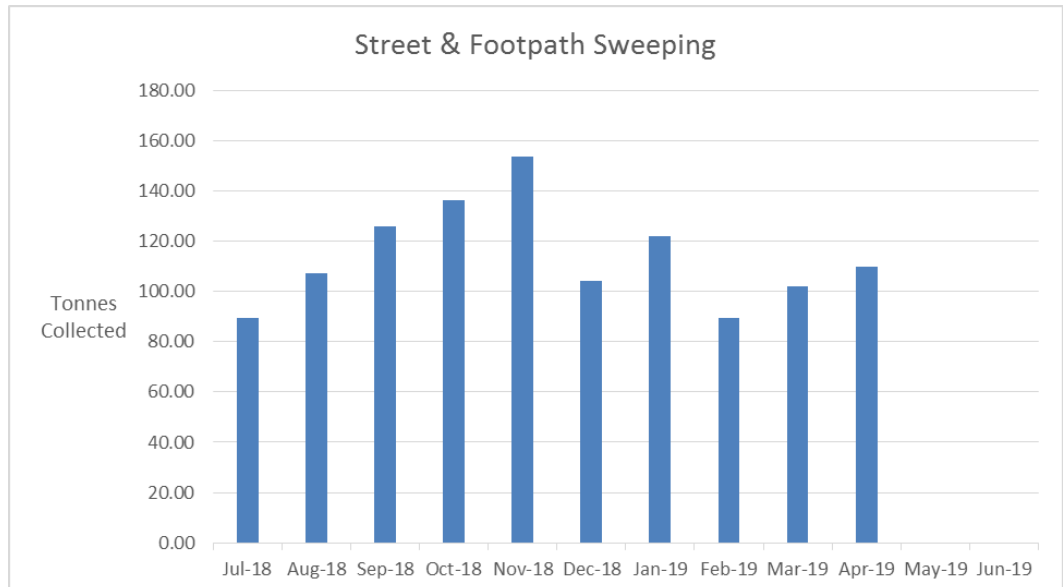
Signage

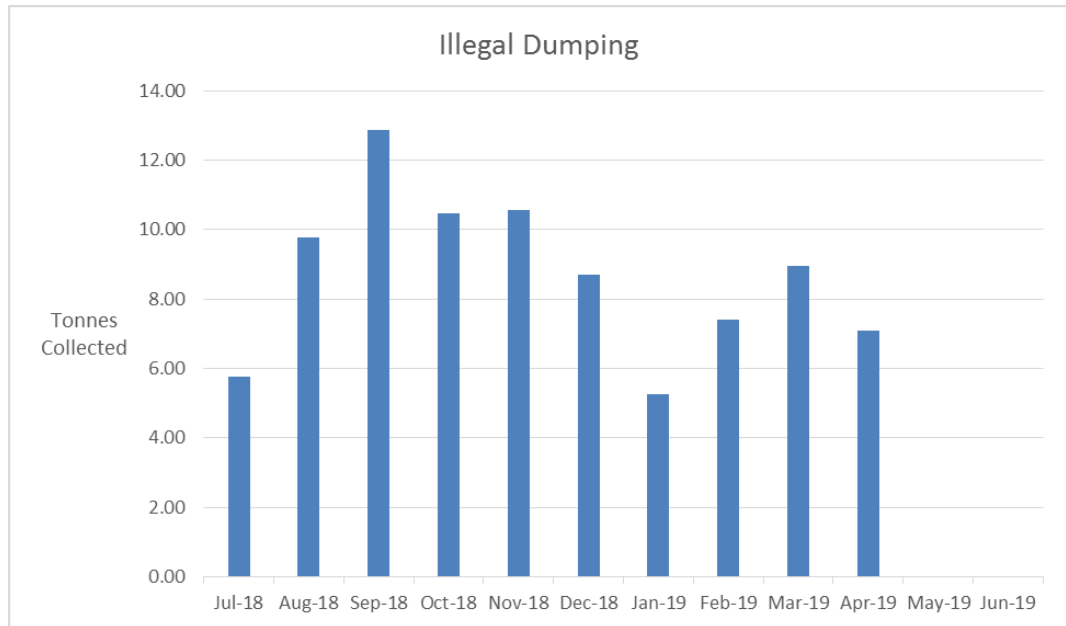
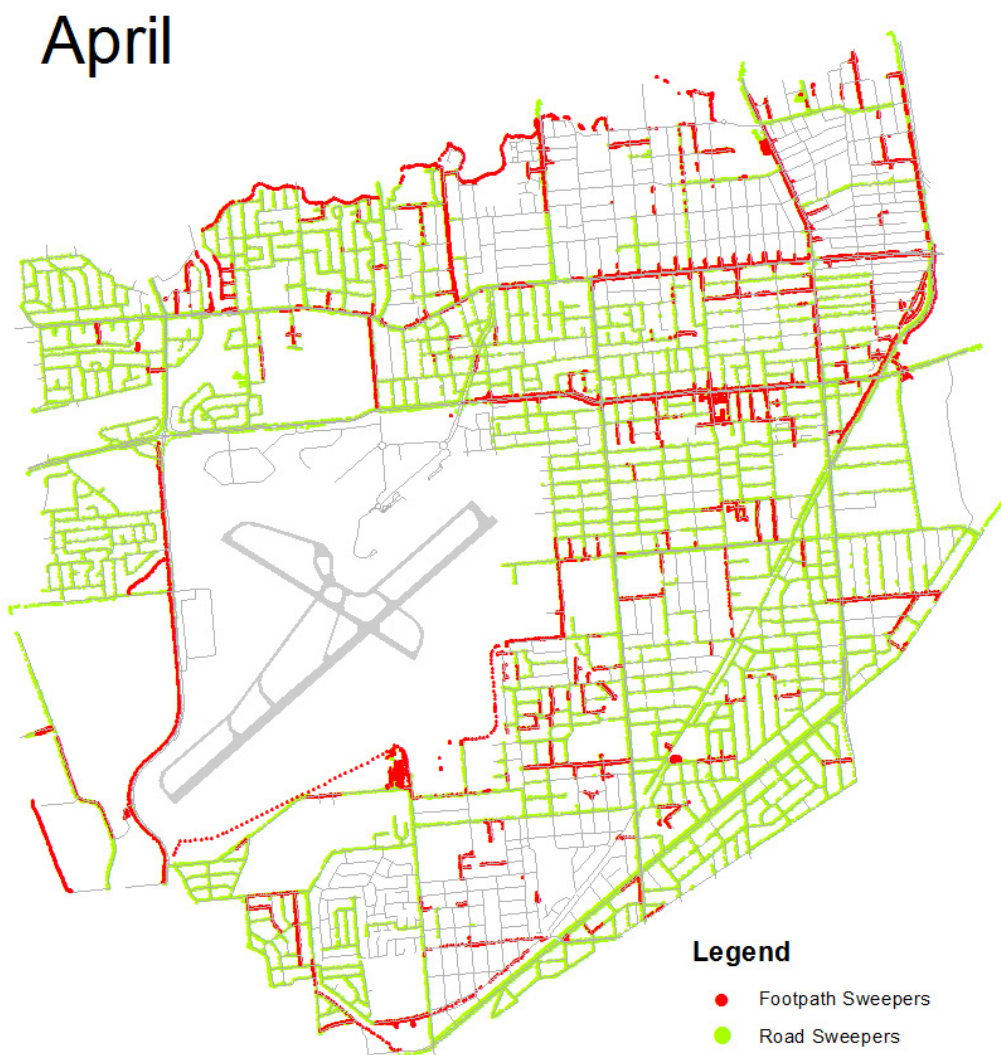


