



Council Agenda

NOTICE OF MEETING

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

**Council Chamber – Glenelg Town Hall
Moseley Square, Glenelg**

Tuesday 13 February 2018 at 7.00pm

Justin Lynch
CHIEF EXECUTIVE OFFICER

Please note: This agenda contains Officers' reports and recommendations that will be considered by the Council. Any confidential items listed on the agenda will be circulated to Members separately.



Ordinary Council Meeting Agenda

1. OPENING

The Deputy Mayor will declare the meeting open at 7:00pm.

2. KAURNA ACKNOWLEDGEMENT

We acknowledge Kaurna people as the traditional owners and custodians of this land.

We respect their spiritual relationship with country that has developed over thousands of years, and the cultural heritage and beliefs that remain important to Kaurna People today.

3. PRAYER

Heavenly Father, we pray for your presence and guidance at our Council Meeting. Grant us your wisdom and protect our integrity as we carry out the powers and responsibilities entrusted to us on behalf of the community that we serve.

4. APOLOGIES

4.1 Apologies Received

4.2 Absent

5. ITEMS PRESENTED TO COUNCIL

6. DECLARATION OF INTEREST

If a Council Member has an interest (within the terms of the Local Government Act 1999) in a matter before the Council they are asked to disclose the interest to the Council and provide full and accurate details of the relevant interest. Members are reminded to declare their interest before each item.

7. CONFIRMATION OF MINUTES

Motion

That the minutes of the Ordinary Meeting of Council held on 23 January 2018 and the Special Meeting of Council held on 30 January 2018 be taken as read and confirmed.

Moved Councillor _____, Seconded Councillor _____

Carried

8. PUBLIC PRESENTATIONS

8.1 **Petitions** - Nil

8.2 **Presentations** - Nil

8.3 **Deputations** - Nil

9. QUESTIONS BY MEMBERS**9.1 Without Notice****9.2 On Notice**

- 9.2.1 Question on Notice – Discussions on leasing of any part of the Glenelg Town Hall and the Jetty Project (Report No: 38/18)

10. MEMBER'S ACTIVITY REPORTS

- 10.1 Mayor's Activity Report – November 2017 – January 2018 (Report No: 20/18)

11. MOTIONS ON NOTICE - Nil**12. ADJOURNED MATTERS - Nil****13. REPORTS OF MANAGEMENT COMMITTEES, SUBSIDIARIES AND THE DEVELOPMENT ASSESSMENT PANEL**

- 13.1 Minutes – Audit Committee – 31 January 2018 (Report No: 35/18)

14. REPORTS BY OFFICERS

- 14.1 Items in Brief (Report No: 34/18)
14.2 Jetty Road Glenelg Masterplan (Report No: 33/18)
14.3 ofo Bikes – Station Free Bicycle Sharing Platform (Report No: 14/18)
14.4 Illuminated Art Glenelg and Brighton Jetties (Report No: 36/18)
14.5 Transfer of One Card Agreement to the Libraries Board of South Australia from Local Government Corporate Services – Deed of Novation (Report No: 37/18)
14.6 Glenelg Oval – Proposed Telecommunications Tower Site (Report No: 25/18)
14.7 Liquor Licensing (Liquor Review) Amendment Bill 2017, and Council's New Liquor Licensing Policy (2018) (Report No: 26/18)

15. RESOLUTIONS SUBJECT TO FORMAL MOTIONS**16. URGENT BUSINESS – Subject to the Leave of the Meeting****17. CONFIDENTIAL**

- 17.1 Correspondence Regarding Business Proposal (Report No: 39/18)

Pursuant to Section 83(5) of the Local Government Act 1999 the Report attached to this agenda and the accompanying documentation is delivered to the Council Members upon the basis that the Council consider the Report and the documents in confidence under Part 3 of the Act, specifically on the basis that Council will receive, discuss or consider:

- d. commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and would, on balance, be contrary to the public interest.

CLOSURE

A handwritten signature in blue ink, appearing to read 'J Lynch', is positioned below the 'CLOSURE' heading.

**JUSTIN LYNCH
CHIEF EXECUTIVE OFFICER**

Item No: **9.2.1**

Subject: **QUESTION ON NOTICE – DISCUSSIONS ON LEASING OF ANY PART OF THE GLENELG TOWN HALL AND THE JETTY PROJECT**

Date: 13 February 2017

QUESTION

Councillor Bouchee asked the following question:

- “1. Could the CEO/Deputy-Mayor please advise if there have been any formal/informal discussions or approaches re: leasing of any part of Glenelg Town Hall?”***
- 2. Could the CEO/Deputy-Mayor please advise if there has been any further discussion/approaches/negotiations re: the Jetty Project?”***

ANSWER – Chief Executive Officer and Deputy Mayor

1. No.
2. The Deputy Mayor will be providing a briefing to Simon Jones on 9 February 2017.

Item No: **10.1**

Subject: **MAYOR'S ACTIVITY REPORT FOR NOVEMBER 2017 – JANUARY 2018**

Date: 13 February 2018

Written By: Executive Assistant to the CEO and Mayor

General Manager: Chief Executive Officer

SUMMARY

Presented for the information of Members is the Activity Report for the Mayor for November 2017 – January 2018.

