

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 Climate Adaptation 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, 1 SEPTEMBER 2020  
at 7.00pm**

Public access to the meeting will be livestreamed audio only at the following internet address: <https://www.westtorrens.sa.gov.au/livestream>

**Terry Buss PSM  
Chief Executive Officer**

#### **City of West Torrens Disclaimer**

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

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## **1 MEETING OPENED**

### **1.1 Acknowledgement of Country**

### **1.2 Evacuation Procedures**

### **1.3 Electronic Platform Meeting**

## **2 PRESENT**

## **3 APOLOGIES**

### **Apologies**

#### **Council Member:**

Cr Jassmine Wood

## **4 DISCLOSURE STATEMENTS**

Elected Members are required to:

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

## **5 CONFIRMATION OF MINUTES**

### **RECOMMENDATION**

That the Minutes of the meeting of the Council held on 18 August 2020 be confirmed as a true and correct record.

## **6 MAYORS REPORT**

### **(Preliminary report for the agenda to be distributed Friday, 28 August)**

In the two weeks since the last Council Meeting of 18 August functions and meetings involving the Mayor have included:

#### **19 August**

- Participated in the 'Re-energise Australia: A clean jobs summit for local government' Zoom webinar.
- Met with the Principal of Richmond Primary School to discuss the School's request for Council's support to assist with car parking.
- Along with the CEO, participated in a local government Covid briefing with Premier Marshall and Deputy Premier Chapman where I was invited to report on the measures that the City of West Torrens has undertaken in response to the Covid pandemic.

#### **20 August**

- Participated in the Australian Airports Association SA Division AGM and general meeting via webinar.

#### **21 August**

- Along with the CEO, participated in the Adelaide Airport Consultative Committee meeting via teleconference.
- Attended the Australian Migrant Resource Council of SAs Settlement and Community Services Forum 'Consultation and information sharing with ethnic leaders'.

**22 August**

- As a guest of Mayor Glenn Docherty, attended the Central Districts v West Adelaide President's luncheon and match at X Convenience Oval, Elizabeth.
- Attended the Adelaide Omonia Cobras home match and sponsors evening at Jack Smith Park, Camden Sports Complex.

**24 August**

- In collaboration with the Department of Immigration and the OMC staff, I conducted 6 citizenship ceremonies with a small number of applicants in each ceremony throughout the morning to comply with Covid-19 restrictions.

**25 August**

- Participated in the City Advancement and Prosperity General Committee meeting.

**26 August**

- Participated in an ABC radio interview to discuss the Mellor Park Redevelopment Project.
- Conducted a further three citizenship ceremonies for small groups of applicants.
- Visited the former Windsor Theatre at Mellor Park with Leith Forrest from 5AA radio station.
- Participated in an LG Reform briefing with Upper House Members via Zoom along with the CEO.

**27 August**

- Attended the Airport Over 50s Club AGM.
- Participated in the final in the series of GAROC Covid-19 Recovery Webinars via Zoom.

**28 August**

- Attending the West Adelaide v Sturt pre-match dinner and match at Hisense Stadium.
- Attending the Western Youth Centre AGM.

**1 September**

- Council and City Services and Climate Adaptation Standing Committee meeting.

**RECOMMENDATION**

That the Mayor's Report be noted.

**7 ELECTED MEMBERS REPORTS****8 PETITIONS**

Nil

**9 DEPUTATIONS**

Nil

**10 ADJOURN TO STANDING COMMITTEES****RECOMMENDATION**

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



## **11 ADOPTION OF STANDING COMMITTEE RECOMMENDATIONS**

### **11.1 City Services and Climate Adaptation Standing Committee Meeting**

#### **RECOMMENDATION**

That the recommendations of the City Services and Climate Adaptation Standing Committee held on 1 September 2020 be adopted.

## **12 ADOPTION OF GENERAL COMMITTEE RECOMMENDATIONS**

### **12.1 Audit General Committee Meeting**

#### **RECOMMENDATION**

That the Minutes of the Audit General Committee held on 18 August 2020 be noted and the recommendations adopted.

### **12.2 City Advancement and Prosperity General Committee Meeting**

#### **RECOMMENDATION**

That the Minutes of the City Advancement and Prosperity General Committee held on 25 August 2020 be noted and the recommendations adopted.

#### CEO Comment

The CEO will be seeking clarification in relation to Committee Item 8.5 - Citizen of the Year Signage - of the Committee recommendations to Council. The Committee resolution adopted does not reflect the general discussion or debate on this item in that the mover of the recommendation when speaking to the motion indicated that he would "*leave it to the Administration to come back to Council with an appropriate report*". This comment was made in reference to the Australian Honours Awards which are conferred twice a year on Australia Day and on the Queen's birthday. The CEO is of the view that the following motion reflects the intent of the Committee in forming an opinion on this item of business.

The Committee recommends to Council that:

1. Anodised plaques commemorating the West Torrens Australia Day Citizen of the Year, Young Citizen of the Year and Community Event of the Year be manufactured and erected on the Hamra Centre Library wall for awards invested from 2000 onwards; and
2. The Administration report back to the Committee on the options available to Council to recognise those persons, with a connection to West Torrens, who have been invested awards under the Australian Honours system from 2000 onwards.

## **13 QUESTIONS WITH NOTICE**

Nil

## **14 QUESTIONS WITHOUT NOTICE**

## **15 MOTIONS WITH NOTICE**

Nil

## **16 MOTIONS WITHOUT NOTICE**

## 17 REPORTS OF THE CHIEF EXECUTIVE OFFICER

### 17.1 Mendelson Foundation Investment Performance 2019/20

#### Brief

This report provides information on the investment performance of the Mendelson Foundation for the 12 months ending 30 June 2020, pursuant to the requirements of Section 140 of the *Local Government Act 1999*.

#### RECOMMENDATION

It is recommended to Council that the report be received.

#### Introduction

Section 140 of the *Local Government Act 1999* states that Council must, at least once in each year, review the performance of its investments. This report deals with the investments of the Mendelson Foundation.

#### Discussion

Investments of the Mendelson Foundation are governed by the *Mendelson Foundation Investments Policy*, most recently updated in November 2014. This policy covers areas such as legislative requirements and obligations, approved asset allocation, policy regarding exposure, and reporting obligations.

During 2019/20, FMD Financial Pty Ltd / FMD Advisory Services Pty Ltd (AFSL No. 232977) was the investment adviser to the Council in relation to the Mendelson Foundation.

During 2019/20 the assets of the Mendelson portfolio decreased by 1.25 per cent, with no withdrawals of funds during 2019/20. This compares with increases of 9.5 per cent in 2018/19, 8.1 per cent in 2017/18 and 13.0 per cent in 2016/17 after allowing for the withdrawal of funds.

From July 2019 through to late February 2020 global share markets rallied strongly as the US Federal Reserve, the Reserve Bank of Australia and other central banks cut interest rates to record lows. In mid-February the Australian shares exposure was trimmed for risk mitigation.

In late February share market volatility spiked as the global economy weakened upon government orders to close borders and restrict movement to curb the spread of COVID19. Extreme falls in global financial markets followed, to an extent not seen since the GFC. The defensive holdings in the Mendelson portfolio, including exposure to healthcare companies, fixed interest and alternatives, helped cushion some of the downturn, while the holdings in banks, energy and infrastructure weighed down on the portfolio. From late March global share markets rallied although there has been dispersion in the recovery between sectors with technology rebounding strongly while the banks and infrastructure continue to lag. In June adjustments were made to the global managers in the portfolio to increase currency hedging and exposure to technology.

Over the longer term, the Mendelson portfolio continues to perform well and generate a real return over inflation. The following benchmark information is provided:

	1 year return to 30 June 20	3 year return to 30 June 20	5 year return to 30 June 20
Mendelson Portfolio	-1.25%	8.48%	8.15%
Retail Unit Trust Diversified - Balanced Index	-1.46%	3.74%	4.15%
S&P / ASX 200 Total Return Index	-7.68%	5.19%	5.95%

The above table illustrates that the Mendelson portfolio outperformed the indices over the last 1, 3 and 5 years. In addition, and most noteworthy, the Mendelson portfolio has funded \$231,000 in scholarships over the last 5 years.

As at 30 June 2020, the total value of portfolio assets was \$1,557,731 (\$1,587,308 at 30 June 2019).

The following table shows the approved "asset allocation" for the Mendelson Foundation as per Council policy guidelines, compared with the actual allocation at 30 June 2020:

Sector	Approved Limit	Actual Weightings as at 30/06/2020
<b>(a) Defensive / Income Investments</b> (Cash, fixed interest)	<b>25% (min)</b>	<b>31%</b>
<b>(b) Growth Investments</b> (Australian shares, international funds and property)	<b>75% (max)</b>	<b>69%</b>

As shown by the table, the asset allocation for the Mendelson Foundation conforms to policy limits for defensive investments and more particularly, growth investments.

In 2019/20, the Mendelson Foundation has maintained a well-diversified portfolio and maintained growth investments within approved limits. For Australian shares, policy states that property investments must be via listed property trusts / managed funds while investments in international shares must be via managed funds. The Mendelson Foundation continues to conform to these requirements.

The table following shows the spread of the investment portfolio over investment categories / sectors:

#### Mendelson Foundation - Summary of Investment Categories (% of total) June 2020

##### **Defensive / Income**

Fixed Interest	26.2
Cash	4.8
<b>Total</b>	<b>31.0</b>

##### **Growth**

Australian Shares	37.4
International Managed Funds	27.0
Alternatives	4.6
<b>Total</b>	<b>69.0</b>
<b>Total</b>	<b><u>100.0</u></b>

## **Conclusion**

The Mendelson Foundation portfolio value fell marginally in 2019/20 due to the COVID19 impact. Over the longer term, the portfolio continues to perform well with portfolio returns above inflation and outperforming most of the comparative benchmark indexes.

In 2019/20, the Mendelson investments continued to be actively managed by the Committee.

From a compliance perspective, the Mendelson Foundation remains in conformity with Council's approved policy limits on asset allocation, policy on use of managed funds for property and international investments and policy relating to diversity of share investments.

## **Attachments**

Nil

## 17.2 Feedback on the Statutes Amendment (Animal Welfare Reforms) Bill 2020

### Brief

The Local Government Association has requested feedback from Council on the *Statutes Amendment (Animal Welfare Reforms) Bill 2020*.

### RECOMMENDATION

It is recommended to Council that:

1. The feedback contained in **Attachment 4** be submitted to the Local Government Association; and
2. No further feedback on the Bill be provided to the Joint Committee.

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### Introduction

The Hon Tammy Franks MLC has tabled the *Statutes Amendment (Animal Welfare Reforms) Bill 2020* (Bill) in the Legislative Council (**Attachment 1**). As such, and given the Bill impacts Local Government directly, the Local Government Association (LGA) is seeking urgent feedback from Council's on the suspected impacts of the Bill.

### Discussion

The Bill, which was introduced in June 2020, has now been referred to a Joint Committee which has directly sought submissions from the LGA (**Attachment 2**).

The LGA has prepared a draft submission (**Attachment 3**) but has requested direct feedback from Council on a number of questions listed below and also contained in **Attachment 4** for ease of reference:

#### 1. Should council officers have a role in enforcing the Animal Welfare Act?

It is recommended that the LGA be advised that Council officers should not have a role in enforcing the Animal Welfare Act. The increased costs associated with the management of this Act with the proposed changes would cause a significant detriment to ratepayers by increased costs.

#### 2. What is the capacity of your Council regulatory services team to take on additional dog and cat management and/or animal welfare responsibilities?

It is recommended that the LGA be advised that while the City of West Torrens currently has a dedicated Animal Management Officer, in relation to dogs and cats within the *Dog and Cat Management Act 1995*, undertaking those additional dog and cat management and/or animal welfare responsibilities, as outlined in the Bill, would require Council to commit capital funds and further resources. While the magnitude of these is largely unknown, an estimated cost is detailed in the response to question 3.

#### 3. What are the estimated increased annual costs to your council if you were required to detain a dog or cat for an indefinite period and take steps to rehome the animal?

It is recommended that the LGA be advised that the City of West Torrens is currently engaged in an agreement to impound dogs/cats at an animal welfare facility. If the timeframe for impounding is extended, as a result of the Bill, to whatever length of time is required to rehome the animal, Council would expect there to be a submission from the organisation holding the animal for a variation to the schedule of rates currently submitted to account for the additional costs associated with holding an animal for the period taken to rehome it.

Although the legislation does not mandate the existence of a Council run facility, as Council is solely responsible for ensuring that there are adequate facilities in the Council area the establishment may be required. There is expected to be a substantial increase in costs in relation to the establishment of a Council owned facility for the detainment and rehoming of dogs and cats and the management of animal welfare, with possible increases being:

Capital Costs (up front)	\$ 1,800,000
Resources	\$ 150,000
Animal Welfare	\$ 65,000
Other Costs	\$ 20,000

**4. The Bill would require councils to make attempts to rehome all dogs, even if subject to a council dog control order. Would this present any safety or dog management issues in your area?**

This would depend on the type of control order and the relevant actions of the dog. If any dog has aggression towards a human or animal, it would be a requirement to assess the risk and behaviour of the dog before it is placed out in the community. There is always a question, will the dog repeat its aggressive behaviour, and to properly carry out the purpose of the Bill more in-depth behavioural testing and management with animals would be required. There are potential unintended consequences when rehoming dogs under control orders, including the previous owners seeking to access the dog, meaning that orders against previous owners may need to be more robust.

**5. Do you have any views on the capacity of your council area to rehome thousands of extra dogs and cats each year?**

It is recommended that the LGA be advised that while the City of West Torrens has a contract with a pound facility there will be additional costs to Council if there is a requirement to rehome all dogs/cats. If the Bill passes, it is likely that existing agreements with rehoming facilities would need to be amended to allow for the provision of services by other facilities approved by the Board (pursuant to the amendment to section 61 of the *Dog and Cat Management Act 1995*). Although this would be a significant change in the processes currently undertaken, it is impossible to know Council's capacity to rehome a significantly increased number of dogs and cats each year without knowing the extent of facilities approved.

**6. Are there any welfare or safety concerns (for humans or the animals) of keeping dog and cats at pounds and shelters for much longer periods?**

It is recommended that the LGA be advised that long term stays in shelters can have detrimental effects on the behaviour of animals. The change proposed in section 9 of the Bill from *"may if urgent action is not taken suffer unnecessary harm"* to *"at risk of suffering"* may also have unintended consequences for animals that are in shelters or with other organisations for long periods. *"At risk of suffering"* is very broad, and may be used to circumvent other clauses to euthanase unwanted animals. The use of other approved facilities would hopefully include organisations that promote fostering of animals prior to rehoming which would reduce the adverse effects to animals being held long term in facilities. The use of a further wide spread fostering system could be considered by councils under any relevant by-laws relating to the number of animals on a residential property.

The LGA intends to oppose the Bill (without opposing the intent) as it is of the belief that it's drafting will cause many unintended adverse consequences, and have instead proposed a full review of the current management system by the Dog and Cat Management Board.

As such, it is recommended that the LGA's position be supported and, therefore, no direct feedback be provided to the Joint Committee.

## **Climate Impact Considerations**

*(Assessment of likely positive or negative implications of this decision will assist Council and the West Torrens Community to build resilience and adapt to the challenges created by a changing climate.)*

There is no direct climate impact in relation to this report.

## **Conclusion**

This report presents proposed feedback, as requested by the LGA, on the *Statutes Amendment (Animal Welfare Reforms) Bill 2020*.

## **Attachments**

1. **Statutes Amendment (Animal Welfare Reforms) Bill 2020**
2. **Request via the Local Government Association for Submissions to the Joint Committee**
3. **Local Government Association response to Statutes Amendment (Animal Welfare Reforms) Bill 2020**
4. **City of West Torrens response to Local Government Association questions**

**Legislative Council—No 38**

As introduced and read a first time, 3 June 2020

South Australia

**Statutes Amendment (Animal Welfare Reforms)  
Bill 2020**

A BILL FOR

An Act to amend the *Animal Welfare Act 1985* and the *Dog and Cat Management Act 1995*.

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**Statutes Amendment (Animal Welfare Reforms) Bill 2020****Contents****Contents****Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Amendment provisions

**Part 2—Amendment of *Animal Welfare Act 1985***

- 4 Amendment of section 3—Interpretation
- 5 Insertion of section 4
  - 4 Ownership of animals and property
- 6 Insertion of Part 3A
  - Part 3A—Dog and cat rescue organisation and rehousing facilities

**Division 1—Preliminary**

- 15B Interpretation
- 15C Application of Part
- 15D Interaction with *Dog and Cat Management Act 1995*
- 15E Objects and principles

**Division 2—Code of practice**

- 15F Code of practice
- 15G Offence to contravene code of practice

**Division 3—Licence required to operate certain rescue organisations**

- 15H Offence for prescribed organisation to provide rescue and rehousing services without licence etc
- 15I Minister may grant licence
- 15J Endorsement of licence to operate rehousing facility
- 15K Revocation and suspension of licence

**Division 4—Euthanasia of dogs and cats held by prescribed organisations**

- 15L Euthanasia of dogs and cats held by prescribed organisations

**Division 5—Reporting**

- 15M Licence holders to report to Minister

**Division 6—Review of Minister's decisions**

- 15N Review of Minister's decisions by South Australian Civil and Administrative Tribunal

**Division 7—Miscellaneous**

- 15O Offence to hold out as being licensed
- 15P Exemptions
- 15Q General defence

- 7 Amendment of section 30—General powers
- 8 Amendment of section 31A—Special powers relating to animals
- 9 Insertion of Part 5 Division 2A

**Division 2A—Animal cruelty intervention orders**

- 31BA Animal cruelty intervention orders

- 10 Amendment of section 31C—Dealing with seized animals and objects
- 11 Insertion of section 31EA
  - 31EA Interim court orders
- 12 Amendment of section 32A—Court orders on finding of guilt etc
- 13 Insertion of section 42AA
  - 42AA Animals that are evidence
- 14 Substitution of section 43



**Statutes Amendment (Animal Welfare Reforms) Bill 2020**  
Contents

- 43      Act does not render unlawful practices that are in accordance with prescribed code of animal husbandry practice

**Part 3—Amendment of *Dog and Cat Management Act 1995***

- 15      Amendment of section 4—Interpretation  
 16      Amendment of section 33—Dogs must be registered  
 17      Amendment of section 61—Procedure following seizure of dog  
 18      Amendment of section 62—Dealing with seized dogs  
 19      Repeal of section 63  
 20      Amendment of section 64—Power to seize and detain cats  
 21      Amendment of section 64A—Rehousing or other disposal of seized cat  
 22      Insertion of Part 5B  
         Part 5B—Special provisions relating to greyhound racing industry  
         64G      Interpretation  
         64H      Greyhound Racing SA to provide certain reports and information  
         64I      Freedom of Information Act to apply to Greyhound Racing SA  
 23      Insertion of section 88AA  
         88AA      Animals that are evidence  
 24      Amendment of section 91—Regulations

**The Parliament of South Australia enacts as follows:**

**Part 1—Preliminary**

**1—Short title**

This Act may be cited as the *Statutes Amendment (Animal Welfare Reforms) Act 2020*.

5      **2—Commencement**

This Act will come into operation 6 months after the day on which it is assented to by the Governor.

**3—Amendment provisions**

- 10      In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

**Part 2—Amendment of *Animal Welfare Act 1985***

**4—Amendment of section 3—Interpretation**

Section 3, definition of *owner*—delete the definition and substitute:

*owner*—see section 4;

**Statutes Amendment (Animal Welfare Reforms) Bill 2020**  
 Part 2—Amendment of *Animal Welfare Act 1985*

**5—Insertion of section 4**

After section 3 insert:

**4—Ownership of animals and property**

- 5 (1) For the purposes of this Act, a reference to the **owner** of an animal will be taken to include a reference to—
- (a) a person who has the custody and control of the animal;
- 10 (b) in the case of a dog or cat registered under the *Dog and Cat Management Act 1995* or any other Act or law—the person in whose name the dog or cat was registered at the relevant time.
- (2) In proceedings for an offence against this Act, if an animal is shown to have been habitually in the apparent ownership of a person, that person will, in the absence of proof to the contrary, be taken to have owned and to continue to own the animal.
- 15 (3) For the purposes of this Act, a reference to the **owner** of real or personal property will be taken to include a reference to a person entitled to possession of the property.

**6—Insertion of Part 3A**

After section 27 insert:

20 **Part 3A—Dog and cat rescue organisation and rehousing facilities**

**Division 1—Preliminary**

**15B—Interpretation**

- 25 (1) In this Part, unless the contrary intention appears—
- cat* means an animal of the species *felis catus*;
- code of practice* means the code of practice established under section 15F, as in force from time to time;
- dog* means an animal of the species *canis familiaris*;
- 30 *holding period*, for a dog or cat held in a rehousing facility by or on behalf of a prescribed organisation, means the period of 7 days commencing on the day after the dog or cat came into the possession of the organisation;
- licence*, in relation to a prescribed organisation, means a licence under this Part;
- 35 *prescribed organisation*—see subsection (2);

## Statutes Amendment (Animal Welfare Reforms) Bill 2020

### Amendment of *Animal Welfare Act 1985*—Part 2

**rehousing facility** means a facility operated by or on behalf of a prescribed organisation at which stray, abandoned, ill-treated, injured, sick or surrendered dogs or cats (or both)—

- (a) are temporarily sheltered while awaiting rehousing; or
- (b) are permanently sheltered if rehousing is not reasonably practicable,

but does not include a facility of a kind declared by the regulations not to be included in the ambit of this definition;

**rescue and rehousing service** means a service consisting of or including the rehousing of stray, abandoned, ill-treated, injured, sick or surrendered dogs or cats or both (however described).

- (2) For the purposes of this Part, a reference to a **prescribed organisation** will be taken to be a reference to the following persons and bodies:

- (a) the Society;
- (b) the Animal Welfare League of South Australia Incorporated;
- (c) a person or body who—
  - (i) holds, or is acting for or on behalf of the holder of, a section 6 licence (within the meaning of the *Collections for Charitable Purposes Act 1939*); and
  - (ii) collects money or other property, or obtains bequests, for the provision of charitable services (within the meaning of the *Collections for Charitable Purposes Act 1939*) consisting of or including provision of welfare services for animals,
 (other than a person or body, or person or body of a class, declared by the regulations not to be included in the ambit of this paragraph);
- (d) any other person or body, or person or body of a class, prescribed by the regulations.

### 15C—Application of Part

- (1) This Part applies to dogs and cats.
- (2) This Part does not apply in relation to—
  - (a) dingos; or
  - (b) dogs or cats living in an undomesticated state (commonly known as feral dogs and cats); or
  - (c) dogs or cats of a kind declared by the regulations to be excluded from the operation of this Part; or
  - (d) any other animal.

**Statutes Amendment (Animal Welfare Reforms) Bill 2020**  
Part 2—Amendment of *Animal Welfare Act 1985*

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**15D—Interaction with *Dog and Cat Management Act 1995***

This Part is in addition to, and does not derogate from, the *Dog and Cat Management Act 1995*.

**15E—Objects and principles**

- 5 (1) The objects of this Part include—
- (a) preventing, as far as is reasonably practicable, the killing of stray, abandoned, ill-treated, injured, sick or surrendered dogs and cats that are suitable for rehousing; and
  - 10 (b) encouraging the rehousing of stray, abandoned, ill-treated, injured, sick or surrendered dogs and cats; and
  - (c) ensuring that, in the cases where dogs or cats must be killed, it is done in a way that is humane and compassionate; and
  - (d) developing a code of practice that furthers these objects.
- 15 (2) The following principles apply in relation to the operation of this Part:
- (a) no dog or cat should be killed if it can safely be placed in a suitable home;
  - (b) dogs and cats in rehousing facilities require proper shelter, care, nutrition and exercise;
  - 20 (c) dogs and cats in rehousing facilities require enrichment and interaction;
  - (d) dogs and cats in rehousing facilities require proper veterinary care;
  - 25 (e) prescribed organisations should make every effort, and be supported, to provide every dog and cat in their custody with individual consideration and care.

**Division 2—Code of practice**

**15F—Code of practice**

- 30 (1) The Governor may, on the recommendation of the Minister, make regulations establishing a code of practice for the purposes of this Part.
- (2) Without limiting any other matters that may be included in the code of practice, the code of practice must contain the following provisions:
- 35 (a) a provision requiring that dogs and cats not be killed by a prescribed organisation if they can reasonably and safely be taken to another organisation that can take possession of them;

**Statutes Amendment (Animal Welfare Reforms) Bill 2020**  
Amendment of *Animal Welfare Act 1985*—Part 2

- (b) provisions setting out the minimum standard of care to be provided by prescribed organisations (including at rehousing facilities).
- 5 (3) Before making a recommendation for the purposes of subsection (1), the Minister—
- (a) must consult with the prescribed bodies; and
- (b) must call for public submissions in accordance with a scheme determined by the regulations.
- 10 (4) The Minister must cause the code of practice to be reviewed at least once in each 5 year period.

**15G—Offence to contravene code of practice**

- A person who, without reasonable excuse, contravenes a provision of the code of practice in relation to the operation of a prescribed organisation is guilty of an offence.
- 15 Maximum penalty: \$10 000.

**Division 3—Licence required to operate certain rescue organisations**

**15H—Offence for prescribed organisation to provide rescue and rehousing services without licence etc**

- 20 (1) A prescribed organisation must not provide, or offer to provide, a rescue and rehousing service unless the organisation holds a licence under this Part.
- Maximum penalty: \$50 000.
- 25 (2) A prescribed organisation must not operate a rehousing facility for dogs or cats in the ownership, or under the custody or control, of the organisation unless the organisation's licence is appropriately endorsed under section 15J.
- Maximum penalty: \$50 000.

**15I—Minister may grant licence**

- 30 (1) The Minister may, on application, grant a licence to a prescribed organisation authorising the prescribed organisation to provide a rescue and rehousing service.
- (2) Each licence is subject to a condition requiring the holder of the licence to comply with the code of practice.
- 35 (3) Without limiting this section, a licence may be granted subject to such conditions as the Minister thinks fit and specifies in the licence (including, without limiting the generality of this subsection, a condition limiting the kinds of animal that can be rescued or rehoused pursuant to the licence).

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- (4) An application for a licence—
- (a) must be made in a manner and form approved by the Minister; and
  - (b) must include such information as the Minister may reasonably require; and
  - (c) must be accompanied by the prescribed fee.
- (5) In determining whether or not to grant a licence, the Minister must have regard to—
- (a) the suitability of the applicant to be granted the licence (including by having regard to any offences committed by the prescribed organisation, or a person associated with the prescribed organisation, under this or any other Act); and
  - (b) the adequacy of the applicant's premises and facilities (if any) in respect of the provision of rescue and rehousing services; and
  - (c) such other matters as may be prescribed by the regulations, and may have regard to any other matter that the Minister thinks relevant.
- (6) The Minister may, by notice in writing, vary or revoke a condition of, or impose further conditions on, a licence for any reason the Minister thinks fit.
- (7) A licence remains in force until it is—
- (a) revoked by the Minister; or
  - (b) surrendered by the holder of the licence.
- 15J—Endorsement of licence to operate rehousing facility**
- (1) The Minister may, at the time of granting the licence or on subsequent application, include or add an endorsement to a licence granted under section 15I authorising the licence holder to operate a rehousing facility in the course of providing rescue and rehousing services.
- (2) An endorsement may be subject to such conditions as the Minister thinks fit and specifies in the licence (including, without limiting the generality of this subsection, a condition limiting the number or kinds of dogs and cats that can be accommodated at the facility at any time).
- (3) An application for an endorsement—
- (a) must be made in a manner and form approved by the Minister; and
  - (b) must include such information as the Minister may reasonably require; and
  - (c) must be accompanied by the prescribed fee.