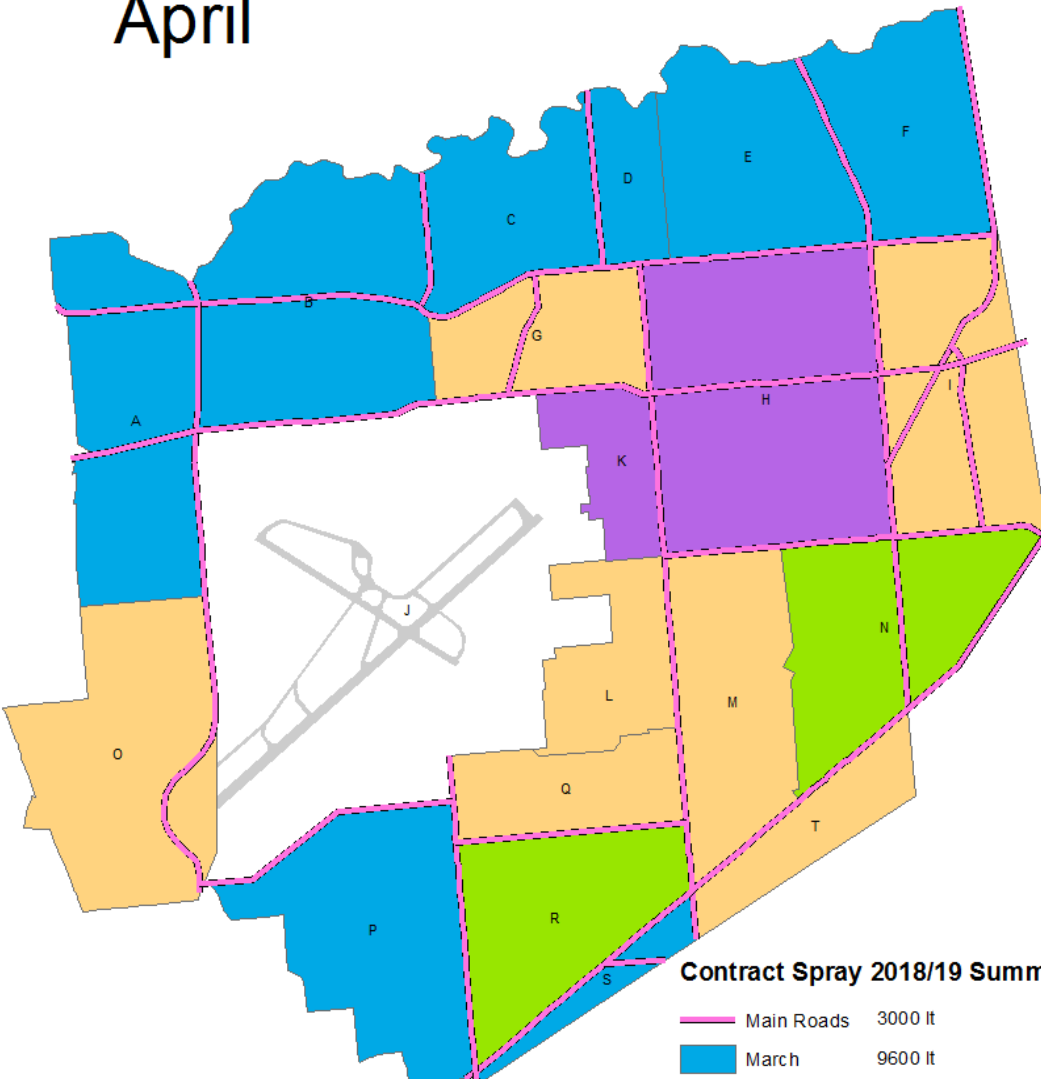
Arboriculture



Street Sweeper

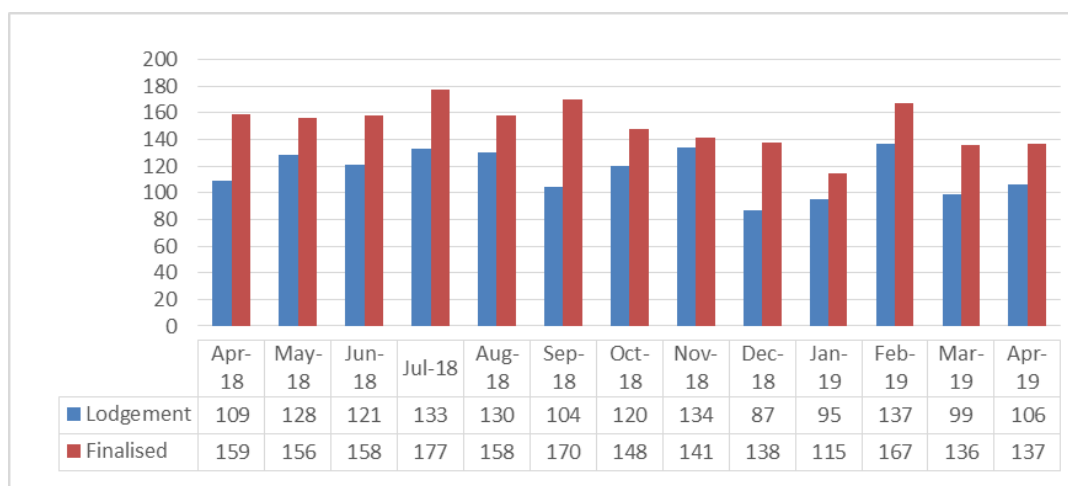


Illegal Rubbish
CollectionRoad and
Footpath
Sweeping

<p>Contract Weed Spraying (2nd Cycle)</p>	<h1 style="text-align: center;">April</h1>  <p>Contract Spray 2018/19 Summer</p> <table border="1"> <tbody> <tr> <td>Main Roads</td> <td>3000 lt</td> </tr> <tr> <td>March</td> <td>9600 lt</td> </tr> <tr> <td>February</td> <td>6300 lt</td> </tr> <tr> <td>January</td> <td>5700 lt</td> </tr> <tr> <td>December</td> <td>4800 lt</td> </tr> </tbody> </table>	Main Roads	3000 lt	March	9600 lt	February	6300 lt	January	5700 lt	December	4800 lt
Main Roads	3000 lt										
March	9600 lt										
February	6300 lt										
January	5700 lt										
December	4800 lt										
<p>Weed Control</p>	<p>Council's weed program is predominately undertaken by Council's contractor which involves the use of a product called Trimac in conjunction with a product called, Wipe-Out Bio Herbicide (an agricultural herbicide) which contains glyphosate this is also used by Council's officers for general maintenance of Parks and Reserves.</p> <p>Recently, Macspred Australia approached Council seeking participation in a weed control trial to be undertaken within West Torrens which seeks to eliminate the use of glyphosate for weed control.</p> <p>The Administration have scheduled the first trial to be conducted by Macspred Australia in conjunction with Council's weed spray contractor in mid- May 2019 within a section of Camden Park (as described as Area R within the above Contract Weed Spraying map) for a 3 month period.</p>										

Development Assessment**Development Applications****Lodgements
and Decisions**

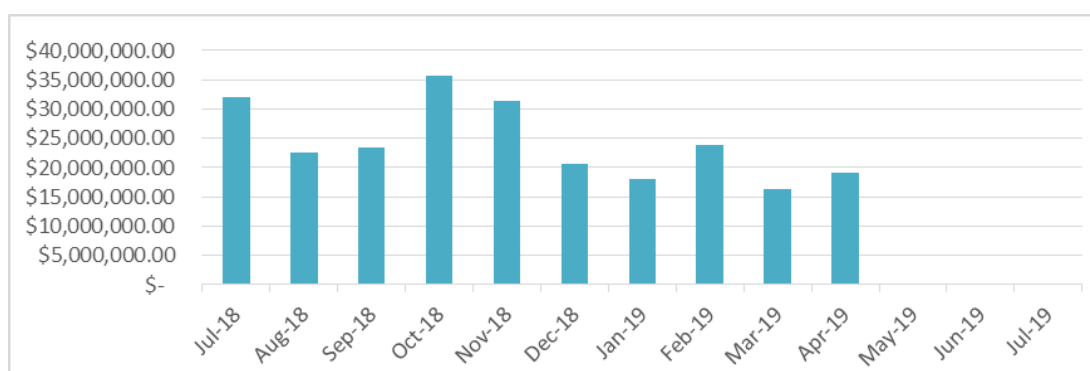
One-hundred and six (106) applications were lodged and 137 applications were finalised in April 2019.



Note: 'Lodgement' relates to the number of new development application lodged during the month which is represented by the number of new development application numbers issued (including variation applications). 'Finalised' relates to the number of decision notification forms issued during the month and may include decisions relating to development plan consent, land division consent, building rules consent and development approval. This includes consents issued by both Council and private certifiers.