RECOMMENDATION

That the Mayor's Activity Report for November 2017 – January 2018 be received and noted.

REPORT

Date	Subject	Location
1/11/2017	Jetty Road Mainstreet Management Committee Meetings	Glenelg Library Meeting Room, Colley Terrace Glenelg
2/11/2017	Brighton Secondary School Year 12 Valedictory & Presentation	Adelaide Convention Centre
4/11/2017	Leukaemia Foundation Aussie Muscle Car Run Presentation Night	Horizons - Stamford Grand Glenelg
7/11/2017	Mayor & CEO Catch Up	CEO's office
7/11/2017	Community Centres Networking Meeting	
8/11/2017	MLGG meeting	Boardrooms, Local Government House 148 Frome Street, Adelaide
9/11/2017	Brighton Caravan Park Tour	Brighton Caravan Park, 4 Burnham Road Kingston Park
9/11/2017	Spendmapp data demonstration (please open invite for further details and links)	City of Holdfast Bay, Council Chambers, Glenelg Town Hall, 1 Moseley Square - 464 Marion Road Plympton Park
11/11/2017	Plympton Glenelg RSL	
14/11/2017	Mayor & CEO Catch Up	CEO's office
14/11/2017	Council Meeting	Council Chamber
14/11/2017	Pre Council Meeting Workshop - Future Strategic Public Space Projects	Council Chamber
16/11/2017	Deputy Mayor Susan Lonie attending on behalf of Mayor Patterson the LGA AGM	Adelaide Oval - William Magarey Room, War Memorial Drive, Adelaide
16/11/2017	Coast FM	Phone Interview
16/11/2017	Opening Night - St Judes - Importance of Being Earnest	St Judes Hall Brighton Road Brighton
21/11/2017	Mayor & CEO Catch Up	CEO's office
26/11/2017	Pageant and Judging	Jetty Road, Glenelg
28/11/2017	Meet with Anne Sullivan	on-site: 29 Esplanade Somerton Park
28/11/2017	Mayor & CEO Catch Up	CEO's office

28/11/2017	Council Meeting	Council Chamber
28/11/2017	Pre Council Meeting Workshop - Brighton Oval Masterplan Business Case	Council Chamber
30/11/2017	Coast FM	Phone Interview
1/12/2017	Western Adelaide Consultative Group (WACG)	Adelaide Airport Management Centre - Coorong Room, 1 James Schofield Drive, Adelaide Airport SA
4/12/2017	Volunteer Christmas function 2017	GU Film House Glenelg
5/12/2017	Small Business Friendly Council Initiative Charter' (SBFCIC)with the Office of the Small Business Commission - Photo Shoot with Mayor and CEO with Commissioner, John Chapman	CEO's office or outside near entrance of Civic Centre
5/12/2017	Mayor & CEO Catch Up	CEO's office
6/12/2017	Jetty Road Mainstreet Management Committee Meetings	Glenelg Library Meeting Room, Colley Terrace Glenelg
7/12/2017	Glenelg Football Club - Annual Accounts update	Mayor's Office - Civic Centre
10/12/2017	St Peter's Church - Great West Window Appeal Special Service	Torrens Square Glenelg
11/12/2017	Immanuel Primary School - Completion of Primary Schooling Ceremony	Immanuel Auditorium
12/12/2017	Townsend Park - Christmas Devonshire morning tea	The Community Cafe area
12/12/2017	Mayor, Deputy Mayor & CEO Catch Up	CEO's office
12/12/2017	Council Meeting	Council Chamber
12/12/2017	Pre Council Meeting Workshop - Jetty Road Masterplan	Council Chamber
13/12/2017	St Peters Woodlands Year 7 Valedictory Service	Baddams Hall - (arrive at Lower Boardroom, Law Smith Building)
14/12/2017	Brighton Oval Masterplan meeting	Brighton footy club
14/12/2017	St Leonards Year 7 Graduation	Flambouran Hall, Fulton Street Glenelg North
15/12/2017	Staff Xmas Lunch	Glenelg Pier Hotel Beach Function Room
17/12/2017	Adelaide Strikers Fan Day	Gliderol Stadium (Glenelg Oval)
17/12/2017	GM Holden invitation - SLSSA Glenelg Beach	Glenelg Beach
19/12/2017	Meeting with Minister Bignell's Chief of Staff	Minister Bignell's Office, Level 10, 1 King William Street
19/12/2017	Mayor & CEO Catch Up	CEO's office
21/12/2017	Glenelg District Cricket Club, Winner of Club of the Year 2017 - Photo Op	Glenelg Oval
28/12/2017	Proclamation Day Commemoration	Old Gum Tree Reserve
7/01/2018	Blessing of the Waters - Greek Orthodox Archdiocese of Australia	Glenelg Beach Jetty/Grassed area front of Stamford Grand