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(4) In determining whether or not to endorse a licence, the Minister must have regard to—

(a) the adequacy of the applicant's facilities, or proposed facilities, in respect of providing accommodation for dogs or cats (as the case requires); and

(b) such other matters as may be prescribed by the regulations, and may have regard to any other matter that the Minister thinks relevant.

(5) The Minister may, by notice in writing, vary or revoke an endorsement for any reason the Minister thinks fit.

**15K—Revocation and suspension of licence**

(1) If the Minister is satisfied that the holder of a licence—

(a) has been found guilty of an offence against this Act; or

(b) has contravened the code of practice (whether or not the licence holder or any other person has been convicted of an offence relating to the contravention); or

(c) has failed to comply with a condition of the licence; or

(d) has failed to provide a report required under section 15M; or

(e) has obtained the licence improperly,

the Minister may, by notice in writing—

(f) suspend the licence—

(i) for a period specified in the notice; or

(ii) until the holder of the licence causes such action as may be specified in the notice to be taken to the satisfaction of the Minister; or

(g) allow the holder of the licence to continue to provide rescue and rehoming services subject to specified conditions (including conditions preventing further dogs or cats being received by the prescribed organisation, or requiring supervision of the operation of the prescribed organisation by a specified person or body); or

(h) revoke the licence.

(2) The Minister may, by notice in writing, vary or revoke a condition imposed under subsection (1)(g) for any reason the Minister thinks fit.

(3) A person who contravenes a condition imposed under subsection (1)(g) is guilty of an offence.

Maximum penalty: \$10 000.

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- (4) The Minister may, if he or she considers it appropriate to do so, by notice in writing, disqualify (either permanently or for a specified period) a specified prescribed organisation from holding or obtaining a licence under this Part.

5                                    **Division 4—Euthanasia of dogs and cats held by prescribed organisations**

**15L—Euthanasia of dogs and cats held by prescribed organisations**

- 10                    (1) A dog or cat held by or on behalf of a prescribed organisation may be euthanased at any time if the dog or cat has been assessed (in accordance with any requirements set out in the code of practice) as being unsuitable for rehousing.
- 15                    (2) Except as may be authorised under subsection (1), the following provisions apply in relation to the euthanasia of a dog or cat held by or on behalf of a prescribed organisation:
- 20                                    (a) the dog or cat must not be killed during the holding period for the dog or cat;
- 25                                    (b) the dog or cat must not be killed unless—
- 30    (i) the prescribed organisation has, in accordance with the code of practice, offered the dog or cat to other animal rescue organisations that are willing to take possession of dogs or cats in such circumstances; and
- 35    (ii) the prescribed organisation has complied with any other requirement set out in the regulations or the code of practice; and
- 40    (iii) the prescribed organisation has certified, in accordance with the regulations, that there was no reasonable alternative to killing the animal in the circumstances;
- (c) the dog or cat may only be killed if—
- (i) a foster home cannot be found within the period specified in the code of practice; and
- (ii) it is not reasonably practicable (having regard to the operational needs of the prescribed organisation) for the dog or cat to be permanently rehoused with the prescribed organisation.
- (3) However, subsection (2)(a) and (b) do not apply in the following circumstances:
- (a) the killing of a dog or cat that has been certified by a veterinary surgeon as experiencing irremediable physical or mental suffering;



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- (b) the killing of a dog pursuant to a destruction order under Part 5 of the *Dog and Cat Management Act 1995*;
- (c) the killing of a dog or cat pursuant to an order of a court.
- 5 (4) Euthanasia may only be administered to a dog or cat as follows (including, to avoid doubt, to a dog or cat killed pursuant to subsection (1)):
- (a) the dog or cat may only be killed by a veterinarian surgeon or inspector;
- 10 (b) the method used to kill the animal must be humane and appropriate in the circumstances (and in any case must not be a proscribed method);
- (c) the dog or cat must be sedated before being killed so as to minimise stress or discomfort, or to ensure staff safety (however, neuromuscular blocking agents must not be used);
- 15 (d) following the administration of an injection, the dog or cat must be lowered to the surface on which they are being held and must not be permitted to drop or otherwise collapse without support;
- 20 (e) the dog or cat must not be left unattended between the time procedures to kill the dog or cat are commenced and the time death occurs;
- (f) the dog's or cat's body must not be disposed of before death is verified in accordance with this section;
- 25 (g) the killing of the dog or cat must comply with any other requirements set out in the code of practice.
- (5) A person who, without reasonable excuse, contravenes subsection (2) or (4) is guilty of an offence.  
Maximum penalty: \$20 000 or imprisonment for 2 years.
- 30 (6) For the purposes of this section, the death of a dog or cat must be verified in each of the following ways:
- (a) by lack of heartbeat, verified by a stethoscope;
- (b) by lack of respiration, verified by observation;
- (c) by pale, bluish gums and tongue, verified by observation;
- 35 (d) by lack of eye response, verified if lid does not blink when eye is touched and pupil remains dilated when a light is shined on it.
- (7) To avoid doubt, nothing in this section authorises the killing of a dog or cat merely because the holding period for the dog or cat has elapsed.
- 40 (8) Nothing in this section limits the operation of section 4B.

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- (9) No civil liability attaches to a prescribed organisation, inspector or any other person in relation to the euthanasia of an animal carried out in good faith, without negligence and in accordance with this section.

- (10) In this section—

5 *irremediable physical or mental suffering* means a dog or cat that—

- (a) has a poor or grave prognosis for being able to live without severe, unremitting pain even with comprehensive, prompt, and necessary veterinary care; or
- 10 (b) has unmanageable fear or behavioural abnormalities that prevent the dog or cat from enjoying a normal quality of life.

## **Division 5—Reporting**

### **15M—Licence holders to report to Minister**

- 15 (1) The holder of a licence under this Part must, on or before 30 September in each year, prepare and submit a written report to the Minister setting out the following information relating to the preceding financial year:
- (a) the total number of dogs and cats surrendered to or otherwise rescued by the licence holder;
- 20 (b) the number of dogs and cats returned to their owners by the licence holder;
- (c) the number of dogs and cats rehoused by the licence holder;
- (d) the number of dogs or cats euthanased by or on behalf of the licence holder (including the reason for the administration of euthanasia);
- 25 (e) the number of dogs or cats in the care of the licence holder on 31 July of that year;
- (f) any other information required by the regulations or under the code of practice.
- 30 (2) The holder of a licence must allow inspection (without charge) of a report under subsection (1) by members of the public.
- (3) The Minister must, as soon as is reasonably practicable after receiving a report under subsection (1), cause a copy of the report to be published on a website determined by the Minister.

## **Division 6—Review of Minister's decisions**

### **35 15N—Review of Minister's decisions by South Australian Civil and Administrative Tribunal**

- (1) The South Australian Civil and Administrative Tribunal is, by force of this section, conferred with jurisdiction to deal with matters consisting of the review of a decision of the Minister under this Part.

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- 5 (2) An application for review of a decision of the Minister under this Part may be made to the South Australian Civil and Administrative Tribunal by a person aggrieved by the decision within 1 month after the applicant receives notice of the relevant decision (or such longer period as the Tribunal may allow).
- (3) However, the South Australian Civil and Administrative Tribunal may only allow an extension of time under subsection (2) if satisfied that—
- 10 (a) special circumstances exist; and
- (b) another party will not be unreasonably disadvantaged because of the delay in commencing the proceedings.

## **Division 7—Miscellaneous**

### **150—Offence to hold out as being licensed**

15 A person must not hold himself or herself out as holding a licence under this Part unless the person is in fact so licensed.

Maximum penalty: \$10 000.

### **15P—Exemptions**

- 20 (1) The Minister may, on application or on the Minister's own motion, exempt a specified person or body from this Part, or specified provisions of this Part.
- (2) Subject to this section, an exemption—
- (a) must be in writing; and
- (b) may be conditional or unconditional; and
- (c) has effect for the period specified in the exemption.
- 25 (3) The Minister—
- (a) must, unless the Minister is satisfied that good reasons exist for not doing so, by notice in writing, revoke an exemption of a person or body if the person or body—
- 30 (i) is found guilty of an offence against this Act; or
- (ii) has obtained the exemption improperly; or
- (iii) fails to comply with a condition of the exemption; and
- (b) may, by notice in writing, vary or revoke an exemption for any other reason the Minister thinks fit.
- 35 (4) An application for an exemption, or for the variation of an exemption—
- (a) must be made in a manner and form determined by the Minister; and

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- (b) must include such information as the Minister may reasonably require; and
- (c) must be accompanied by the prescribed fee.

**15Q—General defence**

- 5 It is a defence to a charge of an offence against this Part if the defendant proves that the alleged offence was not committed intentionally and did not result from any failure on the part of the defendant to take reasonable care to avoid the commission of the offence.

10 **7—Amendment of section 30—General powers**

Section 30(5)—delete paragraph (f) and substitute:

- (f) premises or a vehicle in which an inspector reasonably suspects there may be records relating to a business or organised event or activity involving animals;
- 15 (g) premises or a vehicle in which an inspector reasonably suspects there may be an animal or other thing that has been used in, or may constitute evidence of, a contravention of this Act.

**8—Amendment of section 31A—Special powers relating to animals**

- 20 Section 31A(1)—delete "may if urgent action is not taken suffer unnecessary harm" insert:

is at risk of suffering

**9—Insertion of Part 5 Division 2A**

After section 31B insert:

**Division 2A—Animal cruelty intervention orders**

25 **31BA—Animal cruelty intervention orders**

- (1) An inspector may apply to the Magistrates Court for an order under this section (an *animal cruelty intervention order*) if the inspector believes on reasonable grounds that the person against whom the order is sought (the *defendant*) will, without intervention, cause the death of, or serious harm to, an animal.
- 30 (2) To avoid doubt, an application may be made under this section whether or not—
  - (a) death or harm has, in fact, been caused to an animal; or
  - (b) the defendant has been charged with an offence.
- 35 (3) The Magistrates Court may, on application and if satisfied that the defendant will, without intervention, cause the death of, or serious harm to, an animal, make an animal cruelty intervention order against the defendant.

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- 5 (4) An animal cruelty intervention order may be made in the absence of the defendant if the defendant was required by summons to appear at the hearing of the application and failed to appear in obedience to the summons (however in such a case the order will not be taken to be binding on the defendant until served personally on the defendant).
- 10 (5) An animal cruelty intervention order may do 1 or more of the following:
- (a) prohibit the defendant from having the custody or control of a specified animal, a specified class of animals, or any animals;
  - (b) require the defendant to surrender specified animals, or all animals, in the custody or control of the defendant to a specified person within a specified period;
  - 15 (c) prohibit the defendant from attending at, or being in, a specified locality (not being residential premises occupied by the defendant);
  - (d) prohibit the defendant from contacting, harassing, threatening or intimidating a specified person or persons at a specified place at which animals owned by the defendant are being cared for;
  - 20 (e) prohibit the defendant from destroying or damaging specified property;
  - (f) prohibit the defendant from taking possession of specified personal property reasonably needed in relation to the care of animals owned by the defendant;
  - 25 (g) prohibit the defendant from causing or allowing another person to engage in the conduct referred to in a preceding paragraph;
  - (h) require the defendant to produce specified personal property reasonably needed in relation to the care of animals owned by the defendant to a specified person;
  - 30 (i) impose any other requirement on the defendant to take, or to refrain from taking, specified action in relation to animals.
- 35 (6) An animal cruelty intervention order may specify—
- (a) conditions under which a prohibition imposed by the order does not apply; and
  - (b) conditions that must be complied with in relation to a requirement imposed by the order.
- 40 (7) A person who contravenes or fails to comply with an animal cruelty intervention order is guilty of an offence.
- Maximum penalty: Imprisonment for 2 years.

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(8) An animal cruelty intervention order is ongoing and continues in force (subject to any variation or substitution of the order under this Act) until it is revoked.

5 (9) The Magistrates Court may, when issuing or varying an animal cruelty intervention order fix a date (being not less than 12 months after issue or variation of the order) after which the defendant may apply for variation or revocation, or further variation, of the order.

**10—Amendment of section 31C—Dealing with seized animals and objects**

(1) Section 31C—after subsection (2) insert:

10 (2a) A magistrate may make such ancillary orders in relation to an order under subsection (2) as the magistrate considers appropriate (including, for example, an order that the owner of the animal or other party to the application is to pay to a specified person or body the reasonable costs of caring for the animal until the application is  
15 determined).

(2) Section 31C—after subsection (3) insert:

(3a) To avoid doubt, section 15O (other than subsection (2)) applies in relation to the destruction of a dog or cat under subsection (1) or (2).

**11—Insertion of section 31EA**

20 After section 31E insert:

**31EA—Interim court orders**

- (1) A court hearing an application under this Act, or proceedings on a charge of an offence against this Act, may make such interim orders as the court considers appropriate.
- 25 (2) Without limiting the generality of subsection (1), a court may make 1 or more of the following orders:
- (a) an order requiring a specified person to care for an animal or animals owned by the person (whether or not the subject of the offence) in accordance with the terms of the order;
  - 30 (b) an order directing a specified person to surrender a specified animal owned by the person (being an animal that is the subject of a charge of an offence against this Act) to a specified person;
  - 35 (c) an order directing a specified person to surrender a specified animal or animals owned by the person to a specified person;
  - (d) an order prohibiting a specified person from owning or possessing an animal, or an animal of a specified class, until further order or for a period specified in the order.

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**12—Amendment of section 32A—Court orders on finding of guilt etc**

- (1) Section 32A(2), penalty provision—delete the penalty provision and substitute:

Maximum penalty: Imprisonment for 2 years.

- (2) Section 32A—after subsection (3) insert:

- 5                                   (4) To avoid doubt, section 15L (other than subsection (2)) applies in relation to the destruction of an animal under subsection (3).

**13—Insertion of section 42AA**

After section 42 insert:

**42AA—Animals that are evidence**

- 10                                   Despite any other Act or law, the admissibility of, or weight to be given to, evidence of an offence against this Act consisting of a live animal is not affected by the fact that the animal is sold, rehoused or otherwise disposed of under this or any other Act.

**14—Substitution of section 43**

- 15                                   Section 43—delete the section and substitute:

**43—Act does not render unlawful practices that are in accordance with prescribed code of animal husbandry practice**

- 20                                   (1) Subject to this section, nothing in this Act renders unlawful anything done in accordance with a prescribed code of practice relating to animals.
- 25                                   (2) This section does not apply in relation to the operation of prescribed organisations (within the meaning of Part 3A) in accordance with a prescribed code of practice to the extent that the code permits such an organisation to operate in contravention of Part 3A.

**Part 3—Amendment of *Dog and Cat Management Act 1995*****15—Amendment of section 4—Interpretation**

Section 4—after the definition of *LGA* insert:

- 30                                   *prescribed rescue and rehousing organisation* means a prescribed organisation licensed under Part 3A of the *Animal Welfare Act 1985*;

**16—Amendment of section 33—Dogs must be registered**

Section 33(5)(b)—after subparagraph (iii) insert:

or

- (iv) a prescribed rescue and rehousing organisation.

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 Part 3—Amendment of *Dog and Cat Management Act 1995*

**17—Amendment of section 61—Procedure following seizure of dog**

Section 61(1)(b)—delete "in a facility approved by the Board for the purpose of detaining dogs." and substitute:

in (in order of priority)—

- 5 (i) a facility operated by or on behalf of the council for the area in which the dog was seized; or
- (ii) if no such council facility is available—a facility operated by or on behalf of a prescribed rescue and rehoming organisation; or
- 10 (iii) if no facility contemplated by a preceding subparagraph is available—a facility approved by the Board for the purpose of detaining dogs,

(however nothing in this paragraph relieves a council of primary responsibility for providing adequate facilities to detain dogs seized in the area of the council).

**18—Amendment of section 62—Dealing with seized dogs**

- (1) Section 62(1)—delete "destroyed or otherwise disposed of" and substitute:

sold or rehoused in accordance with the code of practice under Part 3A of the *Animal Welfare Act 1985*

- (2) Section 62—after subsection (1) insert:

- 20 (1a) The operator of a facility at which a dog is detained under this Part may, if the dog could be euthanased under section 15L of the *Animal Welfare Act 1985*, cause the dog to be destroyed in accordance with that section.

- (3) Section 62(3)—delete subsection (3)

**19—Repeal of section 63**

Section 63—delete the section

**20—Amendment of section 64—Power to seize and detain cats**

- (1) Section 64(1)(a) and (b)—delete paragraphs (a) and (b) and substitute:

- 30 (a) if the person is a warden under the *National Parks and Wildlife Act 1972* or the *Wilderness Protection Act 1992* and the cat is in a reserve or sanctuary (within the meaning of the *National Parks and Wildlife Act 1972*) or a wilderness protection area or zone (within the meaning of the *Wilderness Protection Act 1992*);
- 35 (b) if the person is the owner or occupier of a designated area, or a person authorised for the purpose by the owner or occupier of a designated area and the cat is found in the designated area;
- (c) if the cat is found in a place that is more than 1 kilometre from any place genuinely used as a place of residence;
- (d) if the cat is unidentified and—



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 Amendment of *Dog and Cat Management Act 1995*—Part 3

- 5 (i) the person is an authorised officer under the *Crown Land Management Act 2009* and the cat is found in an area in respect of which the authorised officer is authorised to exercise powers under that Act; or
- (ii) the person is an authorised officer under the *Natural Resources Management Act 2004* and—
- (A) the cat is found by a State authorised officer under that Act; or
- (B) the cat is found by a regional authorised officer under that Act in the region in which the regional authorised officer is authorised to act; or
- 10 (iii) the person is an inspector under the *Animal Welfare Act 1985* and the cat is found while the person is acting in the ordinary course of his or her duties under that Act; or
- 15 (iv) the person is a registered veterinary surgeon acting in the ordinary course of his or her profession; or
- (v) the person is acting for or on behalf of 1 of the following bodies or persons in respect of a cat that has been delivered to a facility operated by the person or body:
- (A) the Royal Society for the Prevention of Cruelty to Animals (South Australia) Incorporated;
- (B) the Animal Welfare League of South Australia Incorporated;
- (C) a body or person specified by the regulations; or
- 20 (e) any other circumstances set out in the regulations.

**21—Amendment of section 64A—Rehousing or other disposal of seized cat**

- (1) Section 64A(1)—delete "destroyed or otherwise disposed of" and substitute:
- sold or rehoused in accordance with the code of practice under Part 3A of the *Animal Welfare Act 1985*
- 30 (2) Section 64A—after subsection (1) insert:
- (1a) The operator of a facility at which a cat is detained under this Part may, if the cat could be euthanased under section 15L of the *Animal Welfare Act 1985*, cause the cat to be destroyed in accordance with that section.

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 Part 3—Amendment of *Dog and Cat Management Act 1995*

**22—Insertion of Part 5B**

After section 64F insert:

**Part 5B—Special provisions relating to greyhound racing industry**

5                   **64G—Interpretation**

In this Part—

10                   ***Greyhound Racing SA*** means Greyhound Racing SA Limited (and includes any person or body who succeeds Greyhound Racing SA, or who otherwise is the controlling body for greyhound racing in the State, should Greyhound Racing SA be dissolved or otherwise cease to exist);

***registered*** means registered (however described) with Greyhound Racing SA in accordance with the Greyhounds Australasia rules.

15                   **64H—Greyhound Racing SA to provide certain reports and information**

- (1) Greyhound Racing SA must, on or before 30 September in every year, forward to the Minister a report containing the information required by subsection (2) for the preceding financial year.

Maximum penalty: \$20 000.

- 20                   (2) The report must contain—
- (a) information setting out the number of greyhounds registered in the relevant financial year; and
  - (b) information setting out the number of registered greyhounds destroyed in this State in the relevant financial year; and
  - 25                   (c) information setting out the approximate number of unregistered greyhounds destroyed in the relevant financial year; and
  - (d) information setting out the methods by which greyhounds were generally destroyed in the relevant financial year; and
  - 30                   (e) any other information required by or under the provisions of this Act or any other Act.
- (3) The Minister must, within 6 sitting days after receiving a report under this section, cause a copy of the report to be laid before both Houses of Parliament.
- 35                   (4) The Minister must, within 6 sitting days after receiving a report under this section, cause a copy of the report—
- (a) to be provided to the Board; and
  - (b) to be published on a website determined by the Minister.

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Amendment of *Dog and Cat Management Act 1995*—Part 3

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**64I—Freedom of Information Act to apply to Greyhound  
Racing SA**

For the purposes of the *Freedom of Information Act 1991*,  
Greyhound Racing SA will be taken to be an agency within the  
meaning of that Act.

**23—Insertion of section 88AA**

After section 88 insert:

**88AA—Animals that are evidence**

Despite any other Act or law, the admissibility of, or weight to be  
given to, evidence of an offence against this Act consisting of a live  
dog or cat is not affected by the fact that the dog or cat is sold,  
rehoused or otherwise disposed of under this or any other Act.

**24—Amendment of section 91—Regulations**

Section 91(2)(c)—delete "regulate the detention of dogs" and substitute:

, in a manner that is consistent with the code of practice under Part 3A of the  
*Animal Welfare Act 1985*, the detention of dogs and cats



# Feedback sought on Animal Welfare Act and Dog and Cat Management Act amendments

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Feedback sought on Animal Welfare Act and Dog and Cat Management Act amendments

## 21st August 2020

The LGA is seeking urgent feedback from councils on amendments to the Animal Welfare Act and Dog and Cat Management Act proposed by the Statutes Amendment (Animal Welfare Reforms) Bill 2020.

The Hon Tammy Franks MLC has tabled the [Statutes Amendment \(Animal Welfare Reforms\) Bill 2020](#) in the SA Legislative Council. The proposed Bill would amend the *Animal Welfare Act* and the *Dog and Cat Management Act*. The South Australian Parliament has established a Joint Committee to inquire into and report on the proposed Bill. The Committee has sought submissions from the LGA by 11 September 2020.

The LGA has undertaken a preliminary review of the proposed Bill, identified potential impacts on local government and prepared a draft submission for consultation with its members. A copy of the LGA's draft submission is [available to members here](#).

The LGA seeks feedback on any aspect of the Bill and the draft submission. Given the tight timeframe for finalising the submission, feedback is requested by no later than **Friday 4 September 2020**.

The LGA will host a Zoom-forum for council officers to discuss the issues and provide feedback toward the final submission on **Tuesday 1 September at 10am**.

Council officers can register their interest in attending the forum [here](#).

Please provide any feedback by 4 September 2020 to Alicia Stewart at [alicia.stewart@lga.sa.gov.au](mailto:alicia.stewart@lga.sa.gov.au)

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# **Statutes Amendment (Animal Welfare Reforms) Bill 2020**

**(Moved by Hon Tammy Franks MLC)**

**Draft Submission  
(For Consultation)  
August 2020**

Draft

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# Draft

## Consultation on Draft Submission

The LGA has prepared this draft submission regarding the Statutes Amendment (Animal Welfare Reforms) Bill 2020 and is seeking member feedback on that Bill and this draft submission **by 4 September 2020**.

The LGA seeks feedback on any aspect of the Bill and this draft submission. In particular, we ask councils to consider the following questions.

1. Should council officers have a role in enforcing the Animal Welfare Act?
2. What is the capacity of your council regulatory services team to take on additional dog and cat management and/or animal welfare responsibilities?
3. What are the estimated increased annual costs to your council if you were required to detain a dog or cat for an indefinite period and take steps to rehome the animal?
4. The Bill would require councils to make attempts to rehome all dogs, even if subject to a council dog control order. Would this present any safety or dog management issues in your area?
5. Do you have any views on the capacity of your council area to rehome thousands of extra dogs and cats each year?
6. Are there any welfare or safety concerns (for humans or the animals) of keeping dog and cats at pounds and shelters for much longer periods?



Draft

## Background

In June 2020, the Hon Tammy Franks MLC tabled the *Statutes Amendment (Animal Welfare Reforms) Bill 2020* (the Bill) in the SA Legislative Council. The proposed Bill would amend the *Animal Welfare Act 1985* and the *Dog and Cat Management Act 1995*.

The South Australian Parliament subsequently established a Joint Committee to inquire into and report on the Bill. This committee has sought submissions from the LGA.

The primary policy intention underpinning the Bill is to ensure as many dogs and cats in pounds and shelters as possible are rehomed and to reduce the number of animals euthanised. The Bill would require organisations, including councils, to devote greater resources towards the preservation of animal life.

This submission does not enter debate on the euthanasia of unwanted dogs and cats. Rather, the submission sets out the practical problems and resource implications to councils and their ratepayers if the Bill is passed.

The LGA does not support the Bill for the reasons outlined in this submission.

## 1 – Ownership of Animals

Proposed clause 4 of the Bill deems particular persons to be the '**owner**' of an animal for the purposes of the *Animal Welfare Act*. The proposed definition is not consistent with the approach in the *Dog and Cat Management Act*, which deems people to be the '**owner**' (defined differently) or the '**person responsible**' for a dog or cat.

### LGA Submission

A primary intention of the *Dog and Cat Management Act* is to encourage greater responsibility by pet owners. The two definitions of '**owner**' and '**person responsible**' are particularly useful for council regulatory services officers, as they deem a particular person responsible for each dog or cat. If this deemed person fails to take responsibility, they face the consequences set out in that Act.

These definitions also provide local authorities with a degree of discretion in respect of who to charge with an offence. If the owner has, for example, provided a greyhound to a trainer, then it might be appropriate to charge the trainer for breaches (as the 'person responsible'). However, if the owner has directed the person responsible to take the action which has led to a breach, it might be more appropriate to charge the owner.

The LGA submits that the definitions of '**owner**' and '**person responsible**' should be consistent in both the *Animal Welfare Act* and the *Dog and Cat Management Act*. From time to time officers of the RSPCA and local councils are simultaneously investigating breaches of the *Animal Welfare Act* and the *Dog and Cat Management Act* on the same property. Consistency between these two Acts would simplify and improve the regulatory response to any breach.

## 2 – Facilities to Detain Dogs

Proposed clause 17 of the Bill amends section 61 of the *Dog and Cat Management Act* to specify the priority order for detaining seized dogs, with facilities operated by or on behalf of councils to be first priority.



Draft

Clause 17 also asserts that councils have primary responsibility for providing adequate facilities to detain dogs seized in the council area.

## LGA Submission

Currently, councils, the RSPCA and the Animal Welfare League (AWL) have a degree of discretion on where dogs and cats are detained, provided this is in a facility approved by the Dog and Cat Management Board. This flexibility enables these facility operators to make efficient decisions. For example, many councils do not operate a 24-hour pound, preferring to contract instead the RSPCA or AWL for the provision of 24-hour pound facilities. Proposed clause 17 of the Bill would remove this flexibility and impose a structured order regulating the housing of detained dogs. The proposal appears to prohibit a council from using such a contracting arrangement, where they have their own facility. These changes would substantially increase the costs of operating most council pounds.

## 3 – Rehoming and euthanasia of dogs

Proposed clause 18 of the Bill significant alters the ability of a council to destroy or otherwise dispose of a dog under section 62 of the *Dog and Cat Management Act*.

Where a dog is not claimed by the person entitled to return of the dog, or the registered person for the dog declines to take possession, or money in relation to detaining the dog has not been paid within 7 days of request, a council will not be able to destroy or otherwise dispose of the dog and must instead sell or rehome the dog in accordance with a Code of Practice (not yet drafted) under the *Animal Welfare Act*.

A council will no longer be able to destroy a dog if it is satisfied on reasonable grounds that the dog is suffering from injury, disease or sickness that is impracticable to maintain the dog, or the dog is suffering from a serious contagious or infection disease or sickness, and take this action without the authority of a veterinary surgeon where one is not reasonably available and urgent action is required. Instead, a council will be able to destroy a dog if it could be euthanased under new section 15L of the *Animal Welfare Act*, which says a dog may be euthanased if it is assessed as being unsuitable for rehoming, or the dog has been certified by a veterinary surgeon as experiencing irremediable physical or mental suffering, or pursuant to a destruction order or court order.