**Estimated
Construction
Cost
(Approved
Development)**

Development with an estimated construction cost of \$19 170 884 was approved in April 2019.

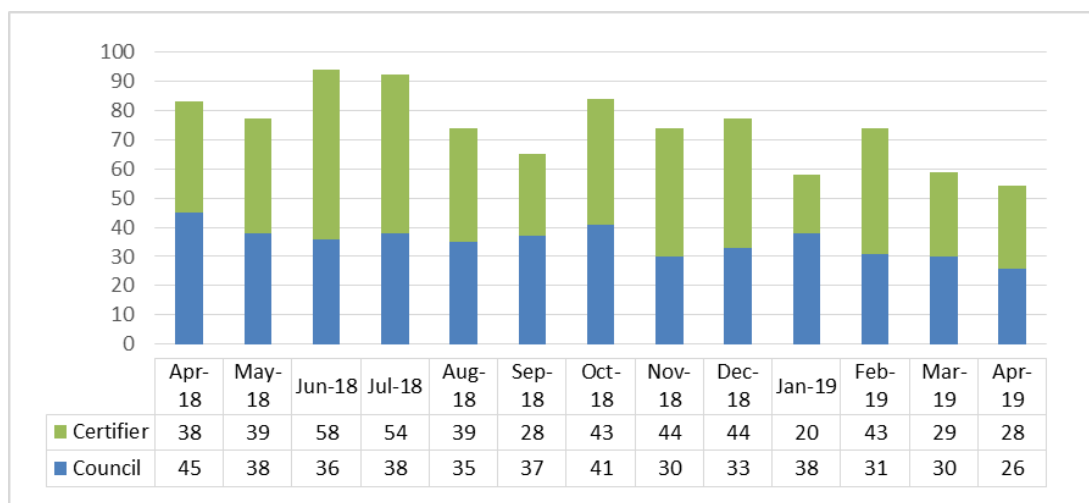


Planning Assessment					
Assessment Timeframes (Staff Decisions)		2018		2019	
		Sept Qtr. 3	Dec Qtr. 4	Mar Qtr. 1	June Qtr. 2
	BUILDING CODE ONLY				
	Total applications	74	90	73	
	Median timeframe	6 days	3 days	1 day	
	COMPLYING				
	Total applications	43	42	24	
	Median timeframe	8 days	6 days	5 days	
	CAT 1 MERIT				
	Total applications	234	203	183	
	Median timeframe	25 days	22 days	21 days	
	CAT 2 MERIT				
	Total applications	12	18	14	
	Median timeframe	81.5 days	64 days	71 days	
	CAT 3 MERIT				
	Total applications	9	8	4	
	Median timeframe	59 days	39 days	34.5 days	
	CAT 1 NON-COMPLYING				
	Total applications	0	0	2	
Median timeframe	-	-	122 days		
CAT 3 NON-COMPLYING					
Total applications	1	3	0		
Median timeframe	74 days	109 days	-		
Assessment Timeframes (CAP Decisions)		2018		2019	
		Sept Qtr. 3	Dec Qtr. 4	Mar Qtr. 1	June Qtr. 2
	CAT 1 MERIT				
	Total applications	5	4	0	
	Median timeframe	59 days	43.5 days	-	
	CAT 2 MERIT				
	Total applications	3	1	5	
	Median timeframe	107 days	87 days	64 days	
	CAT 3 MERIT				
	Total applications	2	0	1	
	Median timeframe	82 days	-	50 days	
	CAT 1 NON-COMPLYING				
	Total applications	0	1	0	
	Median timeframe	-	33	-	
	CAT 3 NON-COMPLYING				
Total applications	1	0	0		
Median timeframe	68 days	-	-		
	Note: This data does not include Land Division Consent applications and decisions under appeal. Category 3 Non-complying applications are not included until SCAP have made a decision whether to concur with Council's decision.				
	Maximum statutory time frames (excluding additional time for further information requests, statutory agency referrals and SCAP concurrence) are summarised as:				
	<ul style="list-style-type: none">• Building Code Only: 4 weeks• Building Rules Consent only: 4 weeks• Complying Development: 2 weeks for Development Plan Consent only; additional 4 weeks for Building Rules Consent• Category 1-3 Development: 8 weeks for Development Plan Consent only; additional 4 weeks for Building Rules Consent.				