Item No: **13.1**

Subject: **MINUTES - AUDIT COMMITTEE – 31 JANUARY 2018**

Date: 13 February 2018

Written By: General Manager Business Services

General Manager: Business Services, Mr R Bria

SUMMARY

The minutes of the meeting of the Audit Committee held on 31 January 2018 are presented to Council for information and endorsement.

RECOMMENDATION

1. **That Council receives and notes the minutes of the meeting of the Audit Committee of 31 January 2018, namely:**
 - 1.1 **That the Audit Committee advises Council it has received and considered a Standing Items Report addressing:**
 - **Monthly financial statements**
 - **Internal control**
 - **Risk management**
 - **Whistleblowing**
 - **Internal audit**
 - **Economy and efficiency audits**
 - **Audit Committee Meeting Schedule for 2018**
 - 1.2 **That the Audit Committee advises Council that:**
 - **it notes the Internal Audit regarding the Municipal Payroll Process.**
 - **it endorses the Risk Management Framework, Policy and Procedure.**
-

COMMUNITY PLAN

A Place that Provides Value for Money

COUNCIL POLICY

Not applicable

STATUTORY PROVISIONS

Local Government Act 1999, Sections 41 and 126

BACKGROUND

The Audit Committee is established under Section 41 of the *Local Government Act 1999*, and Section 126 of the *Local Government Act 1999* defines the functions of the Audit Committee to include:

- reviewing annual financial statements to ensure that they present fairly the state of affairs of the council; and
- proposing, and providing information relevant to, a review of the council's strategic management plans or annual business plan; and
- proposing, and reviewing, the exercise of powers under section 130 A; and
- if the council has exempted a subsidiary from the requirement to have an audit committee, the functions that would, apart from the exemption, have been performed by the subsidiary's audit committee; and
- liaising with the council's auditor; and
- reviewing the adequacy of the accounting, internal control, reporting and other financial management systems and practices of the council on a regular basis.

Minutes of the meeting of the Audit Committee of the City of Holdfast Bay held in the Kingston Room, Civic Centre, 24 Jetty Road, Brighton on Wednesday 31 January 2018 at 6:30pm.

PRESENT

Members

Presiding Member – Councillor J Smedley
Councillor S Charlick
Mr J Wood
Mr S Spadavecchia
Mr S Tu

Staff

General Manager Business Services – Mr R Bria
Manager Finance – Mr J Newton
Chief Financial Officer Alwyndor Aged Care – Ms Nadia Andjelkovic
Manager Assets & Facilities – Mr R Mouveri

Guests

Mr David Papa and Ms Dongju Han – Internal Auditor, Bentleys

1. OPENING

The Chairman declared the meeting open at 6:31pm.

2. APOLOGIES

- 2.1 Apologies Received - Nil
- 2.2 Absent - Nil

3. DECLARATION OF INTEREST

Members were reminded to declare their interest before each item.

4. CONFIRMATION OF MINUTES

Motion

That the minutes of the Audit Committee held on 25 October 2018 be taken as read and confirmed.

Moved by Mr Wood, Seconded by Mr Spadavecchia

Carried

5. ACTION ITEMS

The Action Items were tabled and discussed.

6. REPORTS BY OFFICERS

6.1 Standing Items – January 2018 (Report No: 12/18)

The Audit Committee is provided with a report on standing items at each ordinary meeting.

Motion

That the Audit Committee advises Council it has received and considered a Standing Items Report addressing:

- Monthly financial statements
- Internal control
- Risk management
- Whistleblowing
- Internal audit
- Economy and efficiency audits
- Audit Committee Meeting Schedule for 2018

Moved Councillor Charlick, Seconded Mr Spadavecchia

Carried

6.2 Internal Audit – Municipal Payroll Process (Report No: 21/18)

Council's Internal Auditor, Bentleys, have provided their Internal Audit Report on the Municipal Payroll Process and is presented for discussion and noting. The internal audit report of the Alwyndor payroll process is yet to be finalised and will be reported to the next Audit Committee meeting.

Motion

That the Audit Committee notes the Internal Audit regarding the Municipal Payroll Process.