## LGA Submission

Currently dogs must be detained for 72 hours before a council is empowered to rehome, sell or euthanise them.

Under the proposed changes, councils will need to take steps to rehome dogs and may need to detain the animal for an extended period of time. Councils may face significant costs associated with care to dogs for the extended period of time while seeking to sell or rehome the animal, as well as potential costs required in increasing capacity of facilities to accommodate the longer detaining of animals. If a dog detained in a council pound is not claimed, it will usually be transferred to a shelter or rescue group. Statistics from the RSPCA and AWL demonstrate that the number of healthy dogs euthanised in South Australia is low. Those dogs euthanised in SA are generally old, sick, injured or subject to a dog control order.

Removing the ability of a council under section 62 of the *Dog and Cat Management Act*, to take urgent action where a veterinary surgeon is not reasonably available, could result in the unnecessary suffering of sick or injured dogs. Removing the ability of a council to take urgent action in the absence of a veterinary, where it is deemed necessary, will arguably result in less humane outcomes.

# Draft

Operators of facilities already make experience-based judgements about the best option for each individual dog. If an animal has a good chance of rehoming, this will be attempted. If the Bill is successful many dogs will spend additional weeks in cages, in a stressful environment, full of strange sounds and smells.

The LGA submits that councils are best placed to continue to make decisions about the future of the dogs and cats in their care.

Careful consideration should also be given to the capacity and willingness of council ratepayers to fund the additional, potentially significant, costs that would be incurred to comply with the new requirements proposed by the Bill.

## 4 – Rehoming and euthanasia of cats

Proposed clause 19 of the Bill significantly alters section 64A of the *Dog and Cat Management Act*, regarding the destruction or disposal of seized cats. Councils must now sell or rehome the cat in accordance with a Code of Practice (not yet drafted) under the *Animal Welfare Act*, unless the cat could be euthanised under new section 15L of the *Animal Welfare Act*, which says a cat may be euthanised if it is assessed as being unsuitable for rehoming, or it has been certified by a veterinary surgeon as experiencing irremediable physical or mental suffering, or pursuant to a destruction order or court order.

Under the proposed changes, councils will need to take steps to rehome cats and may need to detain the animal for an extended period of time.

### LGA Submission

Statistics gathered by the Dog and Cat Management Board in 2015 showed that several thousand unwanted cats are euthanised in SA each year. Since then the RSPCA, AWL and other shelters have increased their programs to rehome unwanted cats.

The RSPCA and AWL report that they are unable to rehome all healthy cats that come into their care. The capacity or public willingness to rehome several thousand extra cats in South Australia each year needs to be carefully considered as the resource implications are significant. Under the proposed changes, councils will need to take steps to rehome cats and may need to detain the animal for an extended period of time. The cats will spend additional weeks in small cages, in a stressful environment, full of strange sounds and smells, with no guarantee of being able to rehome that animal.

The LGA submits that the cat-related changes in the Bill should not be made without adequate peer-reviewed research examining the consequences of the change.

Councils would need to expend greater resources if they were required to take steps to rehome cats and their powers to euthanise unwanted cats was curtailed. The proposed laws would have similar impact on the RSPCA and the AWL and it is inevitable that these two organisations would attempt to recover their additional costs from the relevant local council, which would drive upward pressure on council rates.



# Draft

## 5 – Licensing of Rescue Groups.

The Bill proposes a licensing scheme for certain rescue organisations.

### LGA Submission

The Dog and Cat Management Board has previously advised that about 80 animal shelters and rescue groups (for convenience called ‘shelters’ in this submission) operate in South Australia. Most are run by volunteers and survive on the goodwill of the operators, volunteers or donors.

The LGA acknowledges that the Dog and Cat Management Act does not recognise or regulate most shelters. As a result, councils have very little information about:

- the shelters operating within their jurisdictions; nor
- how many animals are housed at each shelter.

The LGA has made recommendations to the Minister and to the Dog and Cat Management Board, supporting a review of the Dog and Cat Management Act. This review should involve consultation with all key stakeholders, including the operators of shelters.

This review should consider the merits of a light-handed regulatory scheme within the Dog and Cat Management Act for shelters. It would be advantageous if the Dogs and Cats Online system could be modified to recognise shelters and enable them to record the details of all dogs and cats that pass through their facilities. This information (e.g. how many times has a dog been abandoned) is often important for making optimal animal management decisions. Provision of an annual report or statistics would also assist councils, the Board and the Parliament to understand the shelter sector and to make better-targeted regulatory decisions.

The local government sector believes there are opportunities for councils, the RSPCA, the AWL and shelters to work together more cooperatively. Better structures and relationships could improve efficiency and improve animal welfare outcomes.

The LGA does not support the prescriptive licensing scheme proposed in the Bill.

## Summary

For the reasons outlined above, the LGA does not support the proposed Bill.

The LGA acknowledges the intentions of the Bill but believes it will create many adverse unintended consequences.

The LGA accepts that improvements can be made in cat management and animal welfare arrangements in South Australia. A preferable way to address these issues is for a full review, involving all relevant stakeholders as well as the public.

The LGA supports such a review, led by the Dog and Cat Management Board. We have made prior submissions to this effect to Minister for Environment and Water and to the Board itself.



The voice of local government.

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**City of West Torrens response to Local Government Association Questions on the  
Statutes Amendment (Animal Welfare Reforms) Bill 2020**

**1. Should council officers have a role in enforcing the Animal Welfare Act?**

It is recommended that the LGA be advised that Council officers should not have a role in enforcing the Animal Welfare Act. The increased costs associated with the management of this Act with the proposed changes would cause a significant detriment to ratepayers by increased costs.

**2. What is the capacity of your Council regulatory services team to take on additional dog and cat management and/or animal welfare responsibilities?**

It is recommended that the LGA be advised that while the City of West Torrens currently has a dedicated Animal Management Officer, in relation to dogs and cats within the *Dog and Cat Management Act 1995*, undertaking those additional dog and cat management and/or animal welfare responsibilities, as outlined in the Bill, would require Council to commit capital funds and further resources, the magnitude of which is yet unknown without agreements and appropriate rehoming facilities in-situ.

**3. What are the estimated increased annual costs to your council if you were required to detain a dog or cat for an indefinite period and take steps to rehome the animal?**

It is recommended that the LGA be advised that the City of West Torrens is currently engaged in an agreement to impound dogs/cats at an animal welfare facility. If the timeframe is extended to whatever length of time is required to rehome the animal, Council would expect there to be a submission from the organisation for a variation to the schedule of rates currently submitted as there would be additional costs depending upon the length of the period to rehome the animal.

Although the legislation does not mandate the existence of a Council run facility, as Council is solely responsible for ensuring that there are adequate facilities in the Council area the establishment may be required. There is expected to be a substantial increase in costs in relation to the establishment of a Council owned facility for the detainment and rehoming of dogs and cats and the management of animal welfare, with possible increases being:

Capital Costs (up front)	\$ 1,800,000
Resources	\$ 150,000
Animal Welfare	\$ 65,000
Other Costs	\$ 20,000

**4. The Bill would require councils to make attempts to rehome all dogs, even if subject to a council dog control order. Would this present any safety or dog management issues in your area?**

This would depend on the type of control order and the relevant actions of the dog. If any dog has aggression towards a human or animal, it would be a requirement to assess the risk and behaviour of the dog before it is placed out in the community. There is always a question, will the dog repeat its aggressive behaviour, and to properly carry out the purpose of the Bill more in-depth behavioural testing and management with animals would be required. There are potential unintended consequences when rehoming dogs under control orders, including the previous owners seeking to access the dog, meaning that orders against previous owners may need to be more robust.

**5. Do you have any views on the capacity of your council area to rehome thousands of extra dogs and cats each year?**

It is recommended that the LGA be advised that while the City of West Torrens has a contract with a pound facility there will be additional costs to Council if there is a requirement to rehome all dogs/cats. If the Bill passes, it is likely that existing agreements with rehoming facilities would need to be amended to allow for the provision of services by other facilities approved by the Board (pursuant to the amendment to section 61 of the *Dog and Cat Management Act 1995*). Although this would be a significant change in the processes currently undertaken, it is impossible to know Council's capacity to rehome a significantly increased number of dogs and cats each year without knowing the extent of facilities approved.

**6. Are there any welfare or safety concerns (for humans or the animals) of keeping dog and cats at pounds and shelters for much longer periods?**

It is recommended that the LGA be advised that long term stays in shelters can have detrimental effects on the behaviour of animals. The change proposed in section 9 of the Bill from "*may if urgent action is not taken suffer unnecessary harm*" to "*at risk of suffering*" may also have unintended consequences for animals that are in shelters or with other organisations for long periods. "*At risk of suffering*" is very broad, and may be used to circumvent other clauses to euthanase unwanted animals. The use of other approved facilities would hopefully include organisations that promote fostering of animals prior to rehoming which would reduce the adverse effects to animals being held long term in facilities. The use of a further wide spread fostering system should be considered by councils under any relevant by-laws relating to the number of animals on a residential property.

### 17.3 The New Planning System - Elected Member Webinar Series

#### Brief

This report advises Council that Norman Waterhouse Lawyers, in partnership with the Local Government Association of South Australia, will be presenting an eight-part webinar series on the New Planning System dedicated to council Elected Members from 2 September 2020 to 5 May 2021 from 5pm to 6pm.

#### RECOMMENDATION

It is recommended to Council that subject to their confirmation, Council approves the attendance of Cr/s.....at the eight-part webinar series on the New Planning System from 2 September 2020 to 5 May 2021.

---

#### Introduction

Norman Waterhouse Lawyers, in partnership with the Local Government Association of South Australia, will be presenting an eight-part webinar series on the New Planning System dedicated to council Elected Members from 2 September 2020 to 5 May 2021 from 5pm to 6pm.

#### Discussion

South Australia's urban and regional planning system is currently undergoing its biggest reform in over 25 years.

In April 2016, Parliament passed the *Planning, Development and Infrastructure Act 2016* (PDI Act) to implement a new planning system which will replace the current system under the *Development Act 1993*.

The State Planning Commission is leading the change. The resulting planning system will be underpinned by the new *Planning, Development and Infrastructure Act 2016* (SA) (PDI Act) which introduces a raft of new planning tools.

The new planning system will affect how development policy is formed and amended, and how development applications are lodged and assessed.

Before COVID-19 hit in March 2020, the State Government had planned to have the reform operational by July 2020. The reform is being rolled out in three phases, with the third phase to affect metropolitan areas. This phase has been postponed until 2021.

Given the significance of the new planning system, Norman Waterhouse Lawyers, in partnership with the Local Government Association of South Australia, will be presenting an eight-part webinar series on the New Planning System to highlight key areas of the new planning system that are of most relevance to Elected Members:

*"Following the series, Elected Members will be up-to-date with the major changes brought about by the Planning, Development and Infrastructure Act 2016 and Regulations, and will be equipped with practical knowledge to assist in decision-making and interfacing with local communities during the important transition phase."*

Topics to be covered include:

- Basic Understanding of Development Assessment in the new Planning System (2 Sep 2020)
- The Role of Councils and EMs in the new Planning System (7 Oct 2020)
- Role of an EM on a Council Assessment Panel (4 Nov 2020)

- The Planning and Design Code and its Amendment (2 Dec 2020)
- Regional Planning and Joint Planning Boards (3 Feb 2021)
- Development Compliance and Complaint Management (3 Mar 2021)
- Public Participation, Reviews and Appeals in the new Planning System (7 Apr 2021)
- Councils and the Community Engagement Charter (5 May 2021)

Further information about the webinar series is contained in **Attachment 1**.

The cost of the webinar series is \$110 including GST per attendee, per session. A discount applies for registrations to the full series at \$800 including GST per attendee.

LGA staff have indicated that the webinar series may be repeated over the next 12 months as the Planning Reform is rolled out. However this will be confirmed at a later date.

In addition to the above training provided by the LGA, the Administration will explore opportunities for Elected Member briefings specific to West Torrens matters to be scheduled in the lead up to the implementation of the Planning Reform in 2021.

### **Climate Impact Considerations**

*(Assessment of likely positive or negative implications of this decision will assist Council and the West Torrens Community to build resilience and adapt to the challenges created by a changing climate.)*

There is no direct climate impact in relation to this report.

### **Conclusion**

Registrations are being sought to attend the eight-part webinar series on the New Planning System from 2 September 2020 to 5 May 2021 from 5pm to 6pm.

### **Attachments**

#### **1. The New Planning System - Elected Member Webinar Series Flyer**





Training  
Local Government Association  
of South Australia



# The New Planning System

## *Elected Member Webinar Series*

Norman Waterhouse Lawyers, in partnership with the Local Government Association of South Australia, are excited to present an eight-part webinar series dedicated to council Elected Members.



Developed to build capacity and enhance the knowledge of Elected Members, each webinar will highlight key areas of the new planning system that are of most relevance to Elected Members.

Following the series, Elected Members will be up-to-date with the major changes brought about by the Planning, Development and Infrastructure Act 2016 and Regulations, and will be equipped with practical knowledge to assist them in decision-making and interfacing with local communities during the important transition phase.

**Register  
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on the second page*

**[training.lga.sa.gov.au](http://training.lga.sa.gov.au)**

## Elected Member Webinar Series



*Duration: 1 hour per session*

*Investment: \$110incl GST person, per session (discounts apply for **Full Series**)*

*Delivery: Webinar (1 CPD point is available for each session)*

### **1. Basic Understanding of Development Assessment in the new Planning System (2 Sep 2020)**

This webinar will provide Elected Members with an overview of key elements in the new system, including relevant authorities, classes of development, public participation, the Planning and Design Code and the eplanning platform.

### **2. The Role of Councils and EMs in the new Planning System (7 Oct 2020)**

This webinar will explain in more detail the role of Councils in the new system and, in particular, how Elected Members can – and can't – get involved in development assessment and other local planning matters.

### **3. Role of an EM on a Council Assessment Panel (4 Nov 2020)**

For Elected Members who are already on a CAP, or who may be considering nominating to sit on a CAP, this webinar will focus in more detail on the role, workings and processes of the CAP. Topics will include the functions of the CAP, governance, decision-making, condition-making powers, appeals and reviews of Assessment Manager decisions.

### **4. The Planning and Design Code and its Amendment (2 Dec 2020)**

This session will focus on the Planning and Design Code - the universal planning rulebook that will apply across the entire State – and how Councils, and other entities, may amend the Code to shape their local communities.

### **5. Regional Planning and Joint Planning Boards (3 Feb 2021)**

Regionalisation is a key objective of the new system, and this session will unpack how the PDI Act seeks to achieve that objective, and how Joint Planning Boards may assist to facilitate regional outcomes.

### **6. Development Compliance and Complaint Management (3 Mar 2021)**

This webinar will explain the key compliance and enforcement tools in the new system. It will also workshop how Elected Members can play an important role in complaint management when dealing with complaints from aggrieved constituents.

### **7. Public Participation, Reviews and Appeals in the new Planning System (7 Apr 2021)**

Third party rights to object and appeal will be much more limited in the new system. This session will explain why that is, and what rights and avenues are available for local communities wishing to get involved in the process.

### **8. Councils and the Community Engagement Charter (5 May 2021)**

In this final session, the Community Engagement Charter – the document that shapes how community consultation will occur under the PDI Act – will be deconstructed and explained.

## 17.4 Divestment of Council Property - Confidential Order Review

### Brief

This report presents the annual review of the confidential order applied to report *Item 21.1 - Divestment of Council Property at 108-120 Marion Road, Brooklyn Park*, at the 3 September 2019 Meeting of Council in accordance with the provisions of Section 91(9)(a) of the *Local Government Act 1999*.

### RECOMMENDATION(S)

It is recommended to Council that:

1. In accordance with s91(9)(a), having reviewed the confidentiality order made on 3 September 2019, pursuant to 91(7) and 91(7)(b) of the *Local Government Act 1999*, in respect of confidential *Item 21.1 - Divestment of Council Property at 108-120 Marion Road, Brooklyn Park*, Council orders that the confidential Agenda report, the Minutes arising, attachments and any associated documentation presented to the 3 September 2019 meeting of Council, continues to be retained in confidence in accordance with sections 90(3)(b)(i) and (b)(ii) of the *Local Government Act 1999*, and not be available for public inspection for a further 12 month period on the basis it may prejudice the commercial position of the Council and lead to Council not obtaining or securing the best possible price for the land to be divested.
2. Pursuant to Section 91(9)(c) of the *Local Government Act 1999*, Council delegates the authority to the Chief Executive Officer to review the confidentiality order on a monthly basis and to revoke but not extend it.

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### Introduction

Section 91(9)(a) of the *Local Government Act 1999* (the Act) requires that any confidential order (the Order) made by Council, pursuant to sections 90(3)(b)(i) and (b)(ii) of the Act, that operates for a period exceeding twelve (12) months must be reviewed by Council at least once every year.

### Discussion

At its 3 September 2019 meeting, Council ordered that the confidential Agenda report, the Minutes arising, attachments and any associated documentation relating to *Item 21.1 - Divestment of Council Property at 108-120 Marion Road, Brooklyn Park*, be retained in confidence under Section 90(3)(b)(i) and (b)(ii), and not be available for public inspection for a period of 12 months from the date of the meeting, on the basis that it may prejudice the commercial position of the Council and lead to Council not obtaining or securing the best possible price for the land to be divested.

While the CEO has reviewed the confidential order on a monthly basis in accordance with his delegated authority, the CEO has not revoked the Order. Consequently, the Act requires that the Order be reviewed by Council itself.

### Climate Impact Considerations

*(Assessment of likely positive or negative implications of this decision will assist Council and the West Torrens Community to build resilience and adapt to the challenges created by a changing climate.)*

There is no direct climate impact in relation to this report.

### Conclusion

As the confidential order applied by Council at its 3 September 2019 meeting in relation to *Item 21.1 - Divestment of Council Property at 108-120 Marion Road, Brooklyn Park*, has been in place for twelve (12) months, Council is required to review it annually and determine whether it should be revoked or remain in situ.

### Attachments

Nil

## **17.5 Nominations sought for the Global Covenant of Mayors for Climate and Energy Oceania Steering Committee**

### **Brief**

This report seeks nominations to the Global Covenant of Mayors for Climate and Energy Oceania Steering Committee.

### **RECOMMENDATION**

It is recommended to Council that Mayor Michael Coxon be nominated to the Global Covenant of Mayors for Climate and Energy Oceania Steering Committee.

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### **Introduction**

As a member of The Global Covenant of Mayors for Climate and Energy (GCom) Council has been approached to submit a nomination, of either the Mayor or a Councillor, for a seat on the inaugural Oceania GCoM Steering Committee (Steering Committee) (**Attachment 1**).

As previously advised, GCoM is a global alliance of over 10,000 cities and local governments sharing goals for an action-oriented approach to climate change for the transition to low-emission and resilient societies. GCoM is seeking representation for its Oceania region which consist of Australia, New Zealand and Pacific Nations.

### **Discussion**

The Steering Committee will provide strategic advice and advocacy for the GCoM program throughout the Oceania region. The Steering Committee will also communicate the benefits and opportunities of GCoM and encourage other councils to join and explore opportunities to grow the program through the formation of partnerships. It will also provide support to the Oceania region representative to the International GCoM Board. Steering Committee responsibilities are listed in the Terms of Reference (**Attachment 2**).

Responsibilities of the Steering Committee include:

- Review the GCoM program, draft Strategy or action plan, core initiatives and advocacy and provide input on how to maximise the program's impact;
- Mobilise other Mayors and councillors in the region to support and advocate on key issues being championed by GCoM and to recruit new signatories to the GCoM;
- Draw upon their networks to improve integrated climate action;
- Act as an enthusiastic, vocal and proactive ambassador within and across the Oceania region to expand the effectiveness of the GCOM; and
- Identify opportunities for collaboration, advocacy, resourcing and funding.

Functions of the Steering Committee include:

- Provide advice and support to grow this network throughout Oceania region;
- Advocate to governments and partners to mobilise and accelerate action on climate change;
- Promote the value of cities taking action on climate change;
- Provide input to ICLEI Oceania as the regional lead on the Strategic Advisory Committee, and any Technical Working Groups;
- Recommend the GCoM Oceania Board member to GCoM Board Co Chairs; and
- Support and provide advice to the GCoM Oceania Board Member.

### *Term and Appointment*

Appointments to the Steering Committee are for a period of two years or as determined by local election cycles.

### *Remuneration and meeting frequency*

Service on the GCoM Board is without remuneration, except for administrative support, reasonable travel, and accommodation costs directly in relation to Board Members' duties. Meetings will be held at least quarterly and be held virtually in the first instance, with face-to-face meetings possible in conjunction with other events.

### *Nomination Process*

A completed Nomination Form (**Attachment 3**) is required to be submitted to Steve Gawler, Oceania Regional Director of International Council for Local Environmental Initiatives via email by **Monday 7 September 2020**.

Mayor Coxon, has expressed interest in being nominated to the Global Covenant of Mayors for Climate and Energy Oceania Steering Committee.

### **Climate Impact Considerations**

*(Assessment of likely positive or negative implications of this decision will assist Council and the West Torrens Community to build resilience and adapt to the challenges created by a changing climate.)*

Participation in this Steering Committee will have a positive and direct climate adaptation impact particularly given it offers easy access to information about what other councils are doing in this sphere, both of which will be beneficial to West Torrens.

### **Conclusion**

This report provides information with regard invitation to join the Steering Committee for the Global Covenant of Mayors for Climate and Energy (GCoM) Oceania.

### **Attachments**

1. **Oceania GCoM Steering Committee Invitation to Join Letter**
2. **Terms of Reference - GCoM Board**
3. **Nomination Form - GCoM**





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Web: [www.iclei.org/oceania](http://www.iclei.org/oceania)  
Email: [oceania@iclei.org](mailto:oceania@iclei.org)

Dear Mayor,

**Invitation to join the Steering Committee for the Global Covenant of Mayors for Climate and Energy (GCoM) Oceania**

We are writing to invite you or one of your fellow councillors to indicate interest for a seat on the inaugural Oceania GCoM Steering Committee. The voice of Mayors working for a safe climate through the GCoM network is growing louder globally. Now for the first time we are looking for Mayors, councillors (or their representatives) to help us grow the GCoM network in our region.

The GCoM is a global alliance of over 10,000 cities and local governments sharing goals for an action-oriented approach to climate change for the transition to low-emission and resilient societies. [Youtube link](#).

Each of the ten global GCoM regions has the opportunity to establish and develop its own approach to applying and managing this global alliance. We are seeking representation from Australia, New Zealand and Pacific Nations. As a leading advocate for local government climate action we are sure you have the passion and insight to assist with the governance and activation of GCoM in Oceania Region.

The Steering Committee will provide strategic advice and advocacy for the GCoM program throughout Oceania region. The Committee will also communicate the benefits and opportunities of GCoM and encourage other councils to join and explore opportunities to grow the program through the formation of partnerships. It will also provide support to the Oceania region representative to the International [GCoM Board](#). Eligible Mayors interested in a position on the GCoM Board should also indicate this interest.

The first virtual meeting of the Steering Committee is planned for September and the committee would then meet at least quarterly, through a virtual meeting platform. Membership terms will be for two years or subject to local government election results.

Terms of Reference for the Committee are attached. If you are interested please complete and email the Nomination Form attached to [steve.gawler@iclei.org](mailto:steve.gawler@iclei.org) by **Monday the 7th September 2020**. For any questions or further information please email or call Bernie Cotter, Managing Director, [bernie.cotter@iclei.org](mailto:bernie.cotter@iclei.org), Mob 0431265860.

Yours sincerely,

**Lord Mayor Anna Reynolds**  
**Hobart City Council**

**Lord Mayor Nuatali Nemes**  
**Newcastle City Council**

**Mayor Aaron Hawkins**  
**Dunedin City Council**

**Members of ICLEI Oceania Rexcom and GCoM Oceania Committee**  
25-Aug 2020

Attachments:  
Terms of Reference  
Nomination Form



### GCoM Oceania Steering Committee Terms of Reference

#### OUR VISION

A world where committed mayors and local governments – in alliance with partners – have made the climate safer by accelerating ambitious, measurable climate and energy initiatives.

#### OUR MISSION

The Global Covenant of Mayors is a network that inspires and assists cities and local governments to take ambitious climate and energy action in their communities.

#### OUR FUNCTIONS

- Provide advice and support to grow this network throughout Oceania region;
- Advocate to governments and partners to mobilise and accelerate action on climate change;
- Promote the value of cities taking action on climate change;
- Provide input to ICLEI Oceania as the regional lead on the Strategic Advisory Committee, and any Technical Working Groups;
- Recommend the GCoM Oceania Board member to GCoM Board Co Chairs
- Support and provide advice to the GCoM Oceania Board Member;

#### MEMBERSHIP

##### Member councils:

Initially members will be invited from signatory councils from Australia, New Zealand and Pacific Nations. The committee will also include the GCoM Board nominee, members from the ICLEI Oceania Regional Executive Committee and nominee from the Council of Capital Cities Lord Mayors.

##### Partner Organisations:

May include but not be limited to national or state local government associations, international local government groups, national or sub-national government representatives. A wider membership can be nominated by the Steering Committee as the need arises.

##### Term of appointment

Two years or as determined by local election cycles

#### RESPONSIBILITIES

- Review the GCoM program, draft Strategy or action plan, core initiatives and advocacy and provide input on how to maximise the program's impact;
- Mobilize other Mayors and councillors in the region to support and advocate on key issues being championed by GCoM and to recruit new signatories to the GCoM;
- Draw upon their networks to improve integrated climate action;
- Act as an enthusiastic, vocal and proactive ambassador within and across the Oceania region to expand the effectiveness of the GCoM;
- Identify opportunities for collaboration, advocacy, resourcing and funding.

#### MEETINGS

Meetings shall be held at least quarterly and be held virtually in the first instance, with face-to-face meetings possible in conjunction with other events.



## Global Covenant of Mayors for Climate and Energy Board Terms of Reference

**The Global Covenant of Mayors Board** sets the strategic direction and provides local and regionally specific perspectives – ensuring the alliance is city-led. The Board is currently co-chaired by Former New York City Mayor and the UN Secretary-General's Special Envoy for Cities and Climate Change Michael R. Bloomberg, European Commission Vice President Maroš Šefčovič, and GCoM Vice-Chair Christiana Figueres.

In addition to the Co-Chairs and the Vice-Chair, the Board also consists of nine Mayors representing regions and city networks:

- Mayor Anne Hidalgo, Paris, France
- Mayor Nanda Jichkar, Nagpur, India (completing term Dec 2019)
- Mayor Bill Peduto, Pittsburgh, USA
- Mayor Tri Rismaharini, Surabaya, Indonesia
- Mayor Mohamed Sefiani, Chefchaouen, Morocco
- Mayor Mohammed Adjei Sowah, Accra, Ghana
- Mayor Jorge Muñoz Wells, Lima, Peru
- Mayor Park Won-Soon, Seoul, South Korea
- Mayor Eckart Würzner, Heidelberg, Germany

And three ex-officio Board members:

- Amanda Eichel, Executive Director, GCoM Global Secretariat
- Maimunah Mohd Sharif, Executive Director, UN-HABITAT
- Patricia Espinosa, Executive Secretary, UNFCCC

### General Responsibilities<sup>1</sup>

Each member of the Board will work to advance the work of the Global Covenant of Mayors for Climate & Energy (GCoM) by providing mission-based leadership and strategic steering. While day-to-day operations are led by the Global Covenant's Secretariat, the Board-Secretariat relationship is a partnership, and the involvement of the Board is both critical and expected.

### Term of Office:

Term Length	- Two years
Term Limits	- Renewable for two consecutive terms
Contingency	- Approval of Board Co-Chairs - Ability and willingness to serve an additional two full years

<sup>1</sup> This document applies to Mayors and Local Government Official members of the Board only, key responsibilities for non-Mayoral/observer members of the Board provided separately.