Assessment Appeals	<p>There are three (3) ongoing courts matters as at 23 May 2019.</p> <ul style="list-style-type: none"> An appeal against Council's decision to refuse development plan consent for the removal of a significant tree at 322 Marion Road, Netley. <p>A directions hearing was held on 17 May 2019 and a hearing is scheduled for 11 June 2019.</p> <ul style="list-style-type: none"> An appeal against Council's decision to refuse development plan consent for the construction of a two storey detached dwelling and retaining walls and fencing to a maximum height of 2.2 metres at 19 Carlton Parade, Torrensville. <p>A preliminary conference was held on 20 May 2019 and a hearing is scheduled for 3 June 2019.</p> <ul style="list-style-type: none"> An appeal against Council's decision to refuse development plan consent for a combined land division to create four (4) additional allotments and common property and construction of five (5) two-storey group dwellings and associated retaining wall and fence (2.4 metres maximum combined height) at 428 Henley Beach Road, Lockleys. <p>A preliminary conference is scheduled to be held on 17 June 2019.</p> <p>There were no finalised appeals against Council's development assessment decisions during April 2019.</p>
Building Rules Assessment	
Building Consents Audit	<p>On 1 May 2019, the Department of Transport, Planning and Infrastructure (DPTI) Third-Party Audit Services initiated a statutory audit of the City of West Torren's Building Rules Assessment functions pursuant to section 56B of the <i>Development Act 1993</i>.</p> <p>The audit will examine the processes and procedures in place relating to building rules assessment, and verify these meet requirements of the <i>Development Act 1993</i> and the <i>Development Regulations 2008</i>.</p> <p>The results of the audit will be reported to Council's Audit General Committee.</p>

Building Rules Consent issued By Relevant Authority

Council issued twenty-six (26) building rules consents and private certifiers issued twenty-eight (28) building rules consents in April 2019.



Note: Building Rules Consents are assessed by Council or private assessors known as Private Certifiers, these privately certified assessments still need to be registered and recorded with Council.

Community advice and education

Pre-lodgement advice

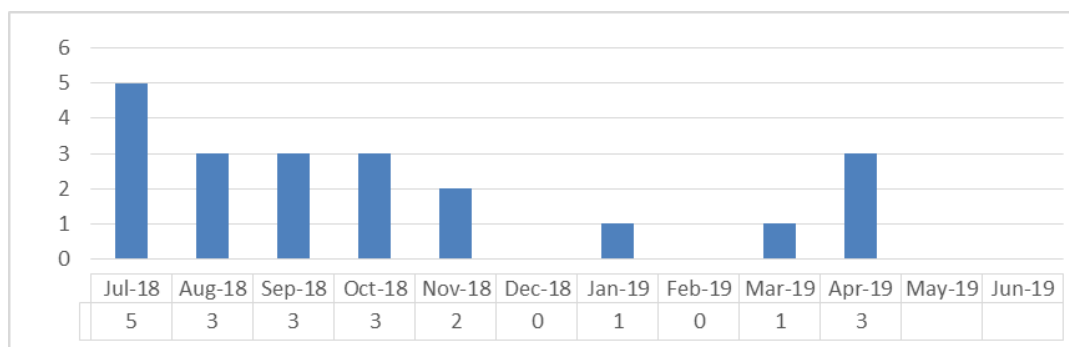
Rostered Duty Planner and Duty Building Officers are available to answer preliminary pre-lodgement and general enquiries during Service Centre opening hours. Advice is provided to the general public and applicants via the phone, email and in person at the Service Centre.

The Administration participates in DPTI's Pre-lodgement case management service for development five storeys or more in height within the Urban Corridor Zone.

There were 2503 website views of Council's webpages relating to planning and development matters in April 2019.

Category 3 Public notification

Three (3) Category 3 application was notified in April 2019.

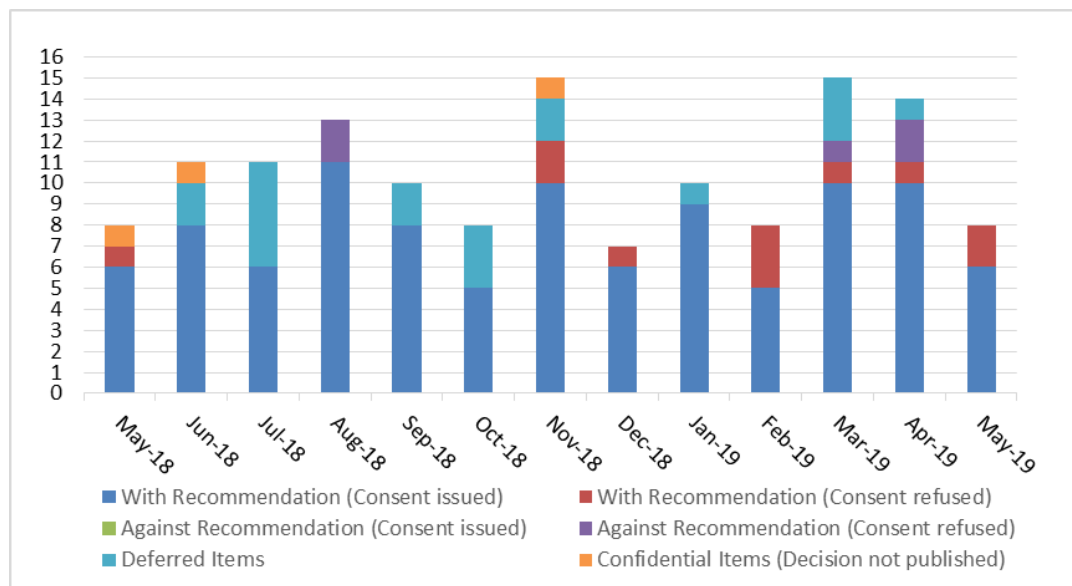


Council Assessment Panel

The Council Assessment Panel (CAP) held a meeting on 14 May 2019.