Moved Mr Spadavecchia, Seconded Mr Tu

Carried

6.3 Risk Management Framework (Report No: 22/18)

The Risk Management Framework, Policy and Procedure were presented to the Audit Committee for comment at its last meeting. The documents have now been reviewed to incorporate the comments received. These documents provide a comprehensive suite of documents that detail Council's approach to Risk Management activities. The documents outline the key requirements, purpose, scope and responsibilities in relation to Risk Management. The documents are presented to the Audit Committee for endorsement.

Motion

That the Audit Committee endorse the Risk Management Framework, Policy and Procedure.

Moved Mr Tu, Seconded Mr Spadavecchia

Carried

7. URGENT BUSINESS – SUBJECT TO THE LEAVE OF THE MEETING -**7.1 Alwyndor Aged Care**

- (a) Mr Spadavecchia asked a question in regards to the restructuring of Alwyndor Aged Care currently being undertaken and the finance system implementation.

Mr Bria and Ms Andjelkovic provided a response with Mr Bria to follow up on project assurance on the finance system implementation.

- (b) The Audit Committee wished to recognise and thank Ms Pam Warburton – Manager Finance & Administration at Alwyndor Aged Care for her contribution to the Audit Committee.

8. DATE AND TIME OF NEXT MEETING

The next meeting of the Audit Committee will be held on Wednesday 21 March 2018 in the Mawson Room, Civic Centre, 24 Jetty Road, Brighton.

9. CLOSURE

The Meeting closed at 8:54 pm.

CONFIRMED 21 March 2018

CHAIRMAN

Item No: **14.1**
Subject: **ITEMS IN BRIEF**
Date: 13 February 2018
Written By: Personal Assistant
General Manager: Business Services, Mr R Bria

SUMMARY

These items are presented for the information of Members.

After noting the report any items of interest can be discussed and, if required, further motions proposed.

RECOMMENDATION

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

1. **Adelaide and Mount Lofty Ranges – Hooded Plovers**
 2. **Ombudsman SA – Half Yearly Report**
 3. **Australia Day Awards Recipients**
 4. **Partridge House Usage: 2nd Quarter 2017/2018**
-

COMMUNITY PLAN

Culture: Supporting excellent, efficient operations

COUNCIL POLICY

Not applicable

STATUTORY PROVISIONS

Not applicable

REPORT**1. Adelaide and Mount Lofty Ranges – Hooded Plovers**

Adelaide and Mount Lofty Ranges have written to congratulate Council on its successful response to the threatened Hooded Plovers nesting on Seacliff beach.

A copy of this correspondence is attached for Members' information.

Refer Attachment 1

2. Ombudsman SA – Half Yearly Report

Attached for the information of Members is the half yearly Ombudsman SA Report for the period 1 July – 31 December 2017.

Refer Attachment 2

3. Australia Day Awards Recipients

Every year on Australia Day, Council recognises and celebrates the outstanding achievements and contributions of members in our community, with our Australia Day and Community Recognition Awards.

A Selection Panel comprising of the Mayor, CEO and two (2) Administration staff assessed the nominations received in the Citizen of the Year Awards. After much deliberation the winners of the awards were chosen.

On Friday 26 January 2018, at Council's Australia Day Ceremony held at Glenelg, Deputy Mayor Wilson announced the City of Holdfast Bay Australia Day award winners. Certificates and flowers were presented to each of the worthy winners, of these prestigious awards.

A summary of the winners and the awards they received on Australia Day, are listed below:

- **Citizen of the Year** – Robert Harding
- **Young Citizen of the Year** – Darcy Rees
- **Community Event of the Year** – Brighton Jetty Classic Event – 10th Anniversary
- **Community Recognition Award** – Sue Norman



Photo L-R: (CEO – Justin Lynch, Deputy Mayor – Amanda Wilson, Community Recognition Award – Sue Norman, Community Event of the Year – Brighton Jetty Classic Event represented by Glen Millar & Colleen Slattery, Citizen of the Year – Robert Harding and Young Citizen of the Year – Darcy Rees)

4. Partridge House Usage: 2nd Quarter 2017/2018

In accordance with Council Resolution No: C080915/192 the following summary of events held at Partridge House between 1 July and 31 December 2017, along with comparatives for the previous year, is provided for information.