### Specific Responsibilities:

- Provides leadership and oversight to the GCoM
  - Works as a trusted advisor to the Board Co-Chairs, the Vice-Chair and the Executive Director of the Secretariat
  - Approves GCoM annual priorities as part of an annual workplan
  - Represents GCoM to stakeholders, and in appropriate meetings, forums and media interviews, acting as an ambassador for the organization
  - Provide strategic oversight and guidance on key GCoM initiatives (Data4Cities, Innovate4Cities, Invest4Cities) and support efforts of Technical Working Groups, as needed
  - Reviews outcomes and metrics created by GCoM for evaluating its impact, and measures its performance and effectiveness using those metrics; reviews agenda and supporting materials prior to Board and committee meetings
  - Secure input on strategic direction and resourcing priorities of GCoM
  - Ensure that there is follow-up to the Board's strategic guidance
- Act as a regional mobilizer in your role as a Board Mayor and a GCoM regional representative
  - Mobilize other Mayors in your region to support and speak out on key issues being championed by GCoM
  - Recruit new signatories to the GCoM
  - Provide periodical support to other committed GCoM Mayors within their region
- Supports the work of resource development:
  - GCoM Board Members will consider the Global Covenant a philanthropic priority and will work within their capacity to identify and raise resources from multilateral and national institutions to fulfill the GCoM's mission
  - Participate in two meetings per year, as scheduled and determined by the Board Co-Chairs, the Vice-Chair and the Director of the Secretariat

### Qualifications:

- A sitting mayor or equivalent from a city that is committed to the GCoM
- Able to serve a full GCoM Board Term of Office (two years)
- Free from conflicts of interest or issues that could tarnish the reputation of GCoM, its partners or its funders
- Experienced in delivering local climate action commensurate with the three pillars of GCoM (mitigation, adaptation, and energy access) and recognized as a regional or global leader/influencer in those regards
- Willing and able to act as an enthusiastic, vocal and proactive ambassador within and across regions to expand the influence of the initiative
- Committed to consistent communications throughout the term with the GCoM secretariat and designated Strategic Advisory Committee member— either global network or regional lead partner
- Committed to participating in and preparing for two Board meetings per year

*Service on the GCoM Board is without remuneration, except for administrative support, reasonable travel, and accommodation costs directly in relation to Board Members' duties.*



### Global Covenant of Mayors for Climate and Energy Steering Committee Nomination Form

TO BE COMPLETED BY NOMINATING SIGNATORY

Council Name:	
Nominee Name:	Contact Phone number:
Position	email
<p><b><u>interest for the GCoM Oceania Steering Committee</u></b></p> <p>Motivation for Nomination:  <i>Please identify your experience for the GCoM Oceania Steering Committee as below:</i></p> <ul style="list-style-type: none"> <li>• Brief Biography</li> <li>• Commitment to Action on Climate Change in your current local government roles</li> <li>• Ability to grow and support the GCoM program</li> <li>• Affiliations that the you could draw upon to support the program</li> <li>• You must attach a response -keeping to a two-page limit</li> </ul> <p><b><u>Eligibility and interest for the GCoM Board position ( International).</u></b></p> <p>(Yes/ circle)</p> <p>I am also interested to stand as a candidate for the GCoM Board, I confirm I am a Mayor of a signatory council with 2 years remaining on my term and understand the qualification and responsibilities as detailed in the <b>GCoM Board Terms of Reference</b>.</p>	
Nominees Signature:	Date

Please send completed form to the ICLEI Oceania Regional Director. [steve.gawler@iclei.org](mailto:steve.gawler@iclei.org)

**18 LOCAL GOVERNMENT BUSINESS**

Nil

**19 MEMBER'S BOOKSHELF**

Nil

**20 CORRESPONDENCE****20.1 Supplementary Local Road Funding for 2020-2021**

Correspondence has been received from the Deputy Premier and Minister for Planning and Local Government, the Hon Vickie Chapman MP, regarding distribution of the Supplementary Local Road Funding for 2020-2021 to Councils. **(Attachment 1)**.

**20.2 Updated Timeline for New Planning System Roll Out**

Correspondence has been received from the Executive Director for Planning & Land Use Services, Attorney-General's Department, Sally Smith, acknowledging Council's contribution to the Phase Three Planning and Design Code and providing an updated timeline for the final phase of the new planning system. **(Attachment 2)**.

**20.3 National Redress Scheme for Institutional Child Sexual Abuse**

Correspondence has been received from the Deputy Premier and Attorney -General, the Hon Vickie Chapman MP, advising the inclusion of South Australian local government sector in the National Redress Scheme for Institutional Child Sexual Abuse **(Attachment 3)**.

**RECOMMENDATION**

That the correspondence be received.

**Attachments****20.1 Supplementary Local Road Funding for 2020-2021****20.2 Updated Timeline for New Planning System Roll Out****20.3 National Redress Scheme for Institutional Child Sexual Abuse**

**The Hon Vickie Chapman MP**

A4566565

14 August 2020

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



**Government  
of South Australia**

Deputy Premier

Attorney-General

Minister for Planning  
and Local Government

GPO Exchange  
10 Franklin Street  
Adelaide SA 5000

GPO Box 464  
Adelaide SA 5001  
DX 336

Tel 08 8207 1723  
Fax 08 8207 1736

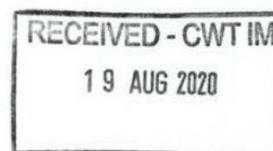
Dear Mayor Coxon

I am pleased to advise that the South Australian Local Government Grants Commission's (the Commission's) recommendations for the distribution of the Commonwealth Financial Assistance Grants (FA Grants) for 2020-2021 and Special Local Roads Component of the Supplementary Local Road Funding for 2020-2021 to Councils were approved by the Hon Mark Coulton MP, Federal Minister for Regional Health, Regional Communications and Local Government on 11 August 2020.

FA Grants across Australia will provide an estimated \$2.56 billion for 2020-2021, an increase of 1.13 percent over 2019-2020. For South Australia, the total allocation is \$165 million, an increase of 0.3 percent. The modest increase in the pool of funding for 2020-2021 reflects the economic impacts of the bushfires of the summer of 2019-2020 and the COVID-19 pandemic.

South Australia's allocation includes General Purpose Grants of \$121,994,089, an increase of 0.04 percent from 2019-2020 and Identified Local Road Grants of \$43,240,665, an increase of 1.13 percent from 2019-2020. The identified Local Road component includes formulae based funding of \$36,754,665 and \$6,486,000 for the Special Local Roads Program.

Minister Coulton has also advised that there was an underpayment of the General Purpose Grants of \$336,923 and an overpayment of \$91,537 of the Identified Local Road Grants in the 2019-2020 grants. Cash grants received by councils during 2020-2021 will be adjusted accordingly in proportion to your approved 2019-2020 distributions.





As has been the case in recent years, approximately half of the 2020-2021 Financial Assistance Grants were brought forward and paid in May 2020. South Australia received a total of \$85 million, which included \$62.7 million in General Purpose Grants and \$22.3 million in Identified Local Road Grants.

The brought forward payment was distributed on the basis of the approved recommendations for 2019-2020 to give councils access to funds to help manage the cumulative impacts of drought, bushfires and the COVID-19 crisis.

West Torrens Council has received a total of \$1,059,089, comprising \$655,633 in General Purpose Grants and \$403,456 in Identified Local Road funding.

As part of the Supplementary Local Road Funding for 2019-2020 and 2020-21 paid in 2018-2019, the final allocation of \$3 million for the Special Local Roads Component of the Supplementary Local Road Funding has also been approved.

In summary, the total allocation to the West Torrens Council for the 2020-2021 financial year consists of:

#### **Estimated Financial Assistance Grants for 2020-2021**

General Purpose Grant (GPG)	\$	1,270,989
Roads (Formulae Funding - ILRG)	\$	660,490
Roads (Special Local Roads Program - ILRG)	\$	400,000 *
<b>Total Estimated Grant for 2020-2021</b>	<b>\$</b>	<b>2,331,479</b>
Add Adjustment for 2019-2020 underpayment (GPG)	\$	3,499
Less Adjustment for 2019-2020 overpayment (ILRG)	\$	-1,640
Less Brought Forward Payment Paid in May 2020 (GPG)	\$	-655,633
Less Brought Forward Payment Paid in May 2020 (ILRG)	\$	-403,456
<b>Remaining 2020-2021 Cash Payable</b> (rounded to the nearest dollar)	<b>\$</b>	<b>1,274,249</b>

#### **2020-2021 Supplementary Local Road Funding**

Supplementary Local Road Funding (Special Local Roads) \$ \*\*

\* Monies provided under the Special Local Roads Program (Financial Assistance Grants) have been allocated for work on the following project: Bagot Avenue, Mile End/Hilton

\*\* Monies provided under the Special Local Roads Program (Supplementary Local Road Funding) for 2020-2021 was allocated in August 2020, for work on the following project:

The General Purpose Grants and the Identified Local Road Grants are determined using different assessment methods.

To determine the recommended allocation of General Purpose Grants, the Commission assesses each council's capacity to raise revenue and their expenditure needs relative to the average across the State. Greater funding is directed to councils with less capacity to raise revenue from rates (i.e., typically those councils with lower than average property values) or where services cost more to provide for reasons outside the council's control (i.e., typically those councils with higher than average expenditure needs).

The Identified Local Road Grants are distributed on the basis of road length and population, and for rural councils, road length, population and the area of the council.

The Commission, consisting of the Chair, Mr Bruce Green and the Commissioners, Mr Dave Burgess and Ms Wendy Campana, has made changes to the distribution methodology for 2020-2021. These changes include the recognition of airports and authorised landing areas in the assessment of need for expenditure and an adjustment to the existing expenditure assessment for jetties and wharves to include marinas and boat ramps.

The Financial Assistance Grants are untied and the remaining funding for 2020-2021 will be paid in four quarterly instalments, with the first instalment due to be paid shortly. Further instalments will be paid in November 2020 and February and May 2021.

It would be appreciated if you could forward this information to the relevant Council officers.

Should you have any queries regarding your Council's grant, please contact Mr Peter Ilee, the Commission's Executive Officer, on telephone 7109 7148 or via email at [grants.commission@sa.gov.au](mailto:grants.commission@sa.gov.au)

Yours sincerely



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





**Government of South Australia**  
Attorney-General's Department

2017/12514/01

19 August 2020

**Planning & Land Use  
Services**

Level 5, 50 Flinders Street  
Adelaide SA 5000

GPO Box 1815  
Adelaide SA 5001  
DX 171

Tel 08 7109 7500

Dear Phase Three Council Chief Executive

### **Updated timeline for new planning system roll out**

We value and appreciate the contribution your council is making to assist us in finalising the Phase Three Planning and Design Code (the Code) and other elements of our new planning system.

Yesterday, the State Government announced revised timing for the implementation of the new planning and development system – across large regional towns and metropolitan areas.

Minister for Planning and Local Government, Vickie Chapman said the government was keen to ensure that implementation of this final and significant phase is done in a manner that presents users and beneficiaries of the system, with more time to understand the Planning and Design Code (the Code) and familiarise themselves with our new ePlanning system.

The Department has been working and listening closely to councils, industry and the wider community, many of whom have requested to defer the final phase of implementation to next year.

With a significant proportion of development applications historically lodged in the metropolitan area, continuing to collaborate with stakeholders and work with councils to refine the Code and consider the feedback received, is integral to the program's success.

As such, the anticipated launch date of September 2020 for the final phase of the new planning system will not proceed.

This original timeframe was dependent on a number of factors and the scale and complexity of submissions received during our consultation stage has been reflected in making the decision to delay implementation.

The Minister intends to announce a more definite date sometime in the future, however has indicated it will not be before Christmas 2020.

Until the final phase is implemented, current development plans remain in place in large regional towns and metropolitan areas.

- 2 -

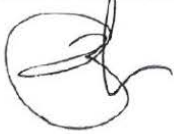
### Next Steps

The proposed changes to the draft Phase Three Code and allocating more time for business readiness and familiarisation has resulted in the decision to delay the implementation date. The decision is also highly reflective of the value we place on your contribution and acknowledgment of council's as integral users of the new planning and development system.

We will continue to collaborate and work with you to ensure the successful delivery of this final and significant implementation phase.

Should you have any questions please don't hesitate to contact your Council Liaison Officer.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Sally Smith', with a circular flourish at the end.

Sally Smith  
**EXECUTIVE DIRECTOR**  
**PLANNING & LAND USE SERVICES**



**The Hon Vickie Chapman MP**

A255729

26 August 2020

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

By email:

cc:



**Government  
of South Australia**

Deputy Premier

Attorney-General

Minister for Planning  
and Local Government

GPO Exchange  
10 Franklin Street  
Adelaide SA 5000

GPO Box 464  
Adelaide SA 5001  
DX 336

Tel 08 8207 1723

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Dear Mayor Coxon

**National Redress Scheme for Institutional Child Sexual Abuse – Inclusion of  
South Australian local government institutions**

On 1 February 2019, the Government of South Australia officially joined the National Redress Scheme for Institutional Child Sexual Abuse (the Scheme), which provides acknowledgement and support to people who experienced institutional child sexual abuse in both government and non-government institutions.

The Scheme was created and is administered by the Australian Government in response to recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse, which estimated that 60,000 people experienced institutional child sexual abuse in Australia, including around 3,800 South Australians. Redress is an alternative to seeking compensation through the courts. The Scheme provides access to counselling, monetary payments and/or a direct personal response from the institution (such as an apology).

I am pleased to advise that the inclusion of the South Australian local government sector in the Scheme under the State Government as participating State Institutions has now been approved. Further, the Chief Executive of the Attorney-General's Department has been approved to offer a Memorandum of Understanding to the Local Government Association of South Australia (the LGA).

Under the terms of the Memorandum of Understanding, the State Government will be liable for redress payments through the Scheme to eligible applicants where a South Australian local government institution has been found to be responsible (either in full or in part) for the abuse. Local government institutions will have an important role to play in implementing the Scheme. Under the Memorandum of Understanding each local government institution will be:

- required to comply with its responsibilities under the Scheme legislation as a participating State Institution, including responding to Requests for Information (RFIs) from the Scheme Operator within the time frames set by the Scheme

- 2 -

- responsible for the cost of any resources it needs to respond to RFIs from the Scheme Operator
- responsible for the costs of delivering any Direct Personal Responses (DPRs), for example, written or verbal apologies; and
- will provide the resources necessary to provide DPRs to eligible applicants in a trauma informed and survivor focused manner.

Once the Memorandum of Understanding has been executed by all parties, I will write to the Federal Minister for Families and Social Services, the Hon. Minister Ruston MP, and request that she amend the *National Redress Scheme for Institutional Child Sexual Abuse Declaration 2018* to include South Australian local government institutions as State Institutions participating under the State of South Australia.

If you have any queries or concerns about the information contained in this letter, I invite you to contact Ms Ellen Sperring, Manager of the State Redress Response Unit on (08) 8207 1077.

Yours sincerely



**VICKIE CHAPMAN MP**  
DEPUTY PREMIER  
ATTORNEY-GENERAL

**21      CONFIDENTIAL**

Nil

**22      MEETING CLOSE**

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**1 MEETING OPENED****2 PRESENT****3 APOLOGIES****Apologies****Committee Member:**

Cr Jassmine Wood

**4 DISCLOSURE STATEMENTS**

Committee Members are required to:

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

**5 CONFIRMATION OF MINUTES****RECOMMENDATION**

That the Minutes of the meeting of the City Services and Climate Adaptation Standing Committee held on 4 August 2020 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 CLIMATE ADAPTATION REPORTS

### 11.1 Electric Vehicle Charging Stations

#### Brief

This report provides information on initial investigations into providing electric vehicle charging stations in the City of West Torrens.

#### RECOMMENDATION

The Committee recommends to Council that:

1. The report be received and noted.
2. The Administration continues to explore options for providing Electric Vehicle (EV) charging stations in West Torrens and calls an Expression of Interest to the market to identify potential providers, their business model and value add opportunities for Council and the community.
3. The Administration provides information from that tendering process in a subsequent report back to Council.

---

#### Introduction

Initial investigations into electric vehicle (EV) charging stations have been undertaken recently by staff during preparation of the Transport and Movement Strategy. This information is summarised in this report, which also aims to address a recent Council resolution at its meeting on 7 July 2020:

*"That the Administration prepare a report detailing the costs for 7 x electric vehicle multiple connection fast charger units and possible locations for one connect station in each Ward."*

It is anticipated that a strategic approach to providing EV charging stations, including site selection, is undertaken through the development of Transport and Movement Plan.

#### Discussion

##### Context

EV technology has been progressing rapidly, to a point that they are becoming the primary focus of most major car manufacturers.

The transition to EVs by consumers has been based on a desire to reduce pollution (greenhouse gas emissions), they are quieter, and they are cheaper to run compared to petrol-based cars.

The uptake of EVs in Australia has been slow compared to other developed countries. A survey undertaken by the Electric Vehicle Council of Australia in 2018 provides an indication of the key barriers to EV ownership in Australia, which are:

- Access to charging stations
- High purchase cost
- Anxiety of the distance an EV can travel

However, as the price of batteries fall, and the global demand and supply of EVs continues with more models entering the market, the overall price point is falling, making it a more feasible option for consumers.

The RAA is urging government to invest in fast-charging stations across Adelaide and the state to encourage the transition to electric vehicles. Infrastructure Australia also recognises electric vehicle infrastructure as a high priority and urges government to invest and facilitate this transition.

The Australian Government has yet to release its new national strategy on EVs. The South Australian Government is currently finalising a strategy for EVs and its 'Electric Vehicle Action Plan' is anticipated to be released later this year. This Plan is expected to outline opportunities for a growing electric vehicle market and supporting charging infrastructure.

### Role of Council

Through Council's role and responsibility as a road authority, infrastructure provider, fleet manager and representative of our local community, it can support and encourage the use of electric vehicles through facilitating the necessary supporting infrastructure, i.e. provision of EV charging stations.

The City of West Torrens has a long history of supporting environmental initiatives across a wide range of areas. Within the area of transport we aim to create a more sustainable transport sector by exploring and supporting new technology which can reduce the environmental impact caused as a result of transport. If a more sustainable transport sector is to be achieved, reducing emissions from vehicles is essential. For this reason electric vehicles, charged on renewable energy, could provide a solution.

Transitioning to EVs and the provision of charging stations in West Torrens helps support the following community aspirations in our Community Plan:

- Reduce our ecological impact
- Support accessible and reliable transport options
- Facilitate a well-designed built environment
- Support a thriving business environment
- Create strong partnerships and working relationships

It also links with some of Council's key plans such as our upcoming Transport and Movement Strategy, our Climate Adaptation Plan 'AdaptWest', and may support tourism industry in West Torrens and beyond.

According to a recent study into an EV charging network for councils in Victoria (2020) there are some potential barriers that a council may need to consider and address, such as:

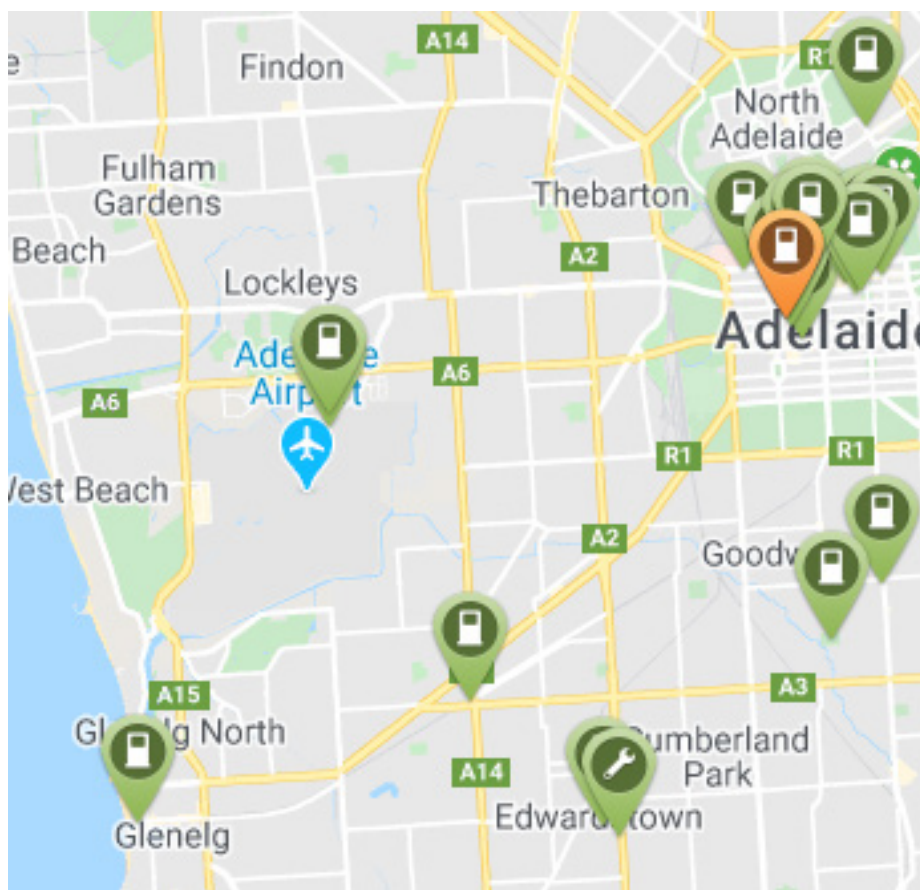
- **Uncertainty of local government's role** with respect to charging stations. Some may consider it has a role in supporting private investment, as the level of government closest to the community it has a key role in supporting community uptake, leading by example, and advocating to higher levels of government. Others may consider councils to have no role at all.
- **Access to funds** to purchase, install, manage and maintain the infrastructure can be a barrier for councils.
- **Financial business case** - the current low uptake of EVs may hinder the purely financial business case of installing stations for the revenue they will generate. The business case for councils to install stations is that the presence of charging stations will help overcome the perceived range anxiety that is currently a contributing factor to limiting EV uptake.
- **Uncertainty of best locations** to establish a charging station. This can be addressed in collaboration with a charger provider through undertaking a thorough analysis process.
- **Network connectivity** - real or perceived network constraints in response to supply and demand on the network.
- **Knowledge gap** of most appropriate EV charging infrastructure and requirements.



### Public EV charging stations - site selection guidance

An ever-expanding network of public charging infrastructure is being installed across Australia by the private and public sectors. Local councils are supporting their communities to make the change to EVs by installing chargers in local public areas, and it is increasingly common to see EV chargers in the car parks of shopping centres and community facilities.

According to the Electric Vehicle Council website (showing the location of EVs by participating companies) there are no public EV charging stations currently set up in West Torrens, however some are being established in adjacent council areas as shown below (not necessarily showing a complete listing):



***EV charging station sites***

Adelaide Airport Terminal car park provides user pay charging stations for Tesla and other car brands, as well as a station at the Qantas valet parking for Tesla cars.

Within the Adelaide CBD there are over 40 charging stations available for the public located both on-street and off-street. There is a range of charging technology used including AC and DC (fast) charge, with a mix of 'user pay' and 'first hour free' payment systems. These stations cater for a wide range of car brands.

The Cities of Marion, Charles Sturt and Port Adelaide Enfield are currently in the process of establishing DC fast charging stations in their council areas.

Rawsons Appliances in Plympton near the boundary of West Torrens provides a courtesy EV charging station for its customers. This is an example of private sector involvement in the network.



According to the Local Government study in Victoria (2020) some key considerations for planning and selecting a charging station site include the following:

- **Potential demand** - regional connectivity (how far away to next charging station), maximise tourism support and opportunities.
- **Customer convenience** - convenient location for the customer, such as in close proximity to amenities and other activity nodes (toilets, cafes, park, shops, etc).
- **Access to power & connectivity** - access to an existing grid connection with available capacity at the site and from the network, access to mobile internet signal.
- **Availability of physical space** - space/ manoeuvrability for the car, charging station.
- **User safety** - adequate lighting, public access, clear visibility from traffic and road infrastructure, free of tripping hazards, safe/desirable location for customers.
- **Off-street parking versus on-street** - off-street charging will generally have more space, be in closer proximity to an electrical supply, compared to on-street which may have limitations on available space and other safety/tripping issues to address.
- **Highly visible** - location needs to be highly visible for road users and upcoming customers.
- **Land ownership** - if to be installed by the council is it preferable for land to be owned by council with planning approvals.
- **Minimal civil installation works** to minimise costs. For example, a garden bed is easier to dig up to install cabling than a footpath, and the closer proximity to power the less trenching required.
- **Environmental sustainability** - access to green renewable power.
- **Other considerations** - need for bollards, wayfinding, operating instructions.

There are many technical issues to consider and it is anticipated that the identification of sites would be explored thoroughly and negotiated with a specialist provider, following an appropriate procurement process.

Notwithstanding this, locations for charging stations clearly need to focus on customer convenience (such as near activity nodes), access to the electricity network, and ideally be on council owned land. In West Torrens this may include council owned road reserves near high profile activity nodes, council owned carparks and other land holdings such as libraries, community centres and district parks, as well as the council depot should the fleet include electric vehicles in the future.

### Charging technology

Charging infrastructure varies in relation to its charging rate and power rating. The higher the power rating, the faster the charging infrastructure can charge an EV. However, the higher charge rates have more complex requirements of the network, chargers and vehicles, and therefore have higher associated costs.

DC (Direct Current) charging is much faster and has more consistent charge speed than AC (Alternating Current) charging. Both types are used across Adelaide.

The technology is ever evolving however a snapshot overview is provided in a summary table below (Source: Inquiry into electric vehicles, Parliament of Victoria, 2018):

## Charging service, application and demand

Service	Power	Application
AC Charging	3-22kW	4-16 hour charge sessions: This is ideal for home and also workplace charging, where cars tend to sit for a long time.
DC Destination	20-25kW	1-3 hour charge sessions: This is suitable for visitor parking where a person is only around for a couple hours. The AC charging is not suitable for these scenarios as the return on charging in that time provides no real benefit.
DC Fast	50kW	20-90min: This application fits your retail, grocery, shopping centres, high turnover parking.
DC High Power	150-350kW+	10-20min: This charging is for your highway corridor travel or Metro charge and go. The benefits of this is that when people travel long distances it creates the opportunity for drivers to rest. For the next five years 150kW will be sufficient.

Some fast-chargers (25-50kW DC) can top up a vehicle within an hour and provide a 100-200km driving range. There are other fast-chargers that can charge within 15 minutes which will provide a car with approximately 45km/50km range. The latter are currently being set up in the Cities of Marion, Charles Sturt and Port Adelaide Enfield.

The evolving nature of EV technology means many cars and charging units now incorporate features to overcome the previous limitations of only being able to charge at specific charging stations. This means the industry is becoming more accessible and convenient to EV customers.

The following figure also provides an overview of charging infrastructure examples (but not limited to):



	Level 1 Trickle	Level 2 AC Destination Charging			Level 3 DC Fast Charging			
	2.3kW AC	7kW AC	11kW AC	22kW AC	25kW DC	50kW DC	100kW DC	350kW DC
 Locations	General Power Point	Homes, Hotels, Council Offices	Shopping Centres, Car parks, Destinations		Destination	Transport Corridor	Transport Corridor/Highway	Superhighway
 Electrical Inputs	Single Phase, 10A	Single Phase, 32A	Three Phase, 32A		Three Phase, 40A	Three Phase, 80A	Three Phase	Three Phase
 EV Limitations	None	None	The majority of EVs on the market cannot charge at more than 7kW AC		Some older model EVs and PHEVs cannot use DC		Tesla Only	The majority of EVs currently on the market cannot charge at this rate.
 For 100 km	In theory: 8.7 hr For most of the current day EVs: 8.7 hr	2.7 hr	1.7 hr	55 min	50 min	24 min	10 min	5 min
 Approximate Hardware Cost	\$\$\$	,\$,\$\$	,\$,\$\$	,\$,\$\$	\$\$,\$\$\$	\$\$,\$\$\$	\$\$\$,\$\$\$	\$\$\$,\$\$\$

### EV market and ownership options

Given the growth in EVs, the market players and various ownership models, councils are in a good position to benefit from inviting the market to provide best value options in terms of hardware, software and ownership models.