The next CAP meeting will be held on 11 June 2019.

Council Assessment Panel Decisions



Referrals from other statutory agencies

Council is a statutory referral agency for some applications that are assessed by other agencies, including State Commission Assessment Panel (SCAP), Minister for Planning, Governor of South Australia (under the Development Act 1993) and Adelaide Airport Limited (Airports Act 1996). Council is also informally referred applications for development five storeys or more in height within the Urban Corridor Zone that are assessed by SCAP.

Service improvements

Work has continued on a suite of business improvement initiatives including:

- Drafting of waste management and infrastructure guidelines for applicants
- Review of standard conditions and notes
- Review of Council Building Inspection Policy
- Review of building inspection procedures
- Implementation of revised Section 12 Statement template
- Drafting of new Enforcement Policy

Development compliance

Eleven (11) new development compliance requests were received in April 2019. Five (5) development compliance requests were resolved within the month and three (3) requests were resolved from a previous month in April 2019. At the end of April there were forty-three (43) ongoing development compliance requests.

Compliance
Requests

Month / Year	No of Requests Received	Requests resolved within the month	Requests resolved from previous months	Total Ongoing Actions
Apr 18	22	14	7	47
May 18	26	23	3	45
Jun 18	15	10	4	45
Jul 18	23	17	7	43
Aug 18	33	22	7	52
Sept 18	12	9	-	50
Oct 18	14	9	5	46
Nov 18	18	8	7	49
Dec 18	15	10	1	53
Jan 19	15	10	5	48
Feb 19	22	19	1	52
Mar 19	18	10	12	38
April 19	11	5	3	43

Note: Compliance actions include investigating potential use of properties for activities that haven't been approved, buildings being constructed without the required approvals, checking of older buildings that may be becoming structurally unsound.

Enforcement Action

There was no Section 84 enforcement notices issued in April 2019.

There was one (1) ongoing court matter in April 2019.

- An appeal against Council's enforcement notice relating to the unlawful use of 292 Marion Road, Netley for a shop, for the sale and repair of mobile phones.

A development plan consent was granted on the subject land to SCAP concurrence. Council is currently undertaking a Building Rules assessment. A conciliation conference has been scheduled for 13 June 2019.

There was no new or finalised court matters in April 2019.

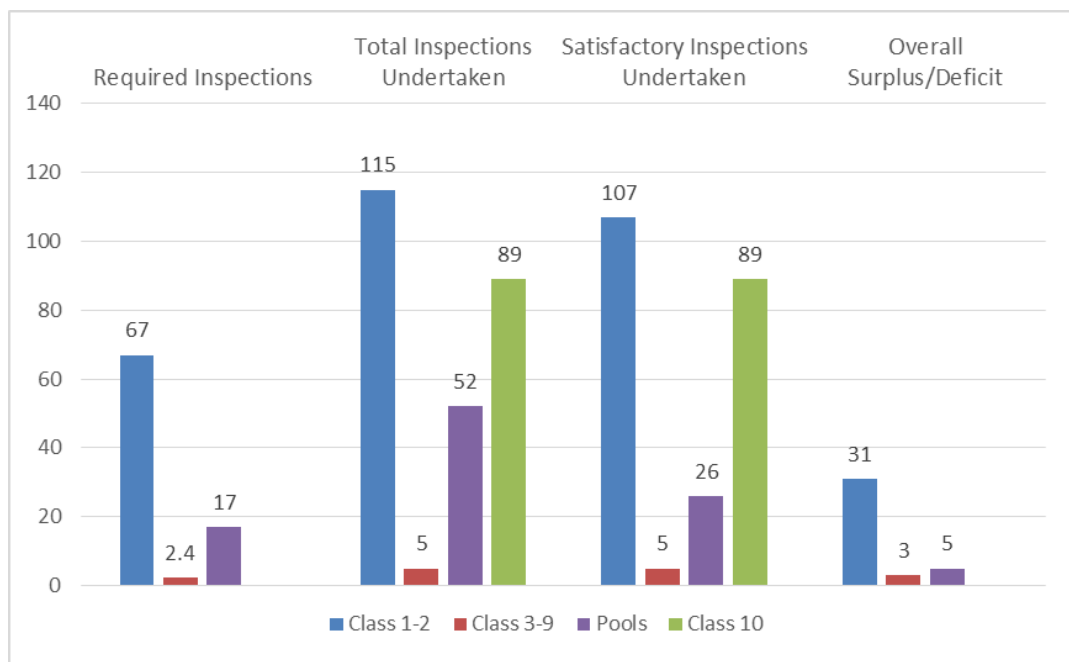
Month / Year	Section 84 Issued	Section 69 Issued	New Actions with ERD Court	Resolved Actions with ERD Court	Total ongoing Actions with ERD Court
Apr 18	2	-	-	-	2
May 18	-	-	-	-	2
Jun 18	-	-	-	-	2
Jul 18	2	-	-	-	2
Aug 18	-	-	-	-	2
Sept 18	1	1	-	-	2
Oct 18	-	-	-	-	2
Nov 18	4	-	-	-	2
Dec 18	1	-	1	1	2
Jan 19	1	-	-	1	1
Feb 19	-	-	-	-	1
Mar 19	1	-	-	-	1
Apr 19	-	-	-	-	1

Note: Section 84 enforcement notices are the first stage of prosecution for unapproved development. Section 69 emergency orders are the first stage of prosecution for unsafe buildings.

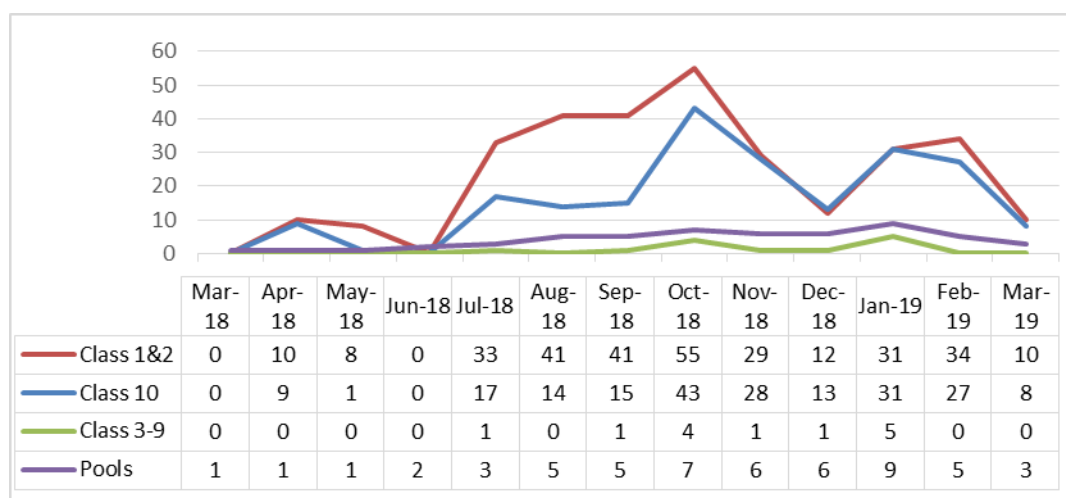
Building compliance inspections

Council's Building Inspection Policy sets out the minimum number of inspections required to be undertaken during the year.