Event Type	July - Dec 2016			July - Dec 2017		
	No.	Income	Expenditure	No.	Income	Expenditure
Wedding	17	\$19,341	\$3,752	27	\$24,409	\$4,735
Funeral	37	\$18,364	\$3,738	39	\$21,205	\$4,317
Community Function	239	\$13,832	\$0	221	\$17,186	\$0
Private Function	16	\$10,343	\$1,355	26	\$13,181	\$1,727
Conference/Meeting	13	\$1,950	\$0	16	\$3,914	\$0
Total Direct Function Operations	322	\$63,830	\$8,845	329	\$79,895	\$10,779
Indirect Function Costs			\$55,052			\$59,832
Total	322	\$63,830	\$63,897	329	\$79,895	\$70,611

Income is the total amount derived from the event and includes additional services such as equipment hire and catering. Due to some events being booked far in advance of the event date the income may not have been received in this quarter,

but in a previous period. Revenue has increased by \$16,000, or 25%, compared to the same period last year. This is due to an increase in the rate of fees charged and extra events which generate more income being held, such as weddings and birthdays (Private Functions).

Where direct costs are identifiable they have been allocated against the event type. All other costs have been identified as indirect as these are not recorded against any one event. They include staff costs for the general coordination and administration of events as well as utilities, cleaning and maintenance expenditure, but do not include ground maintenance, or depreciation charges. Expenditure has increased by \$6,700, or 10%, compared to the same period last year due to additional salary costs. This increase has occurred as a result of more events being held at weekends, such as weddings, which require additional staff time. Additional staff were also required to cover for leave taken during this period.

Partridge House Projects and Initiatives

Further to the above quarterly financial information, Administration also provides the following update on the current capital projects and initiatives included in the 2017/18 financial year which seek to increase the property's exposure and use.

1. *Signage \$5,000*

Following the approval of the new Partridge House branding, new entry signage has been constructed and is shortly to be installed at the main entry gate of Partridge House. The project is expected to be delivered under budget.

2. *AV System \$10,000*

As Partridge House predominantly caters to weddings, funerals and community events, the AV system initiative was included in the 2017/18 budget to promote the property as a venue capable of catering to corporate functions, conferences and events. The project is on track for completion within 2017/18.

3. *Website \$6,500*

A subsequent operational initiative of a new website has also been undertaken by Administration in order to promote all facets of Partridge House. The easy to navigate website promotes the property, facilities and its capacity to cater to a variety of functions. The new Partridge House website is in the final stage of approval and it is expected that the site will go live in the coming weeks.



Reference: F0000129146

Date: 18 January 2018

Mayor Stephen Patterson
City of Holdfast Bay
PO Box 19
Brighton SA 5048



Natural Resources Centre

205 Greenhill Road
Eastwood SA 5063

Tel 08 8273 9100
Fax 08 8271 9585

dewnr.amlr@sa.gov.au
www.naturalresources.sa.gov.au/
adelaidemtloftyranges

Dear Mayor Patterson,

I am writing on behalf of Professor Chris Daniels and the Adelaide and Mount Lofty Ranges Natural Resources Management Board to congratulate the City of Holdfast Bay on its response to threatened Hooded Plovers nesting on Seacliff beach.

The successful rearing of a chick to fledgling (flying) stage, demonstrates that threatened species can breed and survive in the urban environment with active management. The council's rapid response with exclusion fencing, dog compliance, BirdLife Australia volunteers' monitoring and providing information to the public, together with the media coverage these birds attracted, has had a very positive outcome.

This event demonstrates that the community can change behaviours if they understand the importance of such a change, as well as the power of collaboration between local government, the board and non-government organisations (BirdLife Australia) in achieving a significant outcome. The regional Hooded Plover programme, initiated by the NRM Board and BirdLife Australia with southern Fleurieu councils, has been in operation for a decade, and it is heartening to see the successful outcomes along the Fleurieu and Onkaparinga coast now being achieved at metropolitan beaches such as Seacliff and Hallett Cove in City of Marion.

Again, on behalf of the board and staff at Natural Resources Adelaide and Mt Lofty Ranges I wish to pass on our congratulations to the City of Holdfast Bay and to all those who organised, devoted time, and brought skills into working to get this chick through.

Should you require further information please contact Tony Flaherty on telephone 0477 352 275 or email tony.flaherty@sa.gov.au.

Yours sincerely

Brenton Gear
REGIONAL DIRECTOR



CITY OF HOLDFAST BAY

1 July 2017 - 31 December 2017

Agency	Received Date	Title	Outcome
City of Holdfast Bay	15/08/2017	Unreasonable refusal to renew contract	Out of Jurisdiction\Employment
City of Holdfast Bay	29/09/2017	Unreasonable delay approving development application	Referred Back to Agency
City of Holdfast Bay	11/10/2017	Failure to address issues regarding street numbering	Referred Back to Agency
City of Holdfast Bay	07/11/2017	Unreasonable decision to change house address	Referred Back to Agency
City of Holdfast Bay	22/11/2017	Unreasonable decision to revoke parking condition	Referred Back to Agency
City of Holdfast Bay	27/11/2017	Unreasonable use of council facility	Referred Back to Agency

Item No: **14.2**

Subject: **JETTY ROAD GLENELG MASTERPLAN**

Date: 13 February 2018

Written By: Strategic Planner

General Manager: Business Services, Mr R Bria

SUMMARY

The third and final 'phase' of community engagement on the Jetty Road Draft Masterplan concluded on 13 November 2017. The feedback received from the engagement has informed the Masterplan with amendments and alterations reflecting the diverse views of the broad cross-section of the community represented.