The EV industry is in a state of growth in Australia and the mix of products, companies is ever changing. There are many key stakeholders involved in the EV market such as hardware manufacturers, distributors, software, installers, landowners/host sites and approval bodies (e.g. councils) and customers. Most of the charging infrastructure is manufactured internationally, however there are several Australian-made options available.

According to the Local Government study in Victoria (2020) ownership models range from council own and operate; lease and service; and third-party ownership and management; as outlined below:

- In the council ownership model, funding is often a key barrier to this model. In addition, there are potential resource challenges should councils be responsible for site management and maintenance.
- In the leasing option, the provider still owns and therefore maintains the asset, and this cost for service is included in the leasing arrangement, but in the ownership model it can be included or excluded.
- The third-party model option requires the council to provide the land while the third party operates the business, and therefore, incurs the associated costs and financial benefits. This would involve a permit arrangement and development approval may be needed. The presence of the charger would still contribute to the social benefits desired by councils. This low/no cost option may be a desirable option for councils, however the site would need to be in a high demand location for there to be a financial business case to the market.

The third-party option has been recently adopted by the cities of Charles Sturt, Port Adelaide Enfield and Marion, and others. This is based on an advertising-funded business model, whereby the charging unit has advertising on it, similar to the advertising arrangement used for bus shelters. There is no cost to council, and customers can charge their car daily for free (up to approx. 45km/50km range, with the option of purchasing additional charge if needed).

These nearby councils are using DC fast-charging for their network which enables a higher volume of cars to be charged, resulting in highly efficient utilisation of car parking space. These chargers will be located at on-street and off-street locations and are suitable for commonly available electric vehicles in Australia including Tesla (with adapter), BMW, Hyundai, Nissan and many others. Where the plug type is not standard, vehicle manufacturers provide adaptors at low cost to car owners. The stations will use green, renewable energy and can be used to charge electric wheelchairs, E-scooters and E-bikes, and mobile phones, and provide opportunities for advertising and community information. The stations will be supplied on an advertiser-funded approach, meaning there is no cost to council, and customers can charge their car daily for free. There are also opportunities for this advertising space for council to display community information.

Council would need to explore costs and benefits with a suitable provider, following an appropriate procurement process being undertaken.

## Costs

It is difficult to provide information on the costs of establishing an EV network until a preferred business model and provider has been identified. However, for the purpose of this report indicative costs on hardware (unit) are provided below:

- DC fast charge (25kW-50kW) - hardware costs range between \$17,800-\$50,000 plus ongoing energy and maintenance operating costs (or free of charge if an advertiser-funded model was used). The charging time for this hardware would be between 15 minutes to 1 hour (approximately).
- AC (7kW) - hardware cost is approximately \$1,500 each plus ongoing energy and maintenance operating costs, and would take approximately 2.7 hours to charge a vehicle.

Broadly speaking, Council has options to either purchase a unit(s) upfront/outright, be responsible for ongoing maintenance, have greater control over site locations, and then sell power to the community. Alternatively it could enter into an Advertiser Pays agreement which would remove these significant up-front capital and ongoing operating costs while still realising the benefits of the asset. In addition, customers would benefit from a free fast-charge each day.

## Risk Management

Given the growth in EVs, the market players and various ownership models, councils are in a good position to benefit from inviting the market to provide best value options in terms of hardware, software and ownership models.

Should Council decide to proceed with providing EV charging stations it is recommended that an Expression of Interest be called to enable Council to benefit from the diverse market opportunities, explore this in a fair and open manner, and to ensure compliance with Council's procurement policy.

Development approval may be required for the installation of any EV charging station based on the business model of the provider. Public notification would also be undertaken in accordance with legislative requirements.

There is currently no budget allocated to the provision of EV charging stations. The costs are dependent on the type of business model adopted, which has not yet been determined. It is anticipated that this type of information would be sought through a procurement process.

## **Climate Impact Considerations**

*(Assessment of likely positive or negative implications of this decision will assist Council and the West Torrens Community to build resilience and adapt to the challenges created by a changing climate.)*

The provision of charging stations to facilitate a transition to electric vehicles will have a positive impact on the environment by improving air quality and noise pollution, resulting in improvement in public health and assist in building resilience and adapt to the challenges of a changing climate. Furthermore, the zero exhaust emissions of EVs at the tailpipe will reduce overall transport emissions when charged using renewable energy sources, which are prevalent in South Australia.

## **Conclusion**

Council may consider it has a role in supporting the transition to electric vehicles and in doing so support its community and go towards meeting its environmental, social and economic aspirations.

This report recommends that the Administration explores the provision of EV charging station infrastructure further through an open tender process, and information be provided in a subsequent report back to Council.

## **Attachments**

**Nil**

## 11.2 Potential Licence over (portion of) Golflands Reserve for Agility Dog Club of SA

### Brief

This report provides Members with information regarding a request received from the Agility Dog Club SA for use of Golflands Reserve for agility dog training.

### RECOMMENDATION

The Committee recommends to Council that:

1. The Agility Dog Club SA Inc be granted a licence for a term of 3 years commencing at a date to be agreed by the parties, for use of portion of the Reserve and Clubrooms at Golflands Reserve on Thursdays between 6pm and 9.30pm as well as three (3) agreed Saturdays per year for use of Agility training and competitions, at a commencing fee of \$400 pa (+ GST). The licence fee to increase by \$25pa plus GST on each anniversary of commencement of the licence term.
2. The Mayor and Chief Executive Officer be authorised to sign and seal any documentation to give effect to the grant of licence.
3. Council provide its consent in its capacity of landlord, subject to any necessary development consents being sought and obtained by Agility Dog Club SA Inc, for a storage shed to be installed on the Reserve at the cost of the Club, in a location to be negotiated with the Administration.

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### Introduction

In late March 2020, the Administration was approached by the Agility Dog Club of South Australia Inc. (ADCSA) seeking a new location for their sport within the City of West Torrens (**Attachment 1**). ADCSA currently utilise training grounds located at West Beach, and as a result many of the members are local to West Torrens, although the trials attract competitors from across metropolitan Adelaide and regional areas.

The Administration met with members of the Club and after exploring various options, Golflands Reserve was determined to be the most appropriate location within the City. As a result of Covid-19 as well as the ADCSA ceasing training until recently, the request has been held in abeyance until deemed appropriate to present to Council for consideration.

### Discussion

ADCSA has had a longstanding sub-leasing grounds hire arrangement with the German Shepherd Dog Club of South Australia Inc. which holds a lease agreement with the West Beach Trust. Unfortunately, ADCSA has been asked to commit to large increases in current grounds hire costs, which are already far in excess of those paid by other community dog clubs. In the interests of their members, the ADCSA Committee therefore commenced investigating alternative grounds hire options in close proximity to their current facility.

ADCSA is a not-for-profit, community-based club which provides training and competitions (trials) for people who want to keep fit and have fun with their canine companions in the international sport of Dog Agility. ADCSA was founded in 1992 and is the only specialist dog agility club in South Australia.

This sport involves handlers running courses with their dogs and directing them through jumps, tunnels, weaving poles and other obstacles in the order set by an accredited judge. As with equine show-jumping, it is the fastest clear round that wins. Agility is entertaining to watch and requires the handlers to be agile, quick-thinking and reasonably fit and to have a good working relationship with their dog.

As agility is an activity involving dogs, there is the potential for intermittent barks from some dogs if they get excited. Continuous barking has not been an issue, as this behaviour is managed on an individual level and the dogs are engaged with their owners and the activities in progress. Agility is a good option for reducing boredom and providing physical exercise and mental stimulation for active dogs. This activity can therefore provide a range of benefits to the general community, including improved canine behaviour.

Many members have had success at State and National Championships yet the Club caters for participants from Novice to Masters level. The Club has a number of volunteers to assist with duties such as instructing participants, setting up and taking down courses, helping at trials and club management.

ADCSA currently have more than 30 active members from various cultural backgrounds ranging in age from juniors to senior citizens, working with a variety of dog breeds and sizes. Following the re-commencement of training post-COVID, new members joined the Club and additional interest has been gained through Come'n'Try sessions offered sporadically. The majority of the Club's members are female and one-third are aged over 60 years. The Club not only provides fitness and training for the members and their dogs, but also provides a safe and friendly social environment, and is especially beneficial to those members who live alone of which there are quite a few.

In addition to agility training, the Club offers very cost effective Puppy Classes for dogs from 16 weeks of age to 12 months, using positive, rewards-based training methods. These classes provide the foundation obedience, socialisation, body awareness and handling skills that prepare dogs and their owners to participate in agility once the dog has finished growing.

As ADCSA is a not-for-profit Club, annual membership fees are low-cost and the Club has supported members undergoing financial hardship for periods of time. Annual Membership prices range from \$35 for Juniors to \$95 for Double/Family Membership. These fees cover all training sessions, equipment use and grounds hire costs for the year and enable people from a range of socio-economic backgrounds to participate.

Furthermore, ADCSA is a registered Star Club participant through Office of Recreation and Sport and have up to date Member Protection and Child Safe policies and procedures in place.

#### Requirements:

Agility equipment is expensive and bulky and training requires a grassed area considerably larger than a suburban back yard. A suitable reserve would require the following features for training sessions and club activities:

- grassed area of approximately football oval size, with an even surface,
- sports-standard lighting for evening training sessions about to be installed,
- potential access to clubroom toilets and basic kitchen facilities,
- parking available on adjacent streets,
- access available for our regular training sessions (Thursday evenings 6.00pm - 9.30pm) and three Saturdays and two Saturday evenings per year for our trial events.

The weekly Thursday night training session currently involve just over 30 dogs, split over two training sessions. The first session runs from 7.00pm to 8.00pm and can attract up to 20 dogs and their handlers. The second session from 8.15pm to 9.15pm involves a smaller group of around ten experienced handlers and their dogs. Pack up of equipment occurs from 9.15 to 9.30pm and the grounds are vacated soon after.

The Administration will limit the number of dogs permitted at any one session to 20 under the terms of the proposed licence agreement.

In addition to access to the reserve and clubroom (for team and coffee making), ADCSA will need on-site storage space of approximately 10metres by 6metres for the agility equipment.



The proposed use is in accordance with the provisions of the relevant Community Land Management Plan.

**Golflands Reserve:**

Golflands Reserve is bound by Aroona Ave, Wongala Ave, McCann Ave and Iluka Street in Glenelg North (**Attachment 2**).

The reserve features three netball/tennis courts with lighting, small clubroom facility, large reserve with soccer pitch, playground equipment, barbecue facilities and picnic shelter.

Current users of the facility site are The PHOS Camden Netball Club Inc and the WT Birkalla Soccer Club:

**1. PHOS Camden Netball Club Inc**

Currently use the courts and clubrooms during the winter season on Monday and Thursday evenings for training and from 12noon - 5pm on Saturdays for games.

The user agreement currently operating on a holding over basis due to the potential for the club to relocate to Camden Oval following the construction of three or four new netball courts. The Club may relocate to Camden Oval and join the Plympton High School Old Scholars (PHOS) and Camden Sport and Social Club, making use of newly constructed clubrooms and changeroom facilities.

The Netball Club currently pay \$530 per annum for the courts, lights, and clubroom use.

**2. WT Birkalla Soccer Club**

The Soccer Club currently utilise the reserve for juniors on Wednesday and Friday nights for training and on Sunday mornings for games currently during the period 1 February until 30 September each year.

The user agreement is also currently operating on a holding over basis (a new agreement was in the throes of being negotiated prior to Covid-19 restrictions being imposed but was placed on hold at that time).

WT Birkalla have recently funded the installation of one light tower and lighting for the reserve. Any use of the lighting on the reserve must be negotiated with WT Birkalla Soccer Club.

WT Birkalla Soccer Club currently pay \$530 per annum for use of the Reserve.

Until this year, Guides SA also utilised the Clubroom and part of the Reserve for Guides activities, however with the completion of new facilities at Apex Park, the group has relocated to that site. This provides an opportunity for another sporting group to (re)locate to Golflands Reserve.

Should ADCSA relocate to Golflands Reserve, training would occur in the centre area of the reserve, i.e. with a reasonable distance buffer from nearby houses.

**Administration Recommendation:**

The Administration is of the opinion that the relocation of ADCSA to Golflands Reserve would be beneficial to both the Club and local community and the proposed usage times/days would not conflict with other users who currently hold a licence agreement over the site.

The ADCSA has well established protocols and processes, encourages community involvement and service and provides low-cost activities for members. The club's relocation to Golflands Reserve would also likely stimulate community interest and spectators due to the nature of the sport and may encourage additional local dog owners to join as a means of exercising their dogs.

The Administration recommends a licence agreement be negotiated with ADCSA for use of Golflands Reserve and Clubrooms (for tea and coffee and toilets) on Thursday evenings from 6.00pm - 9.30pm and three (3) Saturdays per year for a licence fee of \$400 per annum plus GST. The licence fee to increase by \$25 pa plus GST on each anniversary of the commencement date during the term.

The request from the ADCSA to erect a storage shed (approximately 10m x 6m) on the reserve will be considered by the Administration in the marked location, **(Attachment 3)** (and subject to any necessary planning and/or development consents being sought and obtained).

In addition, it is recommended that the Administration facilitate a discussion between the ADCSA and WT Birkalla Soccer Club regarding potential for use of the reserve lights and any associated fees and charges.

### **Climate Impact Considerations**

*(Assessment of likely positive or negative implications of this decision will assist Council and the West Torrens Community to build resilience and adapt to the challenges created by a changing climate.)*

There is no direct climate impact in relation to this report.

### **Conclusion**

A request has been received from the Agility Dog Club SA seeking a new location for their activities. Following investigation by the Administration, it is recommended to Council that the group be offered a licence for use of portion of Golflands Reserve for a period of 3 years. Furthermore, the Administration consider the installation of a storage shed in the location identified in the Attachment, and assist ADCSA negotiate use of reserve lights with WT Birkalla Soccer Club.

### **Attachments**

1. **Letter from Agility Dog Club SA requesting new location for training**
2. **Location of Golflands Reserve**
3. **Potential Location for Storage Shed**

**The Agility Dog Club of SA**  
**C/- PO Box 246**  
**Semaphore SA 5019**



3 April 2020

Teresa Desteno  
Community Planner, City Property  
City of West Torrens  
165 Sir Donald Bradman Drive  
Hilton SA 5033

Dear Teresa

**New Club Grounds required for Agility Dog Club of South Australia Inc.**

The Agility Dog Club of South Australia Inc. (ADCSA) is a not-for-profit, community-based club which provides training and competitions (trials) for people who want to keep fit and have fun with their canine companions in the international sport of Dog Agility. ADCSA was founded in 1992 and is the only specialist dog agility club in South Australia.

This sport involves handlers running courses with their dogs and directing them through jumps, tunnels, weaving poles and other obstacles in the order set by an accredited judge. As with equine show-jumping, it is the fastest clear round that wins. Agility is entertaining to watch and requires the handlers to be agile, quick-thinking and reasonably fit and to have a good working relationship with their dog.

Our members range in age from juniors to senior citizens and come from a range of backgrounds, working with a variety of dog breeds and sizes. Currently we have 30 active members with more in the pipeline through the Come'n'Try sessions that we offer. The majority of our members are female and one-third are aged over 60 years.

Agility equipment is expensive and bulky. Training requires a grassed area considerably larger than a suburban back yard. ADCSA provides low-cost annual memberships (ranging from \$35 for Juniors to \$95 for a Double/Family membership). These membership fees cover all training sessions, equipment use and grounds hire costs for the year and enable people from a range of socio-economic backgrounds to participate.

ADCSA caters for participants from Novice to Masters level and many of our members have gone on to succeed at State and National Championships. We have a number of volunteers who assist with duties such as instructing participants, setting up and taking down courses, helping at trials and club management.

We offer Puppy Classes for dogs from 16 weeks of age to 12 months, using positive, rewards-based training methods. These classes provide the foundation obedience, socialisation, body awareness and handling skills that prepare dogs and their owners to participate in agility once the dog has finished growing.

With our current training grounds located at West Beach, many of our members are drawn from the City of West Torrens Council area and surrounding suburbs and we also have participants from further afield. Our trials attract competitors from across metropolitan Adelaide and regional areas.

ADCSA has had a longstanding sub-leasing grounds hire arrangement with the German Shepherd Dog Club of South Australia Inc. which holds a lease agreement with the West Beach Trust. Unfortunately, ADCSA is being asked to commit to large increases in our current grounds hire costs, which are already far in excess of those paid by other community dog clubs. In the interests of our members, the ADCSA Committee is therefore investigating alternative grounds hire options.



We appreciate you meeting with our representatives, Jenny Barnes and Jenny Pearson, at the Golflands Reserve, Glenelg North on 1 April 2020. This reserve would appear to have most of the features needed for our training sessions and club activities, i.e.:

- grassed area of approximately football oval size, with an even surface
- sports-standard lighting for evening training sessions about to be installed
- potential access to clubroom toilets and basic kitchen facilities
- parking available on adjacent streets
- access available for our regular training sessions (Thursday evenings 6.00pm - 9.30pm) and three Saturdays and two Saturday evenings per year for our trial events.

As discussed at our meeting, ADCSA will need on-site storage space of approximately 10 metres by 6 metres for the agility equipment and we would appreciate further advice on the options that may be appropriate.

We look forward to further discussions with City of West Torrens Council representatives regarding a potential grounds hire agreement. Our club has good standards of community involvement and service. ADCSA is a registered Star Club participant and we have up to date Member Protection and Child Safe policies and procedures. We would welcome the opportunity to work with Council further to provide participation options such as low-cost Puppy training and Come'n'Try sessions to local residents and their dogs.

Please contact me (phone 0417 883 094) or Jenny Barnes (phone 0412 208 011) or email [agilitydogclubsa@internode.on.net](mailto:agilitydogclubsa@internode.on.net) if you need any further information.

Yours sincerely



Jenny Pearson  
on behalf of the Agility Dog Club of SA (Inc) Committee



## Golflands Reserve, Glenelg North



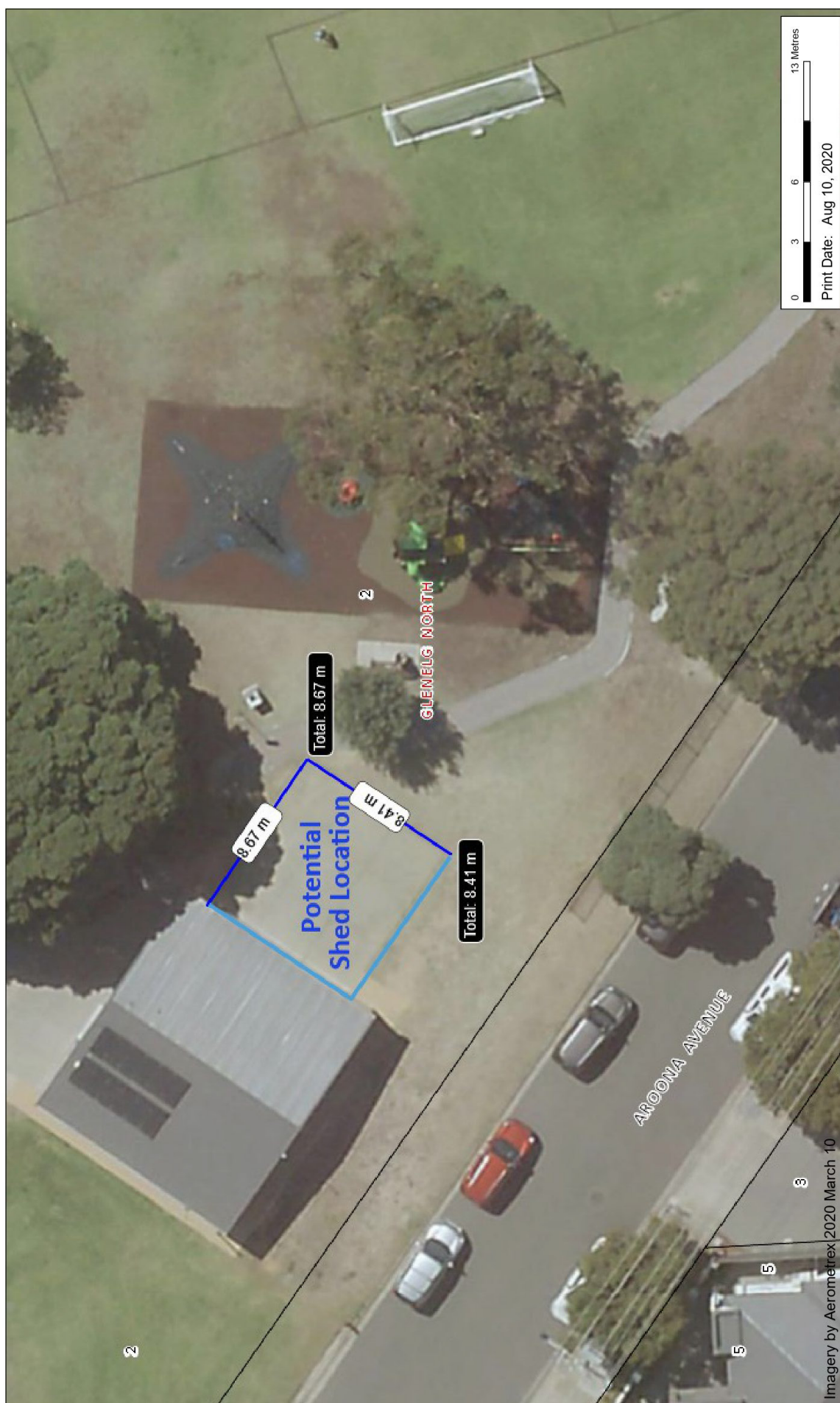
Imagery by Aerometrex-2020 March 10

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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.







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### 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

Breakout Creek Stage 3 redevelopment	Preparation of a design for the Breakout Creek Stage 3 project is currently underway with the project partners. Preliminary discussions with focus groups to reintroduce the project has been undertaken and the Elected Members were briefed by Green Adelaide on Tuesday 18 August 2020.
'Street Trees for challenging spaces' project	<p>The City of West Torrens was successful in applying for funding from the Department of Environment and Water's Greener Neighbourhoods program for the 'Street Trees for challenging spaces' project. This project aims to develop a set of designs for growing trees in challenging spaces and in doing so will overcome some key barriers to growing vibrant healthy trees and assist in minimising road maintenance issues.</p> <p>The application of the designs is anticipated to enable the planting and healthy growth of street trees where this would not otherwise occur, resulting in greater tree canopy, cooling urban heat, beneficial use of stormwater and reduced road maintenance requirements.</p> <p>The consultancy firm has been awarded the project and is currently working closely with staff to understand the challenging spaces and in designing solutions.</p>
Stormwater Management Plan - West Torrens Drainage	The stormwater management plan for the City of West has progressed to modelling existing underground network with future development impact.
Stirling Street Stormwater Drainage Upgrade, Thebarton	The works contract has been awarded to a civil contractor who will be utilising a pipe jacking construction methodology to minimise the disruption to businesses along Stirling Street. Preliminary construction and planning works have commenced. Excavation works were scheduled to commence in July 2020 however the works have are on hold awaiting approval from SA Police to permit the specialist pipe jacking subcontractor to travel to South Australia.
Admella Street and Reserve Upgrade	Design and documentation is being finalised and tendering of the project is scheduled for late September / early October 2020.