Building
Inspections
(January-
April 2019)



Actual
Satisfactory
Building
Inspections
Undertaken



Note: The Development Act and Council's Building Inspection Policy requires that a minimum number of approved buildings are inspected for compliance with their associated Development Approval documentation. In addition there is a requirement to undertake a pool safety inspection upon all swimming pools approved for construction. Class 1 & 2 refers to houses and units, Class 3-9 refers to commercial, industrial and community buildings, Class 10 refers to verandahs, sheds, fences etc. Where 100% of inspections have not been met in a month the requirement is rolled over to the next month until all required inspections have been undertaken. Only successful inspections are recorded, failed inspections are listed for re-inspection

City of West Torrens Building Fire Safety Committee

Meetings	A meeting of the Building Fire Safety Committee is scheduled for 4 June 2019 (postponed from May due to member availability).
ACP Cladding Audit	The Building Fire Safety Committee has commenced Phase 2 of the Aluminium Composite Panel (ACP) Cladding Building Audit which is being coordinated across South Australia by the Department of Planning, Transport and Infrastructure and is being undertaken in collaboration with councils, the Metropolitan Fire Service (MFS) and the Country Fire Service (CFS).

Liquor Licencing

Liquor Licencing Reform

The State Government are implementing a reform of the liquor licencing system. Stage 1 and 2 of the reform have been implemented, with Stage 3 expected to commence in mid-2019. The Administration is continuing to track the reform changes and impacts to Council's services.

The Administration is currently drafting a revised City of West Torrens Liquor Licencing Policy to address the reform changes.

Licence Applications

Four (4) licence applications were referred to Council in April 2019.

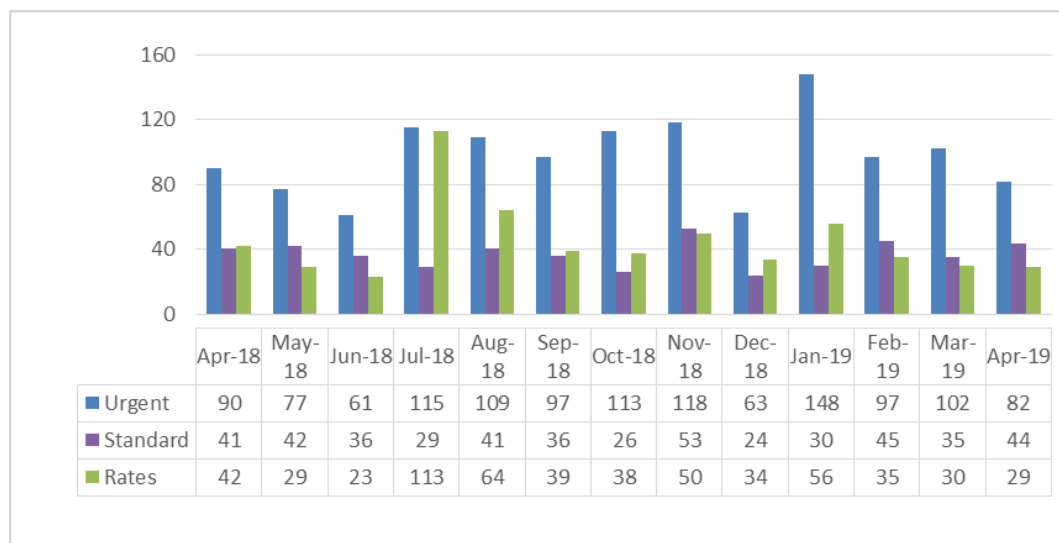
	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19
Limited Licence	0	0	1	0	5	0	1	1	0	2	2	2	2
Extension of Licence	0	0	0	1	2	0	0	0	0	0	0	0	0
Transfer of Licence	0	2	2	0	0	1	1	0	1	1	1	0	1
Other Licence	0	1	3	1	1	1	1	0	1	2	1	0	1
Restaurant Licence	0	0	1	1	2	2	2	0	1	0	1	0	0

Note: When an application is lodged with the State Government's Consumer and Business Services (CBS), it is also required to be referred to Council for our comment. The proposals are handled in accordance with our Liquor Licensing Policy, and Limited Licence applications are referred to the relevant Ward Councillors for their comment prior to feedback being sent to the CBS.

Property and land information requests

Section 12 Searches

Eighty-two (82) urgent search requests, forty-four (44) standard search requests and twenty-nine (29) rates search requests were received in April 2019.



Note: When a property is purchased, the purchasers are provided with a Form 1 (commonly known as cooling off paperwork) Council contributes to this Form 1 with a Section 12 Certificate, the certificate provides the potential purchaser with all relevant known history for the property. Prior to settlement on the property the relevant Conveyancer will also request a Rates statement from Council to ensure the appropriate rates payments are made by the purchaser and the vendor (seller).

Attachments

Nil

11.4 Community Services Activities Report - May 2019

Brief

This report details the activities of the Community Services Department for May 2019.

RECOMMENDATION

The Committee recommends to Council that the Community Services Activities Report - May 2019 be noted.

Introduction

The Community Services department (Department) provides a report to each City Services and Amenity Committee meeting detailing the status of key projects and activities for the preceding month.

Discussion

The key projects and activities undertaken by the Department during the month of April 2019 are as follows:

Community Centres

Thebarton Community Centre

Over the month of May, 80 groups were booked into Thebarton Community Centre, comprising cultural celebrations, fundraising events, birthday celebrations and Annual General Meetings, and the meeting rooms were completely booked out in the evenings.

In addition, the Centre hosted the 'Kodomo no Hi Japan Festival' by 'The Japanese Australian Friendship Association' (JAFA). This is South Australia's largest Japanese Festival with a 24-year history. The Festival is an annual celebration and highlights the cultural and social links between Japan and Australia.