This report summarises the project and present the final Masterplan for endorsement. The final Masterplan presents a balanced proposal considering the views of the community, traders and stakeholders whilst achieving the project deliverables and objectives. An implementation plan included in the appendix divides the Masterplan into nine discrete projects for staged by priority over a 10-year period.

RECOMMENDATION

- 1. That Council endorse the final Jetty Road Glenelg Masterplan, as provided in Attachment 1 to Report No: 33/18.**
 - 2. That Council note the 'Engagement Summary Report' on Phase 3 of community consultation and engagement, as described in Attachment 2 to Report No: 33/18.**
-

COMMUNITY PLAN

Placemaking: Creating vibrant and safe places
Placemaking: Developing walkable connected neighbourhoods
Placemaking: Building character and celebrating history
Community: Building a healthy, active and resilient community
Community: Providing welcoming and accessible facilities
Economy: Supporting and growing local business

COUNCIL POLICY

Community Consultation and Engagement Policy.

STATUTORY PROVISIONS

Not Applicable.

BACKGROUND

Lead consultants Oxigen Pty Ltd commenced in January 2017 to prepare the Masterplan together with a consortium team including AECOM have led the project. Together with Council, an external steering group including representatives from the South Australian Tourism Commission (SATC), Office for Design and Architecture SA (ODASA), DPTI Open Space Team and the Jetty Road Mainstreet Committee (JRMC), and an internal project team, guided them.

There are three Jetty Road Glenelg Masterplan Council Reports previously presented to Council regarding the progress of the project, these were endorsed on:

- 27 June 2017;
- 26 September 2017; and
- 12 December 2017.

Council Workshops affording discussion and presentations on the project were held on five separate occasions on:

- 30 March 2017
- 2 June 2017
- 12 September 2017
- 18 September 2017
- 12 December 2017.

The master planning processes have included an extensive level of community engagement in three phases extending over a total of 20 weeks.

1. The first phase of the engagement aimed to capture ideas and input from our community and targeted stakeholders; with the feedback used to develop draft design concepts.

These initial ideas included changes such as a pedestrian mall, improving walkability, improving the pedestrian and motorist conflict with cyclists and improving traffic movement in the precinct.

2. Phase two engagement sought to engage with a broad cross-section of our community, visitors and traders and government agencies to receive feedback on the draft concepts.

The feedback received was largely in support of activation of Moseley square and the Chapel Street Plaza and concepts. There was support for improving the walkability of the street by widening footpaths.

3. Phase 3 engagement sought to refine the concepts and feedback on the proposed Draft Masterplan.

This included reducing the speed limit to 30kph, inclusion of an approximate number of car parking spaces to be removed in order to achieve the widened footpaths and increased tree plantings. The Draft Masterplan also indicated the possibility of the removal of the Moseley Square Tram Stop and returning the tram around the Jetty Road corner to Colley Terrace.

*Refer Attachment 1 – provided electronically
Refer Attachment 2*

There is currently an application with the Department of Planning, Transport and Infrastructure for joint funding for the Chapel Street Plaza concept. We anticipate the outcome of that funding round in February 2018. While the outcome of the Chapel Street Plaza open space funding application is not known at this time, the Strategy team is developing a new business initiative to develop Stage 1 Detailed Designs as further outlined in this report.

REPORT

Final (Phase 3) Engagement Results

The phase 3 engagement program targeted gaining the views of those most affected by the changes as well as those not well represented in previous engagement phases. This specifically included the Jetty Road traders where additional drop-in sessions at Glenelg were scheduled and businesses were door knocked to seek their views.

Phase 3 yielded a high level of responses from the community, visitors and traders. The project team spoke with over 269 people at the drop-in sessions, meetings, and at the Murray Mudge Aged Care Residence visit. 442 comments were received through the various feedback channels. The Yourview website was also a great success with 1580 website views including 107 surveys completed.