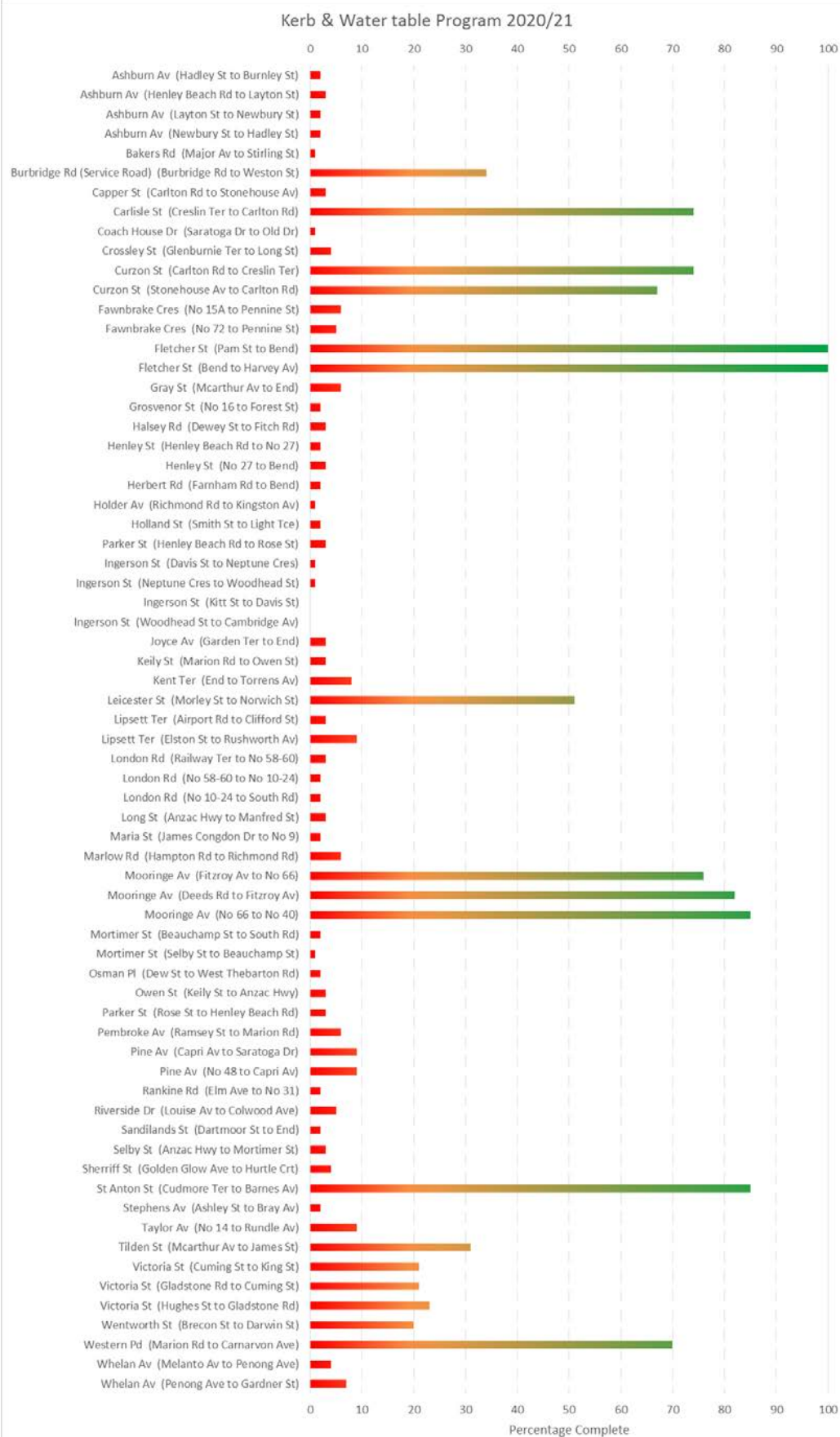


Sherriff Street Stormwater Drainage Upgrade, Underdale	Construction works have commenced and works are scheduled to be completed by late October 2020.
E-scooter Trial update	<p>Department Planning Transport and Infrastructure Officers are currently considering a request from the participating Councils to resume the trial for the revised 6 month period with an extension until the 7th February 2021 under the same terms and conditions as previously granted.</p> <p>Currently awaiting for formal approval from the Ministers office and a trial relaunch is scheduled on the 4<sup>th</sup> September 2020.</p>
Westside Bikeway and Captain McKenna, (Pedestrian Shared Path Lighting Project)	<p>The following is an update for the 2020/2021 program:</p> <ul style="list-style-type: none"> <li>Captain McKenna Bikeway - The second stage of the lighting (from Tapleys Hill Rd) program from 2019/2020 is underway for this section of shared pathway. Works are expected to be completed in September 2020.</li> </ul> <p>Design is also underway for the new lighting on the Sturt Creek (the shared pathway - located between Anzac Hwy &amp; Pine Ave). The project is expected to commence later in 2020.</p>

### Capital Works

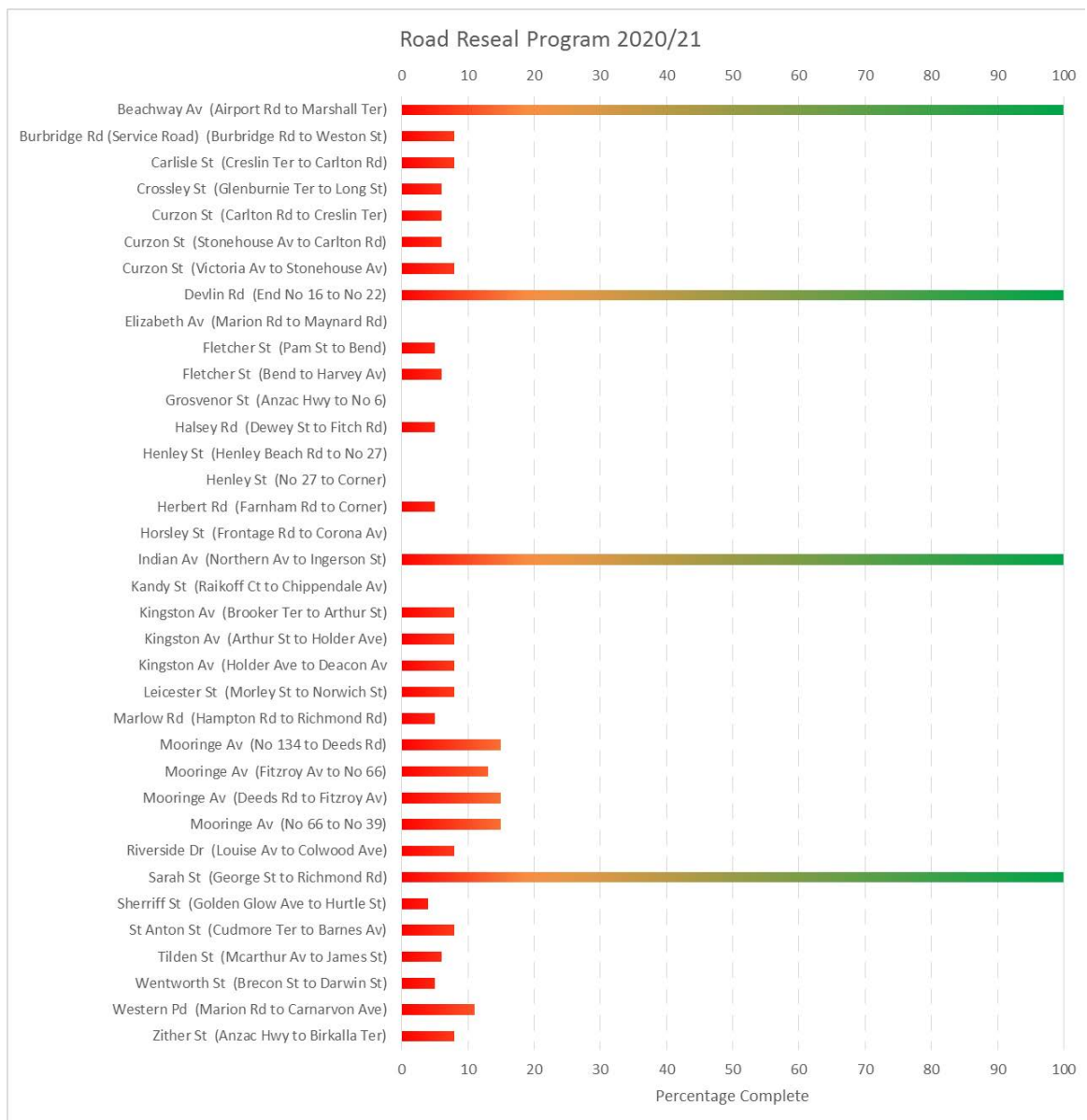
Road Reconstruction Works	<p>The works associated with the 2020/21 Road Reconstruction Program are in progress:</p> <table border="1"> <caption>Road Reconstruction Program 2020/21 - Percentage Complete</caption> <thead> <tr> <th>Project</th> <th>Percentage Complete</th> </tr> </thead> <tbody> <tr><td>Marleston Av - 6350 (Alexander Av to South Rd)</td><td>75</td></tr> <tr><td>Holland St - 4665 (Anderson St to Phillips St)</td><td>65</td></tr> <tr><td>Bagot Av - 0600 (Sir Donald Bradman Dr to...)</td><td>60</td></tr> <tr><td>Unnamed Access Rd - 9205 (Moss Av to Ritchie...)</td><td>30</td></tr> <tr><td>William St - 9640 (No. 25 to South Rd)</td><td>15</td></tr> <tr><td>Simcock St - 8570 (Cambridge Av to Council...)</td><td>45</td></tr> <tr><td>Weaver Av - 9510 (Lane St to Shierlaw St)</td><td>15</td></tr> <tr><td>Wyatt St - 9780 (Allchurch Av to Talbot Av)</td><td>25</td></tr> <tr><td>Stirling St - 8720 (Bakers Rd to South Rd)</td><td>15</td></tr> <tr><td>St Andrews Cres - 8650 (Hoylake St to Links Rd)</td><td>15</td></tr> <tr><td>Meyer St - 6480 (West St to Hayward Av)</td><td>15</td></tr> <tr><td>Pearson St - 7495 (Kintore St to George St)</td><td>15</td></tr> <tr><td>Thanet St - 9000 (Henley Beach Rd to Marshall...)</td><td>15</td></tr> <tr><td>Henley St - 4772 (No. 48 to Bagot Av)</td><td>15</td></tr> <tr><td>Mellor Av - 6460 (Arnold St Driveway Link)</td><td>5</td></tr> <tr><td>St Anton St - 8660 (Sutton Ter to Aldridge Ter)</td><td>10</td></tr> <tr><td>Owen St - 7240 (Long St to End)</td><td>10</td></tr> <tr><td>Somerset Av - 8580 (Davenport Ter to Sir Donald...)</td><td>10</td></tr> <tr><td>Harvey Av - 4670 (Streeters Rd Intersection)</td><td>5</td></tr> <tr><td>Jervois St - 5365 (Henley Beach Rd to North Pde)</td><td>5</td></tr> <tr><td>Ballantyne St - 0625 (Dew St to South Rd)</td><td>5</td></tr> <tr><td>Fulham Park Dr - 4070 (Corona Av to Castlebar Rd)</td><td>5</td></tr> <tr><td>Netley Av - 6950 (Rutland Av to Strathmore Av)</td><td>5</td></tr> </tbody> </table>	Project	Percentage Complete	Marleston Av - 6350 (Alexander Av to South Rd)	75	Holland St - 4665 (Anderson St to Phillips St)	65	Bagot Av - 0600 (Sir Donald Bradman Dr to...)	60	Unnamed Access Rd - 9205 (Moss Av to Ritchie...)	30	William St - 9640 (No. 25 to South Rd)	15	Simcock St - 8570 (Cambridge Av to Council...)	45	Weaver Av - 9510 (Lane St to Shierlaw St)	15	Wyatt St - 9780 (Allchurch Av to Talbot Av)	25	Stirling St - 8720 (Bakers Rd to South Rd)	15	St Andrews Cres - 8650 (Hoylake St to Links Rd)	15	Meyer St - 6480 (West St to Hayward Av)	15	Pearson St - 7495 (Kintore St to George St)	15	Thanet St - 9000 (Henley Beach Rd to Marshall...)	15	Henley St - 4772 (No. 48 to Bagot Av)	15	Mellor Av - 6460 (Arnold St Driveway Link)	5	St Anton St - 8660 (Sutton Ter to Aldridge Ter)	10	Owen St - 7240 (Long St to End)	10	Somerset Av - 8580 (Davenport Ter to Sir Donald...)	10	Harvey Av - 4670 (Streeters Rd Intersection)	5	Jervois St - 5365 (Henley Beach Rd to North Pde)	5	Ballantyne St - 0625 (Dew St to South Rd)	5	Fulham Park Dr - 4070 (Corona Av to Castlebar Rd)	5	Netley Av - 6950 (Rutland Av to Strathmore Av)	5
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Stirling St - 8720 (Bakers Rd to South Rd)	15																																																
St Andrews Cres - 8650 (Hoylake St to Links Rd)	15																																																
Meyer St - 6480 (West St to Hayward Av)	15																																																
Pearson St - 7495 (Kintore St to George St)	15																																																
Thanet St - 9000 (Henley Beach Rd to Marshall...)	15																																																
Henley St - 4772 (No. 48 to Bagot Av)	15																																																
Mellor Av - 6460 (Arnold St Driveway Link)	5																																																
St Anton St - 8660 (Sutton Ter to Aldridge Ter)	10																																																
Owen St - 7240 (Long St to End)	10																																																
Somerset Av - 8580 (Davenport Ter to Sir Donald...)	10																																																
Harvey Av - 4670 (Streeters Rd Intersection)	5																																																
Jervois St - 5365 (Henley Beach Rd to North Pde)	5																																																
Ballantyne St - 0625 (Dew St to South Rd)	5																																																
Fulham Park Dr - 4070 (Corona Av to Castlebar Rd)	5																																																
Netley Av - 6950 (Rutland Av to Strathmore Av)	5																																																

	<p>The following road reconstruction projects have commenced construction works onsite:</p> <ul style="list-style-type: none"><li>• Marlestone Avenue, Ashford (South Road to Alexander Avenue)</li><li>• Holland Street, Thebarton (Phillips Street to Anderson Street)</li><li>• Simcock Street, West Beach (Cambridge Avenue to Council Boundary)</li><li>• Unnamed Access Road, Marlestone (Moss Avenue to Ritchie Terrace)</li></ul>
Kerb and Gutter Program 2020/2021	<p>Survey and design works for the 2020/21 program of works are in progress.</p> <p>Resident notification and construction works have commenced for the 2020/21 program of works.</p>



Preliminary works for the 2020/21 Road Reseal Program have commenced and are progressing.

Surface Reseal Program 2020/21



Footpath Program 2020/21	<p>Constructions works associated with the 2020/21 Footpath Program are scheduled to commence in September 2020.</p> <p>Resident Notification and Consultation has commenced.</p>
Playground Upgrade 2020/2021	<p>The following is an update on the 2020/2021 replacement program for playgrounds at:</p> <ul style="list-style-type: none"> <li>• Mellor Park Reserve, Lockleys - The project will be implemented as part of the reserve upgrade which is expected to commence at the end of August 2020. Demolition of the hall and the adjoining buildings will form the first phase of the upgrade. The playground component is expected to be completed early in 2021.</li> <li>• Swan Ave Reserve, West Beach - The project has commenced on site and is expected to be completed in September.</li> <li>• Lockleys Oval, Lockleys - The project will be implemented as part of landscape works, taking place in the coming months.</li> <li>• Camden Oval, Novar Gardens - The project has been awarded and is now scheduled to commence in September 2020.</li> </ul> <p>Programming for further upgrades is currently being developed and will be available in the next report.</p>
Reserve Irrigation Upgrades 2020/2021	<p>The following is an update on the 2020/2021 irrigation upgrade program for reserves at:</p> <ul style="list-style-type: none"> <li>• Westside Bikeway, Marleston / Plympton, (staged project, selected areas within the linear park (Birdwood Tce / McArthur Ave) - landscape areas expected to be completed in September</li> <li>• Lockleys Oval and surrounds - This project is included as part of the Lockleys Oval Redevelopment, and is scheduled for completion in late 2020.</li> <li>• Pine Ave verge area, Novar Gardens - Design and scheduling of the project is completed. Project is temporarily on hold whilst the Administration seek further information on the access points across this land. Works will commence in August.</li> </ul> <p>Programming for further upgrades is currently being developed and will be available in the next report.</p>

Traffic Projects and Parking Management	
Torrensvile/ Thebarton LATM	Final design of the Driveway Link in Hayward Avenue, at its junction with Ashley Street and associated underground stormwater upgrade is finalised. Currently scheduling the works.
Novar Gardens/Camden Park LATM	The various projects are currently being designed. A notification letter of the endorsed final report was distributed to all properties in the study area in early August 2020.
Richmond/Mile End LATM	<p>Concept designs have been completed.</p> <p>The second round of consultation is scheduled to be distributed to the study area in September 2020.</p>
Marleston / Keswick / Kurralta Park / North Plympton / Ashford	<p>The broad community engagement concluded on Friday 20 March 2020. A total of 510 feedback forms were received from this community engagement. The feedback is being reviewed to support identification of key issues in the community. Preliminary key issues have been identified.</p> <p>A summary of key community concerns is currently being finalised and subsequently a working party will be established to progress the Local Area Traffic Management Plan.</p>
Traffic and Parking Review	<p>Parking Review:</p> <ul style="list-style-type: none"> <li>Clifford Street, Brooklyn Park - consultation for area parking controls was distributed in early August 2020 and closed on the 21 August 2020. Feedback is currently being reviewed.</li> <li>Elston Street, Brooklyn Park - Consultation for new parking restrictions due to the narrowness of the street has been completed. Due to some concerns raised after notification, a further proposal will be developed for consultation in early September 2020.</li> <li>Elizabeth Street, Plympton - A parking survey was completed in early August 2020. Survey found that parking was only significant at school pick up and drop off times which is expected given the proximity to St John the Baptist. Given the existing drop off zone arrangement and the typically low parking during the day, further parking controls are not warranted at this time.</li> <li>Park Street, Glandore - A parking survey was completed in early August 2020. Survey found that parking saturation was at less than 50% with most vehicles being parked near the businesses on Anzac Highway. There are existing no stopping zones near Anzac Highway to alleviate congestion near the intersection. Further parking controls are not warranted at this time.</li> <li>Lincoln Avenue, Plympton - Consultation was not supportive of changes. Final decision is to not implement additional parking controls at this time.</li> </ul>



- Airport Road, Brooklyn Park - Consultation closed on 14 August 2020. Feedback has been reviewed. Although feedback is generally supportive, there are concerns the proposal does not address the truck issue sufficiently. Currently engaging with Department Planning Transport Infrastructure for further advice on other potential approaches to address truck parking issue.
- Norman Street, Underdale - Consultation for no stopping zones has been completed. Residents supported a staggered no stopping option. Notification was posted in late July 2020. Works were scheduled in mid-August and anticipated to be completed in the following weeks subject to weather.
- Major Avenue, Marleston - Consultation was completed and residents were generally supportive of the proposal for parking restrictions. Works were ordered in mid-August and should be completed in the following weeks subject to weather.
- Mortimer Street, Kurralt Park - Consultation was completed in August for new parking controls near South Road and residents were generally supportive. Works have been ordered and should be completed in the following weeks.
- Alice Street, Plympton - Parking survey has been completed. Parking saturation at less than 50%. Parking controls are not warranted. No further action at this time.
- Queens Road, Camden Park - Consultation was completed for new parking controls. Residents were not supportive. No further action at this time.
- Meyer Avenue, Torrensville - Request on hold since it is related to football activity which is currently impacted by COVID-19.
- Taylors Lane, Mile End - Consultation for parking restrictions on one side was completed in August. Notification has been posted and work order to be scheduled for week starting 24 August 2020.
- Rose Lane, Mile End - Consultation for parking restrictions on one side was completed in August. Notification has been posted and work order to be scheduled for week starting 24 August 2020.

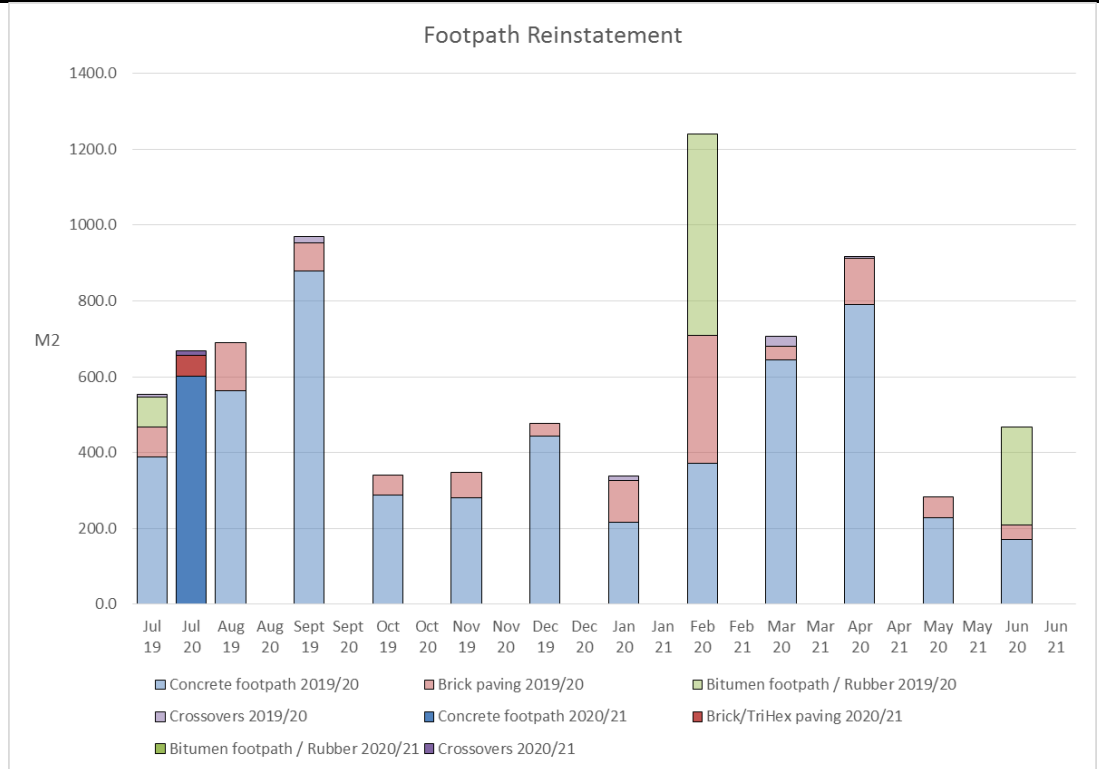
#### Traffic Review:

- Crace Road, Fulham - A line marking plan is being developed to improve the safety along the S-bend on Crace Road. Resident consultation material is currently being prepared.
- Burbridge Road Access, West Beach - Traffic count has been completed in August 2020. An average daily traffic volume of 119 was detected with a corresponding 85<sup>th</sup> percentile speed of 44 km/h. Conditions do not meet warrant for further action.
- Garden Terrace, Underdale - Traffic count has been scheduled.

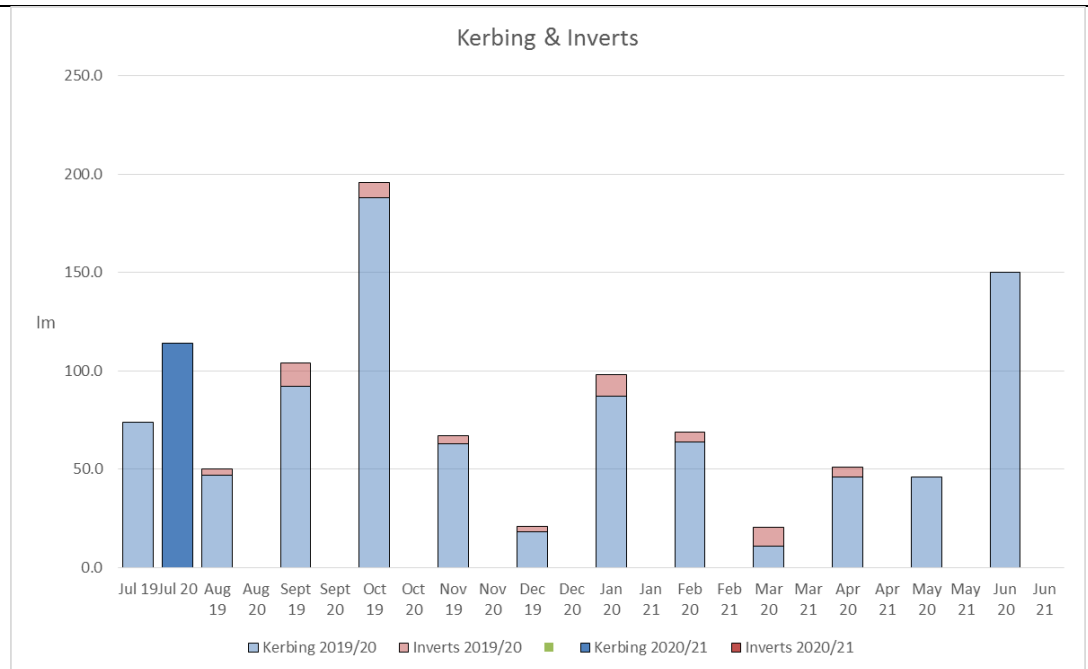
Parking Control Audit	<p>An audit has been undertaken for the parking control signage and line marking in all streets of the following areas:</p> <ul style="list-style-type: none"> <li>• Ashford</li> <li>• Keswick</li> <li>• Mile End (East of South Road)</li> <li>• Thebarton</li> </ul> <p>The next areas planned to be audited are:</p> <ul style="list-style-type: none"> <li>• Torrensville</li> <li>• Mile End (West of South Road)</li> </ul>
Daly Street Black Spot Project	<p>Following a workshop with the Elected Members, the Daly Street Black Spot project consultation was amended. Consultation material was distributed in mid-August 2020 and is scheduled to close on Friday 18 September 2020.</p>
<b>Property and Facilities</b>	
Kesmond Reserve	<p>Consultants have been engaged to begin the master-planning process for Kesmond Reserve. Stakeholder consultation has commenced and a draft concept plan is expected to be developed by mid-September.</p> <p>The masterplan will explore options for a new community building on the site as well as increasing green space and recreation options for the local community.</p>
Weigall Oval Facility Development	<p>The Weigall Oval facility development continues to progress with revised project completion now scheduled for October 2020. Inclement weather has unfortunately continued to influence the progression of the project and caused the delays which are now being experienced.</p> <p>The turf has now been laid on the junior soccer pitch and it is expected that top dressing all turf playing fields will occur in early-mid September (weather permitting). Landscaping works have also commenced and it is hoped that the carpark will be asphalted within the next 2-3 weeks.</p> <p>The majority of internal building works have been completed - principal works remaining include finalisation of painting, function space flooring and kitchen/canteen fitouts.</p>
Apex Park	<p>Consultants have been engaged to undertake preliminary concept design work for the next stage of work at Apex Park. The concept will explore options for further upgrades to the detention basin as well as additional recreation options.</p> <p>Preliminary arrangements have commenced for the installation of a new public toilet facilities on the reserve.</p>