Plympton Community Centre

A total of 32 groups were booked into Plympton Community Centre which is now at capacity on Fridays and weekends becoming more popular for private functions. Of note is that the West Torrens Invitation Pigeon Homing Club commenced its regular hire of the Centre, approved by Council, during the last weekend of May.

Active Ageing

A total of 317 older residents were assisted with both Council funded and CHSP home support services over the month of May. The Friday Active Ageing program at Plympton, focussing on being active and healthy, was at capacity with 40 participants each week.

Community Development

Our Big Back Yard West Torrens (new initiative)

The Department has been partnering with several local organisations (Cowandilla and Lockleys Children's Centres and NRM) to deliver the 'Our Big Backyard West Torrens' project that will highlight local outdoor spaces for families to be active and engage with nature. Maps and activity sheets are being created for the community through consultation with children and parents to discover where and how they like to play outdoors in our community. The project will focus on several key suburbs, (Underdale, Lockleys, Brooklyn Park, Cowandilla, Hilton, Mile End, and Torrensville) which have been selected based on local information and data for the area. The project is based on two successful Our Big Backyard projects in Aldinga and Christies Beach. During May, meetings were held with schools and kindergartens within these suburbs to ensure that they were engaged and supportive of the project. Consultation with students will begin in June through school incursions.

Disability Services

The Department attended and participated in the consultations on the National Disability Strategy and the State Disability Plan held by the State Government. One council officer also participated in workshops at Apple Technologies on Global Accessibility Awareness Day.

Arts and Culture

There were 2 exhibitions held in the Auditorium Gallery over the month of May:

- The Handspinners and Weavers 55th anniversary exhibition in conjunction with History Month.
- The SA Photographic Federation Annual Exhibition and Awards.

Urban Youth Fest (new initiative)

The Department worked with Uniting SA to assist with planning for their Urban Youth Fest, being held at the Thebarton Community Centre on Thursday June 20, 12pm - 5pm. The Department will be loaning them some of our resource collection for the event, providing general activities assistance and helping with promoting the event to local schools. The spiel from Uniting SA is: "The aim is to deliver an activity-based community event with input from young people (aged approx. 10-17). We hope to provide activities that will equip young people with the skills and knowledge to achieve and maintain their own wellness (by engaging in mental, physical and emotional lifestyle choices/activities). This includes connecting to peers and community, mindfulness-type exercises, creative outlets and physical activity. We will be running performances on the stage during the day and hosting an art competition as well."

Library Services

The library has a new collection of books in the Children's Library called Vox Books. Vox Books are print books with an audio component that enable children to listen to books as they read along.



Netley and Cowandilla Kindergarten classes visited the library at 9am in May. This was an hour before opening time to enable the children to engage in all the activities and resources that the library has to offer.

The library celebrated its 55th birthday with a celebration on Sunday 19 May 2019. The celebration was well attended and included craft activities for the children, birthday cake and finger food, animals from Warrawong, free library bags made by the Plympton Sewing Studio sewers and live music.



Attachments

1. Community Services Activities - June 2019

Community Services Activities and Events - June 2019

Date	Time	Activity/Event	Location
Sat 1/6	10.00am 1.30pm	One-to-One Tech Help Drop-in Session Rewire Class: Stay Safe Online	Hamra Centre Hamra Centre
Sun 2/6			
Mon 3/6	8.00am 10.00am 10.30am 10.30am 12.15 2.00pm 6.00pm	NHF Walking Group Yarn Knitting Group Community Meal - CHSP ESL Reading Group: Intermediate to Advanced Social Scrabble One-to-One Tech Help Sewing Studio	Kurralt Park Hamra Centre Plympton Community Centre Hamra Centre Hamra Centre Hamra Centre Plympton Community Centre
Tue 4/6	9.00am 10.30am 11.15am 1.00pm	Blokes Brekky - Active Ageing Baby Time: 0-18 months Toddler Time: 18 months - 3 years ESL Class with free crèche	Plympton Community Centre Hamra Centre Hamra Centre Hamra Centre
Wed 5/6	10.30am 10.30am 11.00am 11.00am-2pm 1.30pm	ESL Reading Group: Post beginner to pre-intermediate Story Time: 5 years & under Book Club Sewing Studio Aqua Fun - Swimming Classes	Hamra Centre Hamra Centre Hamra Centre Plympton Community Centre Thebarton Aquatic Centre
Thu 6/6	8.00am 9.00am 10.00am 10.30am 10.30am 11.15am 1.00pm 6.00pm 6.00pm	NHF Walking Group Fulham Shopping Centre Bus Run One-to-One Tech Help Baby Time: 0-18 months Thursday Senior Citizens Toddler Time: 18 months - 3 years Castle Plaza Bus Run Book Club Financial Counselling	Kurralt Park Fulham Gardens Shopping Cnt Hamra Centre Hamra Centre Plympton Community Centre Hamra Centre Castle Plaza Shopping Centre Hamra Centre Hamra Centre
Fri 7/6	8.30am 9.45am-11.30 10.00am 10.30am 12.00pm 12.30pm 1.00pm 3.00pm 4.00pm 6pm-9pm	Hilton Shopping Centre Bus Run Movers and Shakers Exercise Group Knitter Knatter Group Story Time: 5 years & under Central Market Bus Run Kmart Shopping Bus Run One-to-One Tech Help Drop-in Session Book Club Friday Fun: 10 years & over West Torrens Art Prize opening	Hilton Plaza Shopping Centre Plympton Community Centre Hamra Centre Hamra Centre Central Market - Adelaide Kurralt Park Hamra Centre Hamra Centre Hamra Centre Hamra Centre
Sat 8/6	10.00am	One-to-One Tech Help Drop-in Session	Hamra Centre
Sun 9/6			
Mon 10/6		PUBLIC HOLIDAY	