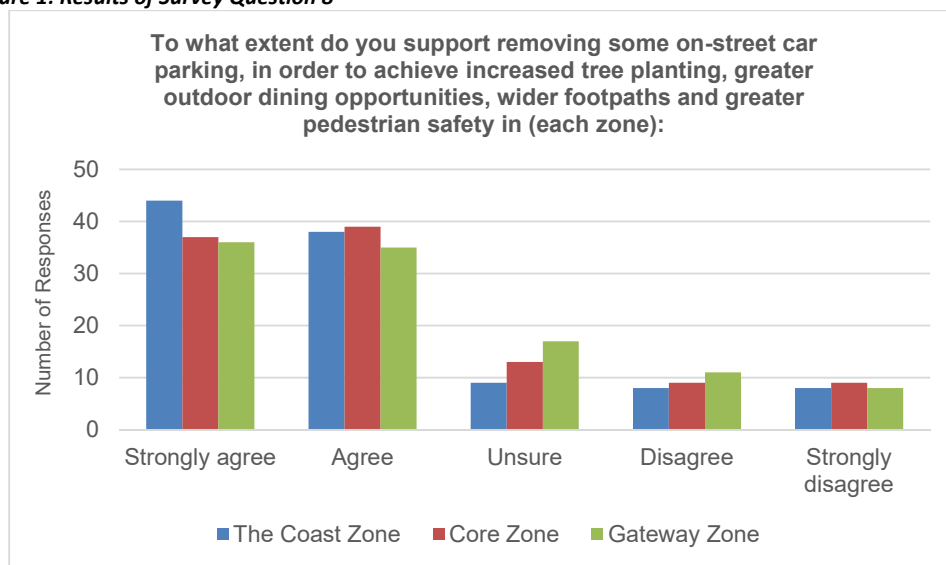
The key themes from the drop-in session and from the written submissions received were car-parking, footpaths, public transport, traffic management and street greening. Many supported the widened and improved quality of footpaths, seeking to reduce the confusion over car parking vacancies, fee structures and locations at Glenelg. With regards to traffic movement many thought that cars should slow down in the area and pedestrians should be given greater priority with additional crossings. Increasing trees and street greening were also frequently mentioned, particularly for side streets such as Durham Street.

The project team door knocked 108 Jetty Road businesses, speaking directly to many business owners and managers. The overall response from this group was positive with 27% agreeing with the masterplan, 72% neutral and only 1% against. Concerning widening the footpaths and removal of some on-street car park space to accommodate this, 23% of the traders interviewed agreed with the proposal, 8% were against and 69% were neutral.

From the 107 survey responses there was a high-level of the local community providing feedback with most residents living in Glenelg. The survey respondents provided the following:

- Good support for the overall objectives of the Masterplan with 69% in agreeing or strongly agreeing,
- Strong support for the 30km/h speed limit with 83% agree or strongly agree, mixed views on relocating the Moseley Square tram stop to Colley Terrace (49% agree or strongly agree).
- Strong support in all three of the zones for the removal of some on-street car parking to achieve wider footpaths and increased tree plantings.

Figure 1: Results of Survey Question 8



As Council is aware, there was also a meeting convened by one of the local business owners without the involvement of the project team and outside of the formal engagement period. Although not formally recorded the views provided to the project team from those that attended are acknowledged. The strong opposing views shared at this forum were also heard from members of the community throughout the engagement process; however, it is important to note that they do not represent the majority view. The views portrayed at the public meeting have been considered and balanced alongside all of the feedback responses received during the project’s formal engagement process.

In summary, it is felt that a robust and thorough engagement process was achieved in Phase 3. The feedback received from this phase of engagement has informed the last amendments and refining to provide a final Masterplan document in Attachment 1. For further information, the engagement report is an appendix to the Masterplan document at Attachment 2.

Overall Engagement Results

Given Jetty Road Glenelg is a local shopping strip, Adelaide's premier beachside suburb and a state-wide tourist destination, it was important to capture the many diverse perspectives on Jetty Road. The local community, business traders and key stakeholder groups were contacted through different engagement techniques applied to best suit their needs. An unprecedented level of community engagement was undertaken during this project and an accordingly high number of feedback responses were received. In three phases extending over a total of 20 weeks there was 680 discussions with businesses, the community and visitors, 1691 comments, 485 completed surveys and 3920 web page visits. These feedback results were collected from a broad cross-section of the community consisting of residents, traders, visitors, schools, community groups, and Members of Parliament and Government bodies.

Refer Attachment 2

Proposed Masterplan

The outcomes of the engagement for all three phases are clearly documented as separate reports found in appendices to the final Masterplan report. This feedback has informed the direction of the final Masterplan, providing confidence that the final Masterplan reasonably represents the community feedback whilst balancing project aims.