## City Operations

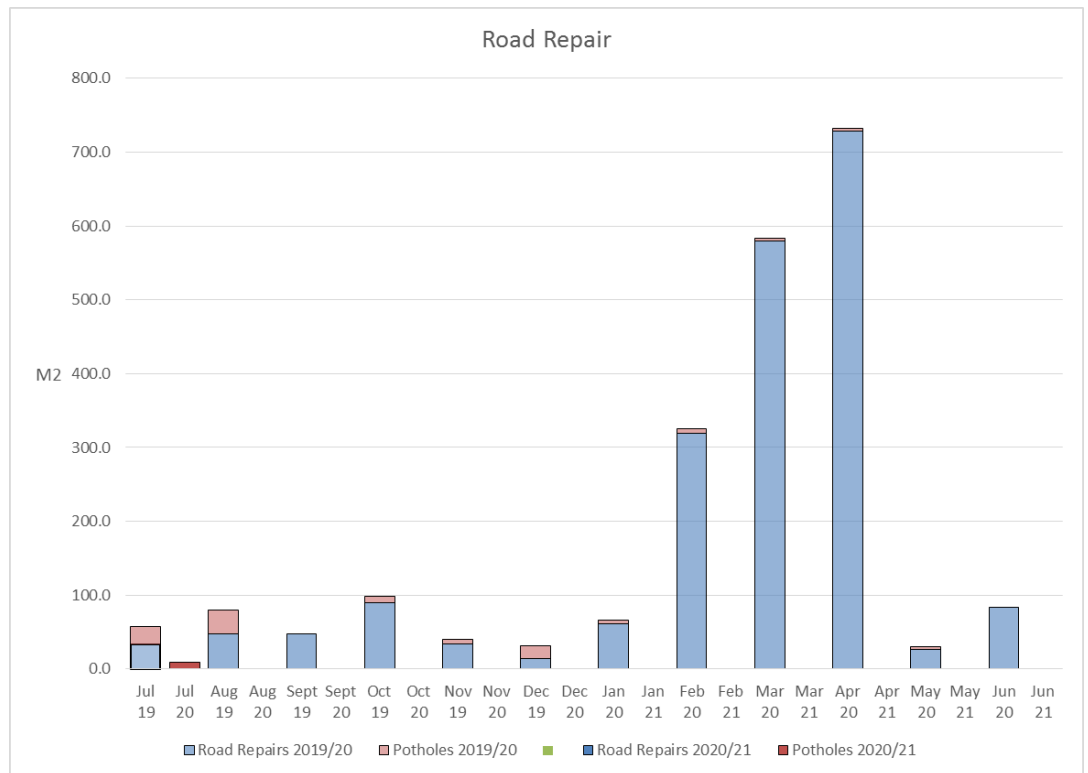
### Footpath Reinstatement



### Kerb and Watertable / Invert Reinstatement

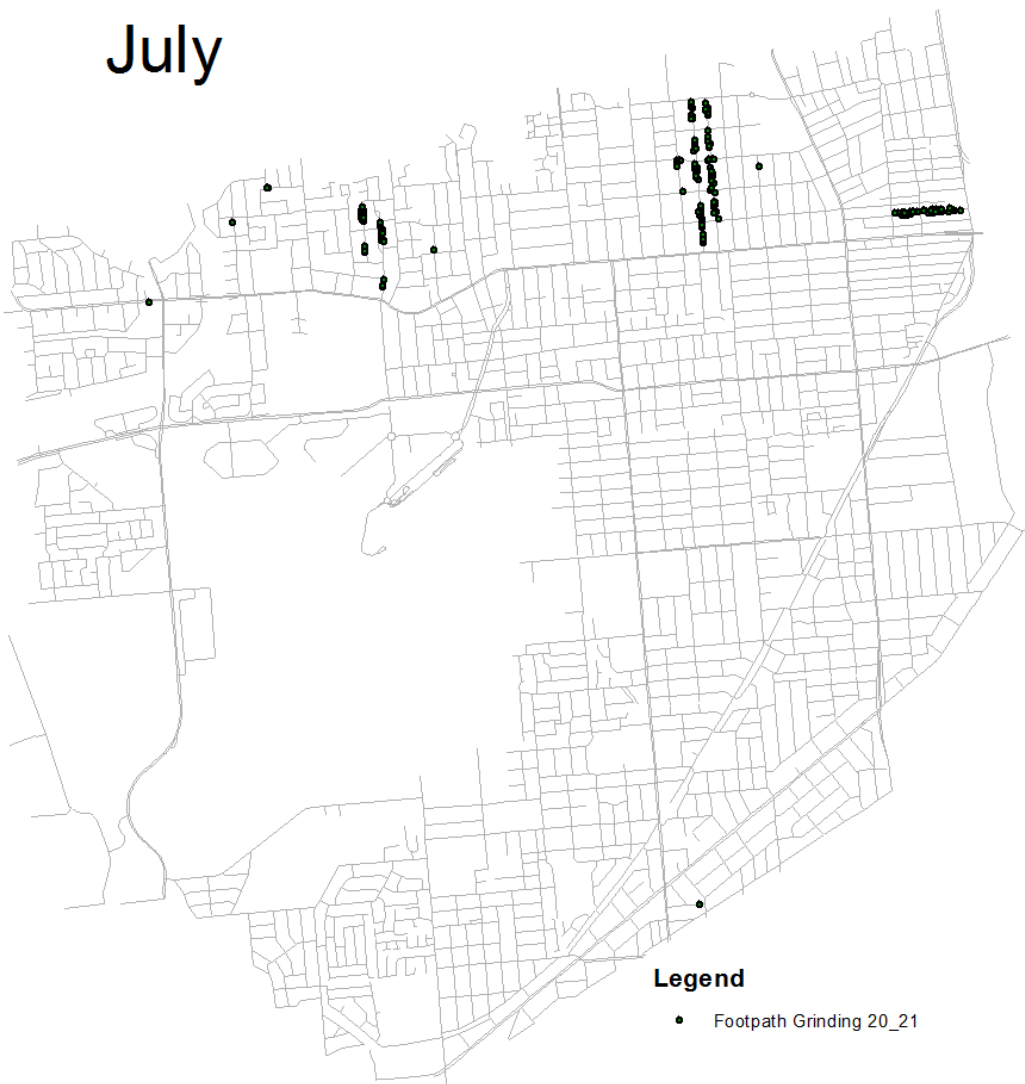


## Road Repair and Potholes



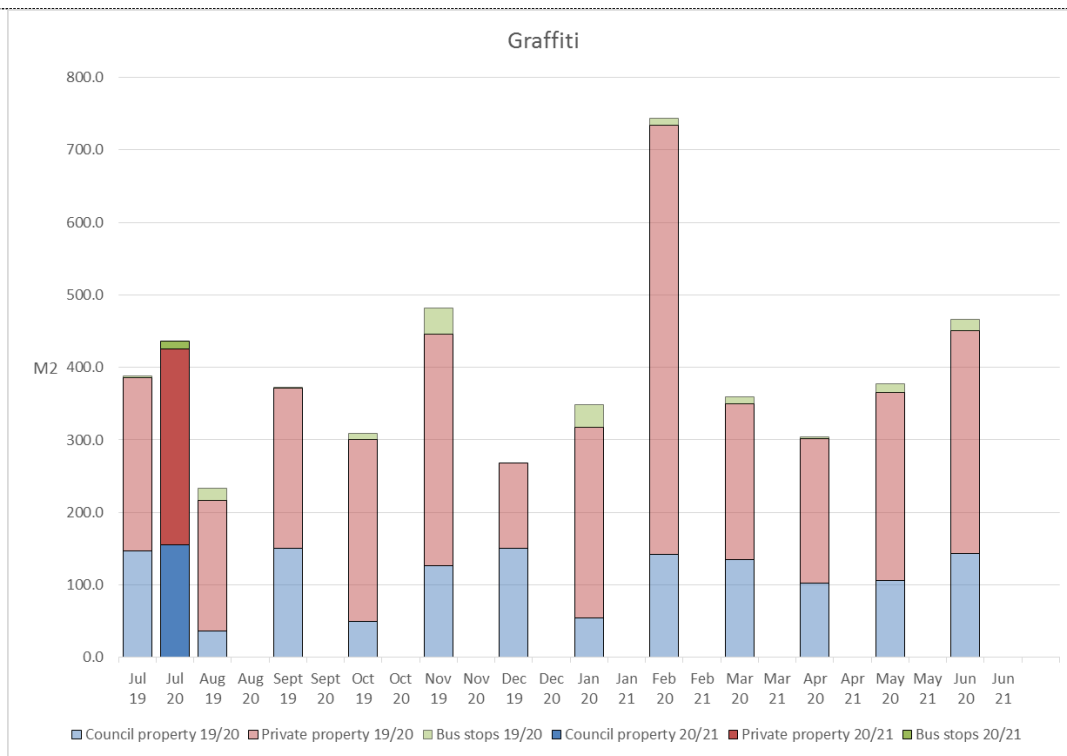
Footpath  
Grinding  
Program

July

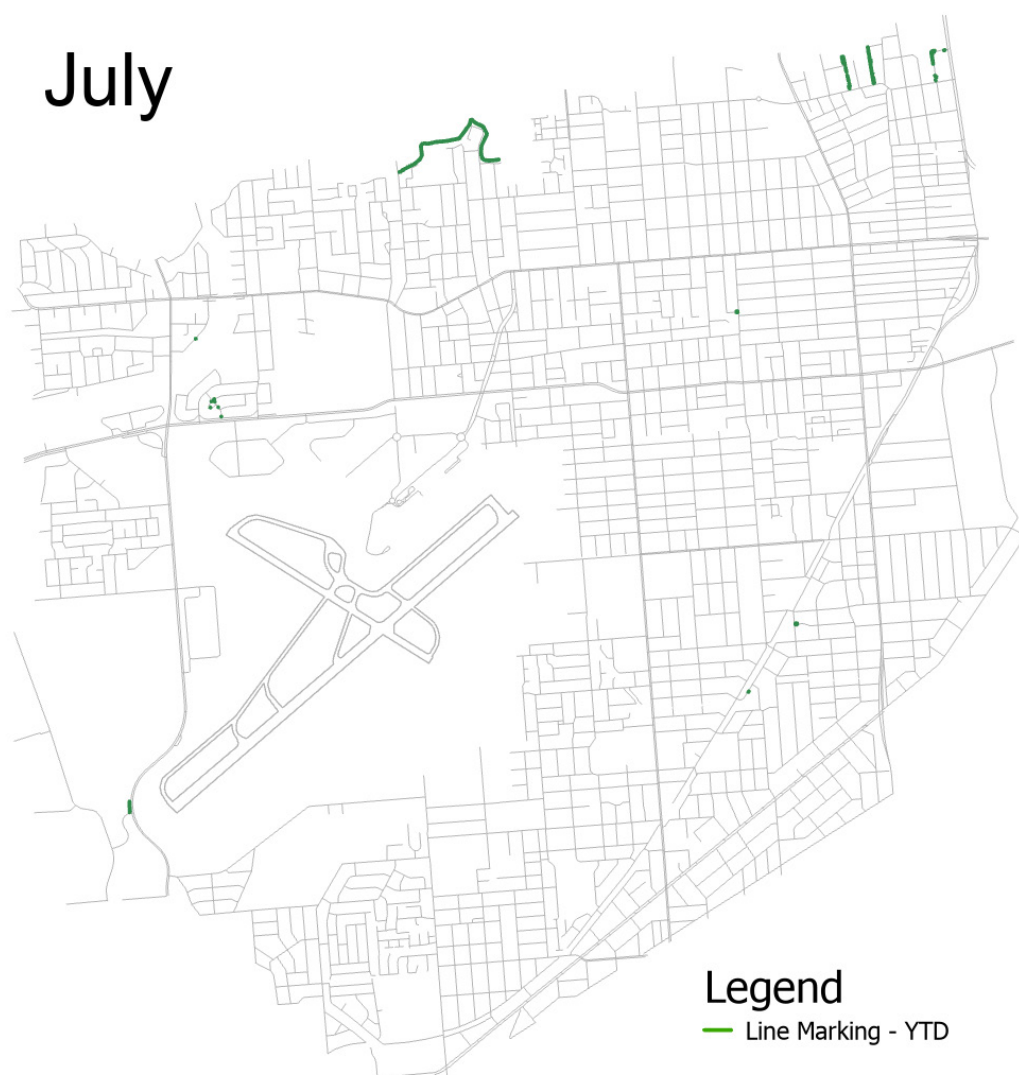


**Legend**  
• Footpath Grinding 20\_21

## Graffiti Removal

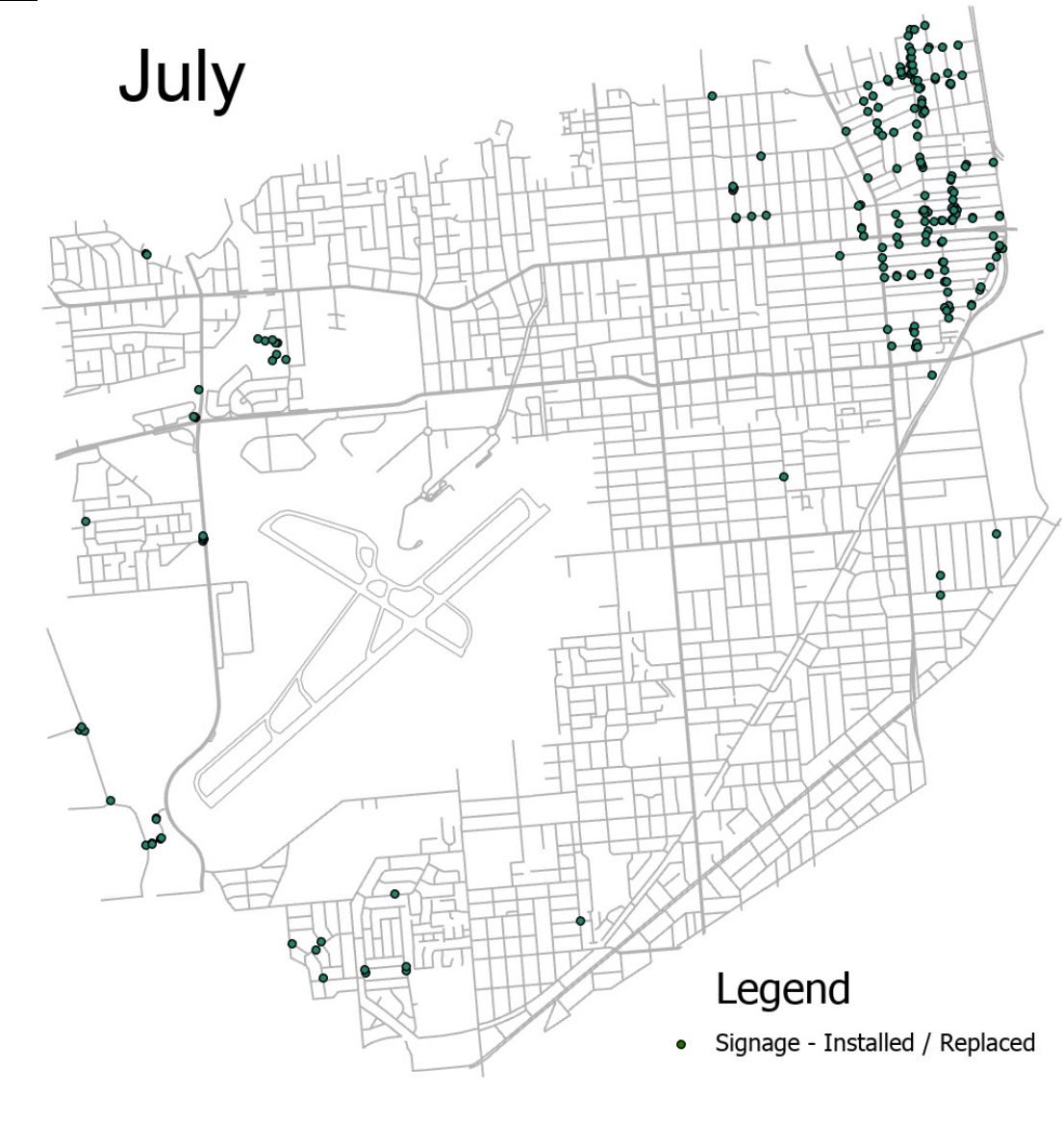


## Line Marking

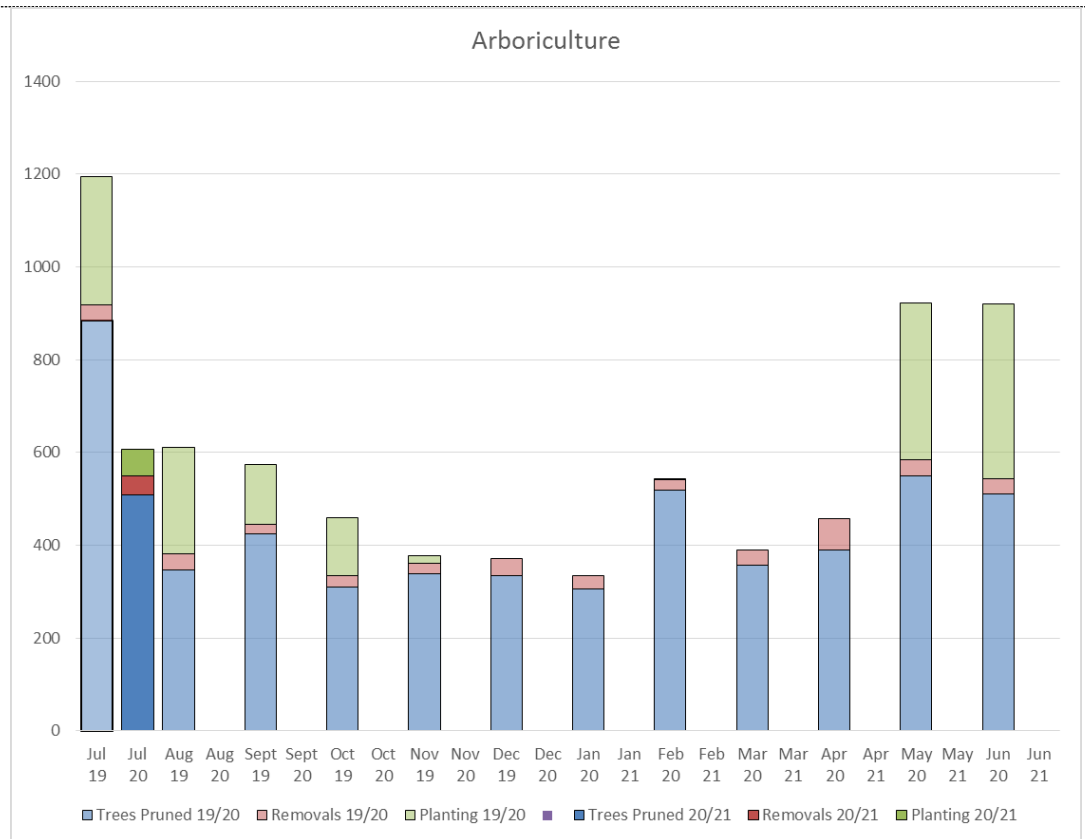




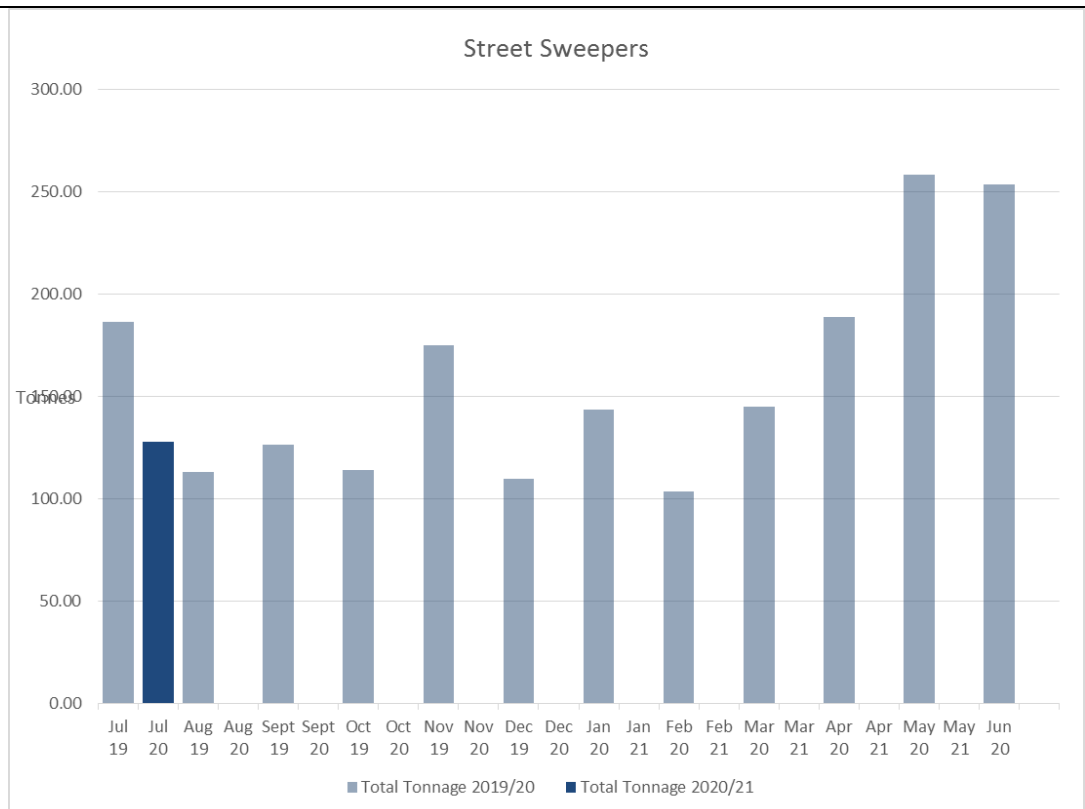
Signage

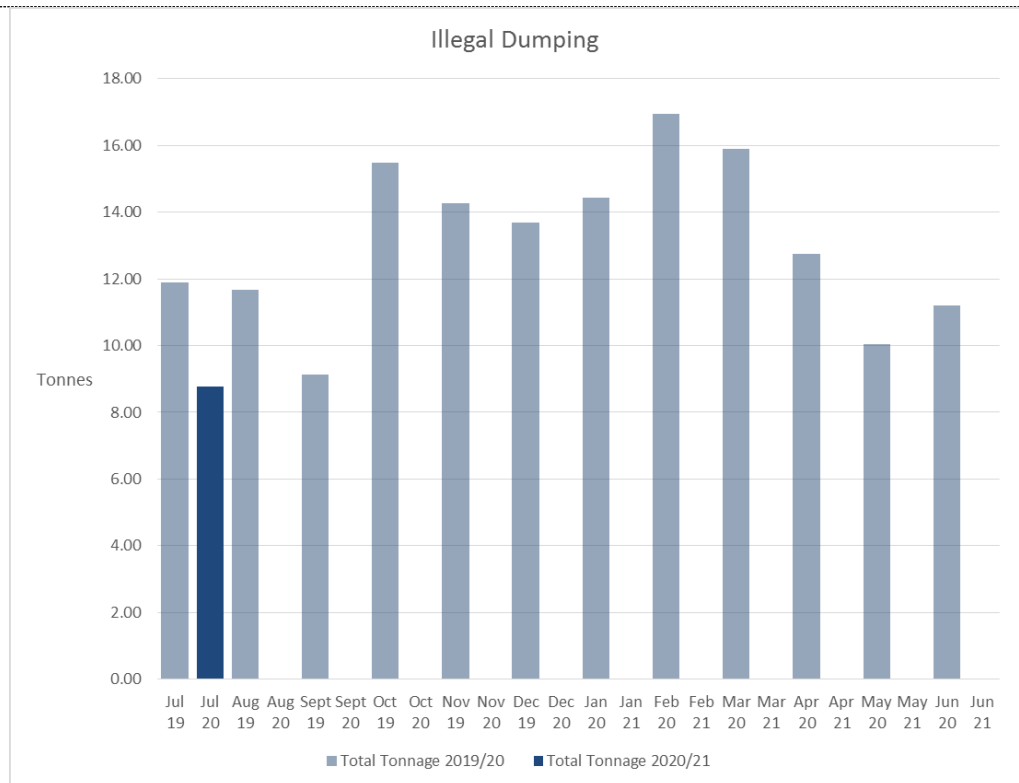


## Arboriculture

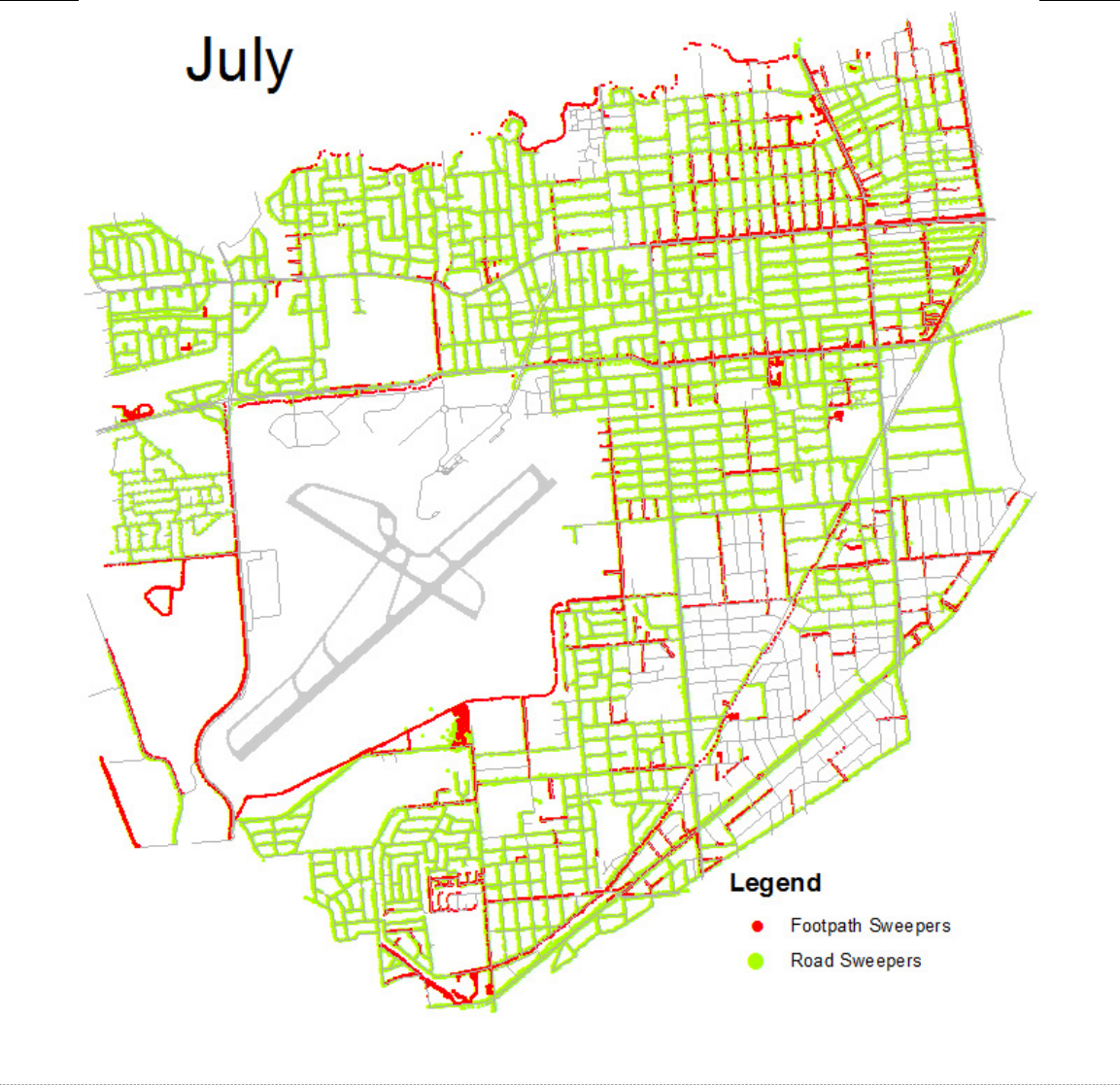


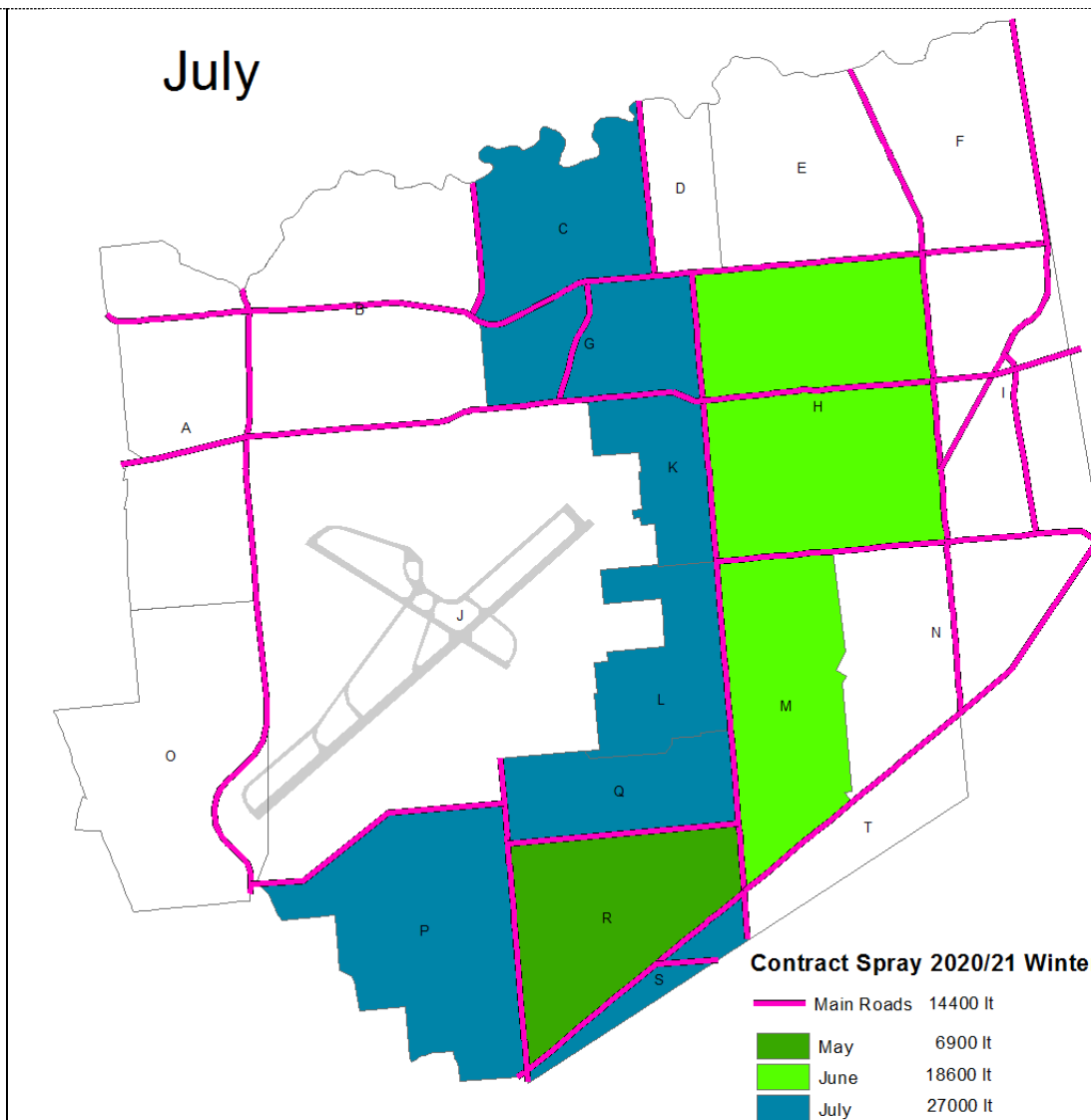
## Street Sweeper



**Illegal Rubbish  
Collection**

Road and  
Footpath  
Sweeping



Contract  
Weed  
Spraying**Development Assessment****Development Applications**

## COVID-19 State Emergency

The Development Desk service continues to remain fully operational on a 'drop in' basis.