Date	Time	Activity/Event	Location
Tue 11/6	10.30am	Baby Time: 0-18 months	Hamra Centre
	11am-2pm	Share-a-Table: Active Ageing	Plympton Community Centre
	11.15am	Toddler Time: 18 months - 3 years	Hamra Centre
	1.00pm	ESL Class with free crèche	Hamra Centre
Wed 12/6	10.30am	ESL Reading Group: Post beginner to pre-intermediate	Hamra Centre
	10.30am	Story Time: 5 years & under	Hamra Centre
	11am-2pm	Sewing Studio	Plympton Community Centre
	1.30pm	Aqua Fun - Swimming Classes	Thebarton Aquatic Centre
Thu 13/6	8.00am	NHF Walking Group	Kurralt Park
	9.00am	Fulham Shopping Centre Bus Run	Fulham Gardens Shopping Cnt
	10.00am	One-to-One Tech Help	Hamra Centre
	10am-12pm	Manual Handling Course	Thebarton Community Centre
	10.30am	Thursday Senior Citizens	Plympton Community Centre
	10.30am	Baby Time: 0-18 months	Hamra Centre
	11.15am	Toddler Time: 18 months - 3 years	Hamra Centre
	1.00pm	Castle Plaza Bus Run	Castle Plaza Shopping Centre
Fri 14/6	8.45am	Central Market Bus Run	Central Market - Adelaide
	9.00am	Brickworks Shopping Centre Bus Run	Brickworks Marketplace
	9.45am-11.30	Movers and Shakers Exercise Group	Plympton Community Centre
	10.00am	Orange Tree Quilters	Hamra Centre
	10.30am	Story Time: 5 years & under	Hamra Centre
	12.30pm	Kmart Shopping Bus Run	Kurralt Park
	1.00pm	One-to-One Tech Help Drop-in Session	Hamra Centre
	4.00pm	Friday Fun: 10 years & over	Hamra Centre
Sat 15/6	10.00am	One-to-One Tech Help Drop-in Session	Hamra Centre
Sun 16/6			
Mon 17/6	8.00am	NHF Walking Group	Kurralt Park
	10.00am	Yarn Knitting Group	Hamra Centre
	10.30am	ESL Reading Group: Intermediate to Advanced	Hamra Centre
	10.30am	Community Meal - CHSP	Plympton Community Centre
	12.15pm	Social Scrabble	Hamra Centre
	2.00pm	One-to-One Tech Help	Hamra Centre
	6.00pm	Sewing Studio	Plympton Community Centre
Tue 18/6	9am-11am	Blokes Brekky - Active Ageing	Plympton Community Centre
	10.30am	Baby Time: 0-18 months	Hamra Centre
	11.15am	Toddler Time: 18 months - 3 years	Hamra Centre
	1.00pm	ESL Class with free crèche	Hamra Centre
Wed 19/6	10.30am	ESL Reading Group: Post beginner to pre-intermediate	Hamra Centre
	10.30am	Story Time: 5 years & under	Hamra Centre
	11am-2pm	Sewing Studio	Plympton Community Centre
	1.30pm	Aqua Fun - Swimming Classes	Thebarton Aquatic Centre

Date	Time	Activity/Event	Location
Thu 20/6	8.00am	NHF Walking Group	Kurralta Park
	9.00am	Fulham Shopping Centre Bus Run	Fulham Gardens Shopping Cnt
	10.00am	Over 50's Senior Citizens Forum	Hamra Centre
	10.00am	One-to-One Tech Help	Hamra Centre
	10.30am	Thursday Senior Citizens	Plympton Community Centre
	10.30am	Baby Time: 0-18 months	Hamra Centre
	11.15am	Toddler Time: 18 months - 3 years	Hamra Centre
	1.00pm	Castle Plaza Bus Run	Castle Plaza Shopping Centre
	4-6pm	Refugee Week: Daisy Chain Workshop. Youth 13-26 years, Adults, Seniors	Hamra Centre
	6-8pm	Refugee Week: Daisy Chain Workshop. Youth 13-26 years, Adults, Seniors	Hamra Centre
	6.00pm	Financial Counselling	Hamra Centre
Fri 21/6	8.30am	Hilton Shopping Centre Bus Run	Hilton Plaza Shopping Centre
	9.45am-11.30	Movers and Shakers Exercise Group	Plympton Community Centre
	10.30am	Story Time: 5 years & under	Hamra Centre
	12.00pm	Central Market Bus Run	Central Market - Adelaide
	12.30pm	Kmart Shopping Bus Run	Kurralta Park
	1.00pm	One-to-One Tech Help Drop-in Session	Hamra Centre
	4.00pm	Friday Fun: 10 years & over	Hamra Centre
Sat 22/6	10.00am	One-to-One Tech Help Drop-in Session	Hamra Centre
Sun 23/6			
Mon 24/6	8.00am	NHF Walking Group	Kurralta Park
	10.00am	Yarn Knitting Group	Hamra Centre
	10.30am	Community Meal - CHSP	Plympton Community Centre
	10.30am	ESL Reading Group: Intermediate to Advanced	Hamra Centre
	2.00pm	One-to-One Tech Help	Hamra Centre
	6.00pm	Sewing Studio	Plympton Community Centre
Tue 25/6	10.30am	Baby Time: 0-18 months	Hamra Centre
	11am-2pm	Share-a-Table: Active Ageing	Plympton Community Centre
	11.15am	Toddler Time: 18 months - 3 years	Hamra Centre
	1.00pm	ESL Class with free crèche	Hamra Centre
Wed 26/6	10.30am	ESL Reading Group: Post beginner to pre-intermediate	Hamra Centre
	10.30am	Story Time: 5 years & under	Hamra Centre
	11am-2pm	Sewing Studio	Plympton Community Centre
	1.30pm	Aqua Fun - Swimming Classes	Thebarton Aquatic Centre
Thu 27/6	8.00am	NHF Walking Group	Kurralta Park
	9.00am	Fulham Shopping Centre Bus Run	Fulham Gardens Shopping Cnt
	9am-3.30pm	Provide First Aid	Thebarton Community Centre
	10.00am	One-to-One Tech Help	Hamra Centre
	10.30am	Thursday Senior Citizens	Plympton Community Centre
	10.30am	Baby Time: 0-18 months	Hamra Centre
	11.15am	Toddler Time: 18 months - 3 years	Hamra Centre
	1.00pm	Castle Plaza Bus Run	Castle Plaza Shopping Centre
	7.00pm	Movie Night: Lady Bird (MA15+)	Hamra Centre

Date	Time	Activity/Event	Location
Fri 28/6	8.45am	Central Market Bus Run	Central Market - Adelaide
	9.00am	Brickworks Shopping Centre Bus Run	Brickworks Marketplace
	9am-3.30pm	Provide First Aid	Thebarton Community Centre
	9.45am-11.30	Movers and Shakers Exercise Group	Plympton Community Centre
	10.00am	Orange Tree Quilters	Hamra Centre
	10.30am	Story Time: 5 years & under	Hamra Centre
	12.30pm	Kmart Shopping Bus Run	Kurralt Park
	1.00pm	One-to-One Tech Help Drop-in Session	Hamra Centre
	4.00pm	Friday Fun: 10 years & over	Hamra Centre
Sat 29/6	10.00am	One-to-One Tech Help Drop-in Session	Hamra Centre
Sun 30/6			

12 MEETING CLOSE