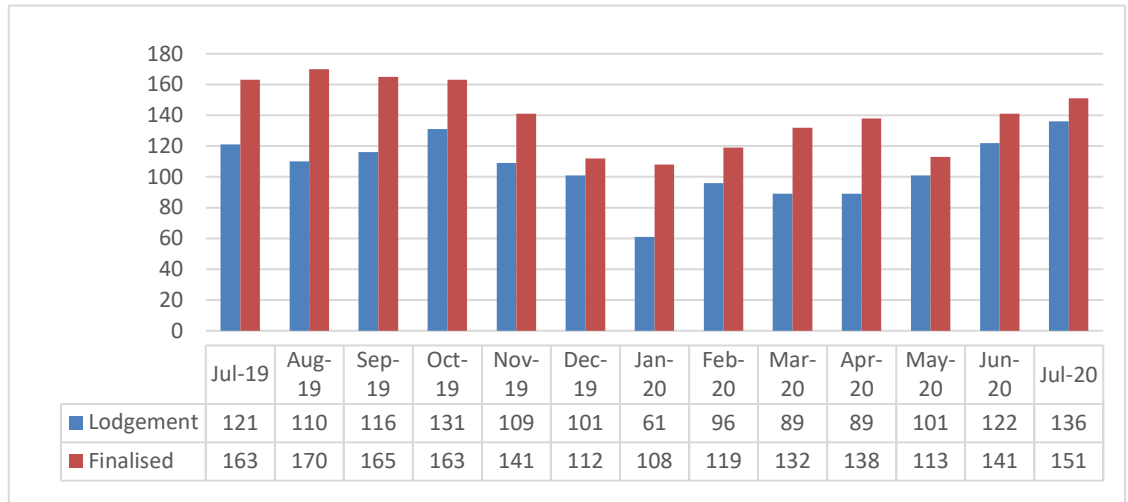
The August Council Assessment Panel was held via electronic platform and CAP Members, staff, representors, applicants and public gallery attending via Zoom.

COVID-19 emergency legislation giving the Minister for Planning powers to call in development applications that have been delayed to be assessed by SCAP has not been used for any applications in the City of West Torrens with assessment of application continuing as scheduled.

It is understood that the timeframe for implementation of the Planning Reforms under the *Planning, Development and Infrastructure Act 2016* for Phase 3 Metropolitan Adelaide councils is currently under review.

## Lodgements and Decisions

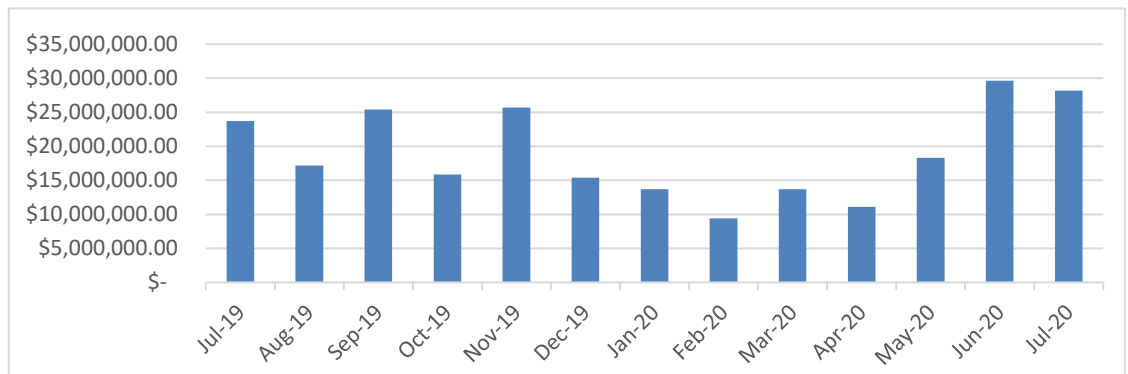
One-hundred and thirty-six (136) applications were lodged and one hundred and fifty-one (151) applications were finalised in July 2020.



*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 including 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  
(Lodged Development Applications)

Development applications with a total estimated construction cost of \$28,166,864.00 were lodged in July 2020.





		2019			2020						
		June	Qtr. 2	Sep	Qtr. 3	Dec	Qtr. 4	Mar	Qtr. 1	June	Qtr. 2
Assessment Timeframes (Staff Decisions)	<b>BUILDING CODE ONLY</b>										
	Total applications	73		53		59		27		41	
	Median timeframe	2 days		2 days		2 days		1 day		2 day	
	<b>COMPLYING</b>										
	Total applications	47		56		49		38		35	
	Median timeframe	6 days		2 days		2 days		3 days		3 days	
	<b>CAT 1 MERIT</b>										
	Total applications	211		206		192		169		179	
	Median timeframe	15 days		12 days		12 days		12 days		7 days	
	<b>CAT 2 MERIT</b>										
	Total applications	8		15		12		10		9	
	Median timeframe	37.5 days		46 days		34 days		58 days		87 days	
	<b>CAT 3 MERIT</b>										
	Total applications	4		6		4		3		4	
	Median timeframe	42 days		57 days		65.5 days		76 days		62 days	
	<b>CAT 1 NON-COMPLYING</b>										
Total applications	3		5		1		2		3		
Median timeframe	87 days		95 days		58 days		82 days		76 days		
<b>CAT 3 NON-COMPLYING</b>											
Total applications	2		0		1		3		0		
Median timeframe	112 days		-		211 days		176 days		-		
Assessment Timeframes (CAP Decisions)											
	<b>CAT 1 MERIT</b>										
	Total applications	3		0		2		2		4	
	Median timeframe	67 days		-		29 days		68 days		18 days	
	<b>CAT 2 MERIT</b>										
	Total applications	4		2		0		3		2	
	Median timeframe	83 days		42 days		-		19 days		85 days	
	<b>CAT 3 MERIT</b>										
	Total applications	0		0		1		0		3	
	Median timeframe	-		-		126 days		-		55 days	
	<b>CAT 1 NON-COMPLYING</b>										
	Total applications	3		1		1		0		0	
	Median timeframe	93 days		18 days		58 days		-		-	
	<b>CAT 3 NON-COMPLYING</b>										
	Total applications	2		0		2		0		0	
Median timeframe	159.5 days		-		105.5 days		-		-		
<p><i>Note: This data does not include withdrawn applications, refused applications, 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.</i></p> <p><i>Maximum statutory time frames (excluding additional time for further information requests, statutory agency referrals and SCAP concurrence) are summarised as:</i></p> <ul style="list-style-type: none"> <li><i>Building Rules Consent only: 4 weeks</i></li> <li><i>Complying Development: 2 weeks for Development Plan Consent only; additional 4 weeks for Building Rules Consent</i></li> <li><i>Category 1-3 Development: 8 weeks for Development Plan Consent only; additional 4 weeks for Building Rules Consent.</i></li> </ul>											

## Assessment Appeals

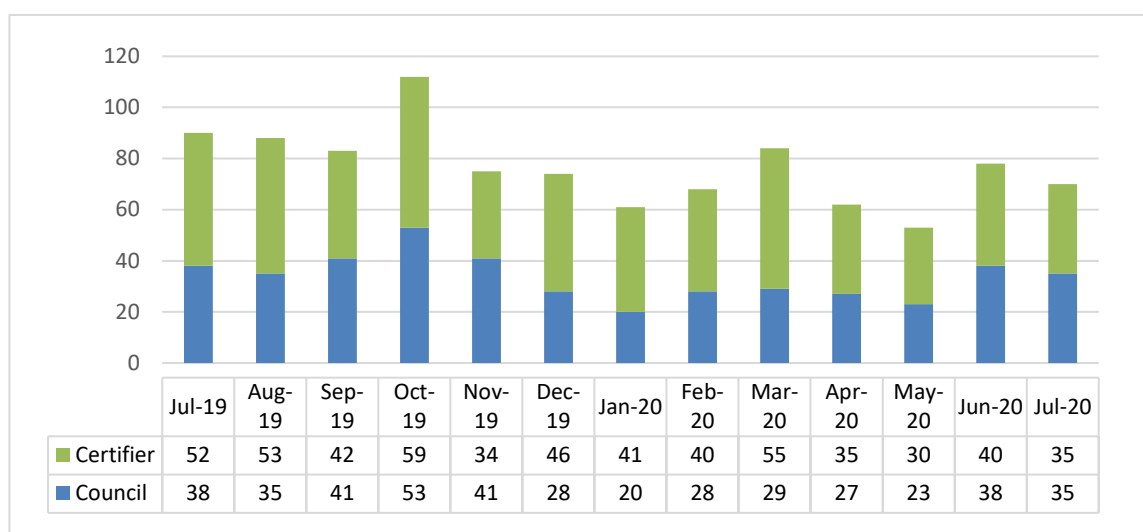
There are no new, ongoing or finalised appeals against Council's development assessment decisions as at 13 August 2020.

There is a new appeal against SCAP's decision to refuse an application for a six-storey residential flat building (32 dwellings) & associated car parking at 1 Glenburnie Terrace, Plympton.

**Building Rules Assessment**

## Building Rules Consent issued By Relevant Authority

Council issued thirty-five (35) building rules consents and private certifiers issued thirty-five (35) building rules consents in July 2020.



*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**

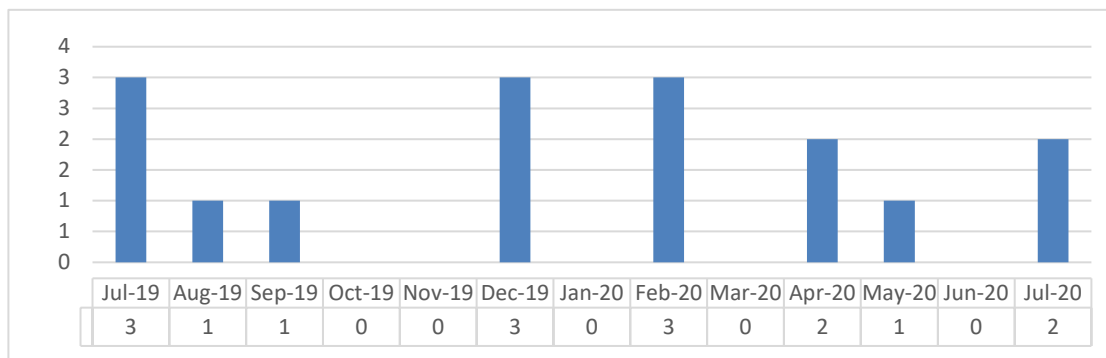
## Pre-lodgement advice

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.

## Category 3 Public notification

Two Category 3 applications were notified in July 2020.

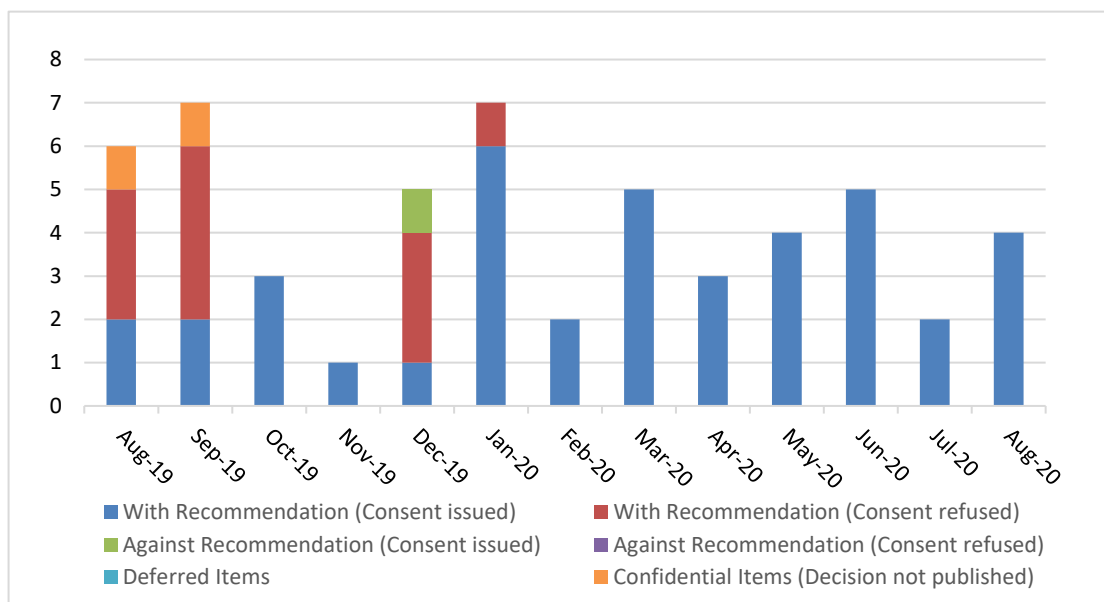


### Council Assessment Panel

#### Council Assessment Panel Decisions

The Council Assessment Panel (CAP) held a meeting on 11 August 2020 at the Civic Centre and was livestreamed via an online platform.

The next CAP meeting will be held on 8 September 2020.



### 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:

- City Development staff are contributing to internal Planning Reform working parties on planning policy, accredited professionals, communications and the ePlanning Portal.

**Development compliance**

## Compliance Requests

Twenty (20) new development compliance requests were received in July 2020. Eleven (11) development compliance requests were resolved within the month and one (1) requests were resolved from a previous month in July 2020. At the end of July there were forty-nine (49) ongoing development compliance requests.

Month/ Year	No of Requests Received	Requests resolved within the month	Requests resolved from previous months	Total Ongoing Actions
<b>Jul 2019</b>	16	13	11	47
<b>Aug 2019</b>	24	21	7	41
<b>Sep 2019</b>	20	17	4	43
<b>Oct 2019</b>	16	11	5	37
<b>Nov 2019</b>	22	16	2	36
<b>Dec 2019</b>	13	8	4	46
<b>Jan 2020</b>	21	16	8	38
<b>Feb 2020</b>	18	16	5	35
<b>Mar 2020</b>	16	9	7	35
<b>April 2020</b>	22	17	5	35
<b>May 2020</b>	33	20	1	48
<b>June 2020</b>	26	19	12	41
<b>July 2020</b>	20	11	1	49

*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

No Section 84 enforcement notice were issued in July 2020.

There was no new, ongoing or finalised court matters as at 13 August 2020.

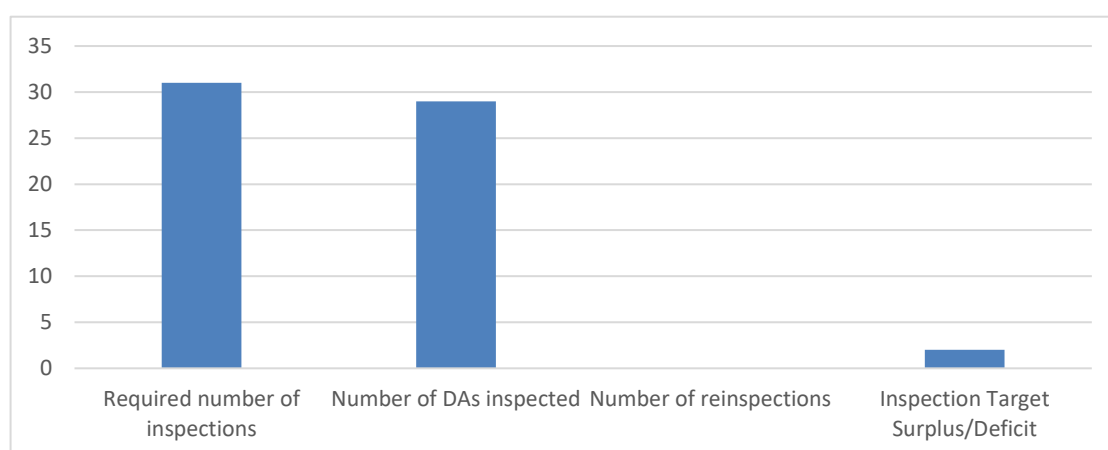
Month/Year	Section 84 Issued	Section 69 Issued	New Actions with ERD Court	Resolved Actions with ERD Court	Total ongoing Actions with ERD Court
May 2019	1	-	-	-	1
Jun 2019	1	1	-	-	1
Jul 2019	3	-	1	-	2
Aug 2019	-	-	-	-	2
Sep 2019	-	-	-	-	2
Oct 2019	-	-	-	1	1
Nov 2019	-	-	-	1	1
Dec 2019	1	-	-	-	1
Jan 2020	1	2	-	-	1
Feb 2020	-	-	-	1	-
Mar 2020	-	-	-	-	-
April 2020	-	-	-	-	-
May 2020	-	-	-	-	-
June 2020	-	1	-	-	-
July 2020	-	-	-	-	-

*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.*

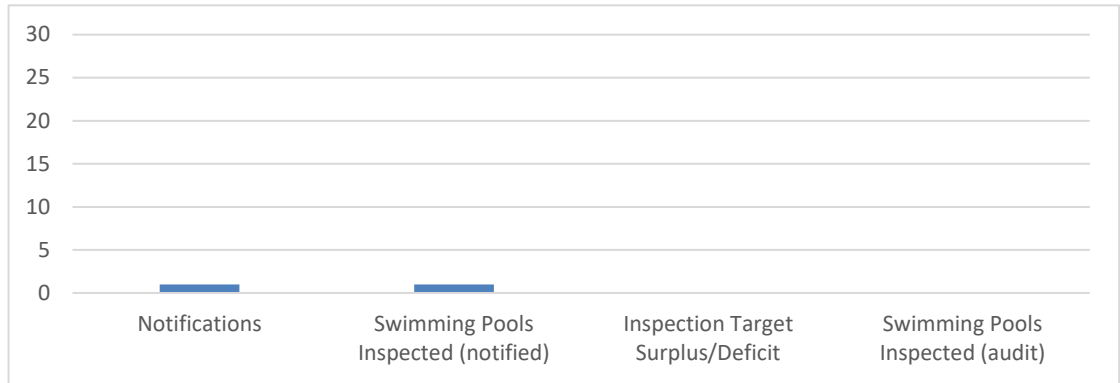
### Building compliance inspections

## Building Inspections (July 2020 - July 2020)

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





Swimming Pool Inspections  
(July 2020 - July 2020)

*Note: The Development Act and Council's Building and Swimming Pool Inspection Policy requires that a minimum number of approved buildings and notified swimming pools are inspected for compliance with their associated Development Approval documentation. 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. The inspection target is based on the first inspection of a building or swimming pool and re-inspections are not included in the target.*

### City of West Torrens Building Fire Safety Committee

## Meetings

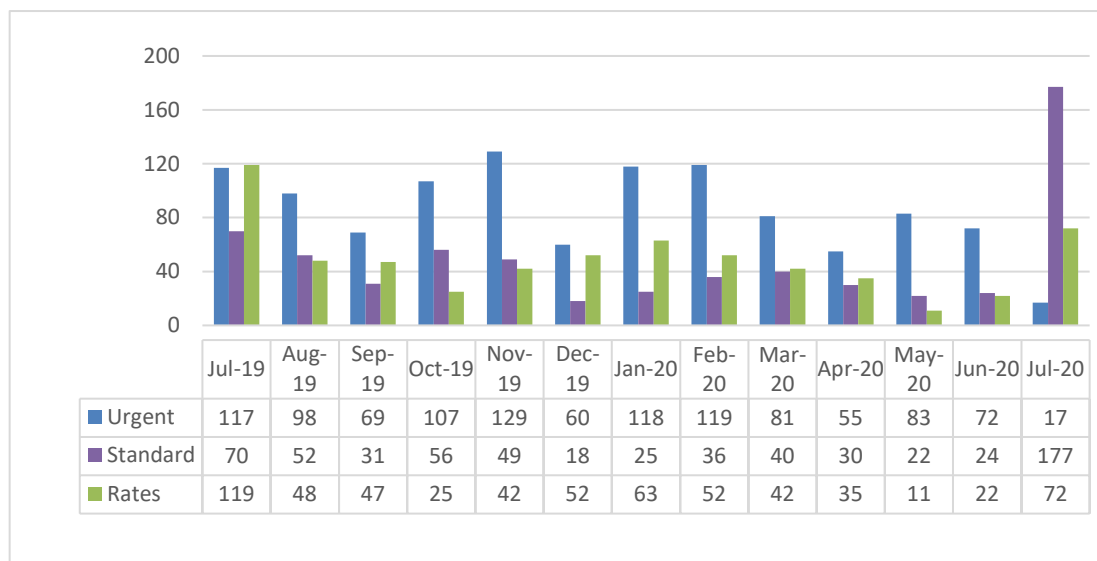
A meeting of the Building Fire Safety Committee was held on 2 June 2020.

The next Building Fire Safety Committee meeting will be held on 8 September 2020.

## Property and land information requests

### Property Searches

Seventeen (17) urgent search requests, one hundred and seventy-seven (177) standard search requests and seventy-two (72) rates search requests were received in July 2020.



*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).*

## Planning Reform Implementation

### Planning, Development and Infrastructure Act 2016 (PDI) Implementation

- Phase 3 has been delayed until 2021, with a definite date yet to be advised.
- City Development continue to actively work to ensure the City of West Torrens is prepared for the imminent implementation of the reform with internal process review currently underway.
- DPTI have been commencing conversation on policy refinements that may be implemented into the final Planning and Design Code, which include revised zoning in terms of the creation of new zones (Established Neighbourhood Zone), Follow up currently, includes reviewing the proposed changes as it relates spatially to West Torrens, with policy content yet to be seen.
- The following resources have been made available for community by State Government:
  - To preview the new Planning and Design Code go to [www.code.plan.sa.gov.au](http://www.code.plan.sa.gov.au)
  - To find out more visit [www.saplanningportal.sa.gov.au](http://www.saplanningportal.sa.gov.au)
  - Email DPTI.PlanSA@sa.gov.au
  - Call the PlanSA Service Desk on 1800 752 664, available for IT (ePlanning) and policy related questions.

## Climate Impact Considerations

*(Assessment of likely positive or negative implications of this decision will assist Council and the West Torrens Community to build resilience and adapt to the challenges created by a changing climate.)*

There is no direct climate impact consideration in relation to this report.

## Attachments

Nil

## 11.4 Community Services Activities Report - August 2020

### Brief

This report details the activities of the Community Services Department for August 2020.

### RECOMMENDATION

The Committee recommends to Council that the Community Services Activities Report - August 2020 be received.

### Introduction

The Community Services department (Department) provides a report to each City Services and Climate Adaptation 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 months of August 2020 are as follows:

#### Community Centres

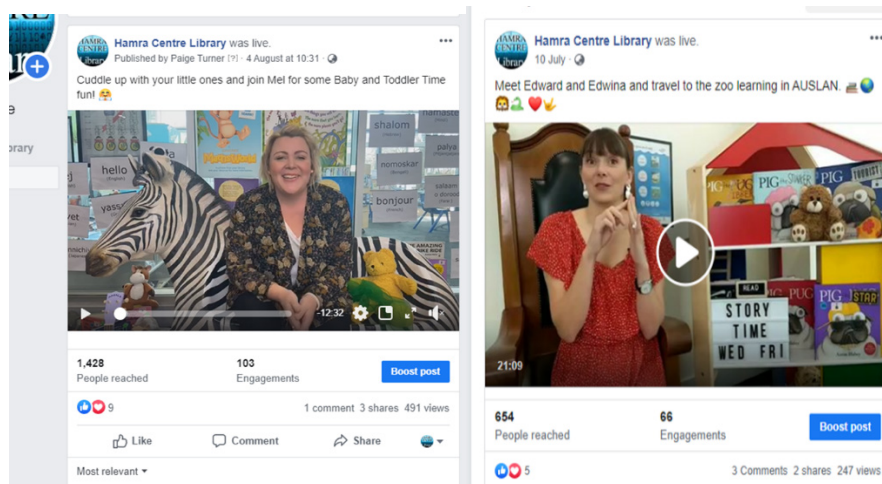
The Community Centres have remained open to the public with restrictions. Thebarton and Plympton Community Centres have been busy with regular hirers and some Council programs coming back on line over August. There has been a lot of interest from the public about booking Apex Park Community Facility and it is predicted that this facility will be very popular, especially on weekends. Places in Lockleys Sports Facility and Weigall Sports facility will be bookable by the public over the next few weeks.

AUGUST 2020			
Facility	# Groups	Hours used	Notes
Apex Park Community Facility	10	141	Activities heavily restricted as a result of COVID-19
Cowandilla Community Room	0	-	Closed for staff use only - COVID-19
Lockleys Community Room	0	-	Now closed (28/07/2020) for Mellor Park major works
Lockleys Sports Facility	0	-	N/A - Public bookings live ETA 01/09/2020
Plympton Community Centre	33	396	Activities heavily restricted as a result of COVID-19
Thebarton Community Centre	92	810	Activities heavily restricted as a result of COVID-19
Weigall Oval Sporting Facility	0	-	N/A - Public bookings live ETA 15/10/2020

#### Children and Youth

The Baby Time, Toddler Time and Story Time programs continued to run online, live via the Hamra Facebook page on Tuesday, Wednesday, Thursday and Friday mornings. During August a host of favourite songs, along with themed sessions on colours, rain and the ocean were included to coincide with Science Week. Each session aims to encourage families to sing, read and talk with their children in order to develop their language skills. The Library Officers continue to use Auslan during the sessions which has added another element of inclusivity.

Facebook analytics indicate that the sessions are reaching a wide audience and viewers are engaging well. Families visiting the library in person have anecdotally reported that they appreciate being able to stay connected to our programs by watching at home. Families also now have access to several Story Time kits that they can borrow and take home. The Library Officers compiled the kits with advice from Raising Literacy Australia and SPELD SA, they include books and activities to create a multi-faceted learning approach.



### Library Services

During the library closure the staff undertook a big review of library stock and materials. As a result of this review old and/or unpopular library materials were removed from the collection, collections were moved to different areas and new collections were created. Greenery and plants were also added to the library to make spaces more welcoming. New collections include:

- Award Winning Collection: this collection highlights international and national award winning books.
- Barbara Hanrahan Special Collection: this collection includes books and prints by Barbara Hanrahan, one set of books is for display and one is for borrowing.
- Large Print and Audio Book Collections: these collections were expanded and made more visible.
- Staff Picks Collection: This is a collection on displaying one staff member's recommended books each month.



Over the year the Kanopy movie streaming service has been available for free to library members, this has been a popular service, the usage statistics for the year are:

- Over 13,969 visits, 2,574 plays and 70,646 minutes viewed
- 4,168 films were accessed, the most popular movie was Paper Planes

### Arts and Culture

The SALA on Stobie Poles project was an initiative of, and organised by Jo Harris, the owner of Mrs Harris' Shop which is an Art Gallery on Jervois Street Torrensville. Council was requested to provide support with technical and coordination services. A total of 37 Artists produced works at home in their studios and their works were installed on Jervois street SA Power Networks poles. Hardies and Bunnings donated equipment to Ms Harris. Many of the artists worked with local residents to determine the themes of the works. This has resulted in an open air street gallery that can be enjoyed by motorists and pedestrians and local residents. The art was launched on Saturday 1 August 2020 by, at the request of Ms Harris, Mayor Coxon and Peter Goers, and 91 people attended. City of West Torrens staff ensured that COVID-19 protocols were in place including density requirements, distancing signage and contact details.

### Community Activities

The department has been working hard on undertaking risk assessments and putting appropriate controls in place to restart community activities. This month the programs that started again included: Dungeon & Dragons group, Australian Refugee Association Homework Club, English Classes, Community Gardens and the CHSP Monday social group. The CHSP Monday social group started meeting again at Plympton. Many changes had to be made to ensure that COVID-19 protocols were met. A total of 34 people attended, they were all very compliant with the changes and had a great time catching up again. One resident was very grateful as he had not been out of his home or seen anyone since 15 February 2020.



### **Climate Impact Considerations**

*(Assessment of likely positive or negative implications of this decision will assist Council and the West Torrens Community to build resilience and adapt to the challenges created by a changing climate.)*

All Community Services programs have, when relevant, implemented climate adaptation strategies.

### **Conclusion**

Details on the activities of Community Services are provided for the information of Council.

### **Attachments**

Nil

## **12 MEETING CLOSE**