The final Masterplan adequately addresses the key deliverables required for this project, as follows:

- A clear entry statement from Brighton Road and seamless connection with Moseley Square and the foreshore
- Public spaces and places that require a unique design response, including opportunities to reclaim public spaces and create a multi-use adaptive public realm (e.g. to accommodate pop-up vans, stalls, extended outdoor dining areas, etc.)
- Current and desired access, movement and parking arrangements to enhance 'pedestrian friendliness' and walkability, navigation and improve overall accessibility to and through the precinct
- The desired character of buildings and spaces across the precinct and opportunities to develop this character through streetscape works, building interfaces and connections,
- Opportunities for greater activation of public areas and side streets, including maximising opportunities for outdoor dining, street activities, social gathering and events
- Elements to improve sustainability and mitigate the urban heat island effect, including opportunities to incorporate water sensitive urban design (e.g. rain gardens and careful selections
- The need for and location of other user facilities such as public toilets and end of journey cycling facilities
- Priorities for implementation and staging of capital works for the progressive enhancement of the precinct and streetscape, and to guide detailed design development.

The Gateway, Chapel Street Plaza and Street Template (widened footpaths, increased tree plantings and raised-level street crossovers) cover many of the abovementioned deliverables, supported by the community and incorporated *without change* from the Draft Masterplan. It is important to note that these concepts will require further investigation and analysis at the detailed design phase where some of the more specific feedback regarding these areas (i.e. bin locations, tree locations) can be applied. Some of these individual projects will also require a further body of work following the Masterplan, to come to fruition. This includes further traffic studies and discussions with DPTI, development of business case(s) and seeking appropriate advocacy and funding options.

Following Phase 3 engagement further refinement has occurred to the other strategies within the Masterplan with the key themes as follows:

- Road Traffic
A speed limit change to Jetty Road to 30kph for the length of the street will remain in the Plan, with further detailed design and traffic studies to determine extent of speed limit change on Colley Terrace and format of the raised level crossing into Moseley Square.
- Moseley Square Tram Stop
The relocation of the Moseley Square Tram stop to Colley Terrace received a mixed reaction from the community. This coupled with a lack of appetite from DPTI pursue the initiative has led to a review of this concept. However, this initiative may be desirable in the future pending a change in government, the Jetty Redevelopment, technology advances and increases in population over the long term. As a result, the Masterplan will show a potential tram route plan for further investigation after the proposed implementation program post-2028.
- Tram Stop 16 and Cyclists Safety
The current tram platform creates a safety concern for cyclists on Jetty Road and is acknowledged as the key location needing change to improve cycling on Jetty Road. However, the proposed design solution attracted mixed views in the Draft Masterplan. With the assistance of DPTI further investigation will need to be conducted as to the best design solution to enable safe cycling whilst reducing conflict with other uses including pedestrians, tram users and motorists. The Masterplan will acknowledge the draft design as 'potential option' in the cycling strategy noting that further investigation will be undertaken.
- Car parking
There are no changes to the locations of car parking from the draft Masterplan, however other initiatives for the promotion and wayfinding to car parking are included as this was a key concern raised during engagement. It is proposed that these initiatives feature alongside changes in on-street car parking to Jetty Road as each project is implemented. Figure 2 shows the implementation schedule and the approximate removal of three car park spaces per project and associated initiatives to improve car-parking ease and convenience within the precinct. In addition, recent negotiation with between the Taxi Council, traders and council has resulted in a change to the Taxi rank on Nile Street

allowing loading vehicles to utilise the space during business hours, easing pressure on adjacent car parking spaces.

- Implementation

The priority project for further development is the Chapel Street Plaza Concept. This project would provide an excellent showcase of the Masterplan and future rollout along Jetty Road, with less complex issues to resolve than the other concepts, allowing sooner commencement of detailed design and construction. An implementation priority plan has been included in the Masterplan indicating the second priority as the coastal zone, dependent on the development of the proposed building on the corner of Jetty Road and Colley Terrace, followed by the Gateway Zone. The consideration of the streetscape sections in the core zone further into the implementation program to allow for appropriate planning and to minimise disruption to traders. In addition, a proposed implementation review undertaken after the initial two years of construction and every year thereafter, would determine the impact on the removal of the car parking spaces on the street. If found that the impacts are adverse, the Masterplan and detailed design can be adjusted accordingly for the remainder of the implementation.

Figure 2: Implementation Schedule

Project	Year	Number of Carparks Removed	Council Initiatives
Chapel Street Plaza	1	3	Car parking promotion and marketing in association with new parking meters. Continue trader offer of discount parking in Partridge Street.
Coast (Part 01)	2	6	Car parking vacancy sign installation. Continue trader offer of discount parking in Partridge Street. Review car parking consolidation and project review.
Coast (Part 02)	3	6	Increase car parks in Waterloo Street by making it one way. Continue trader offer of discount parking in Partridge Street. Review car parking consolidation and project review.
Gateway (Part 01)	4	4	Car parking audit and project review. Review trader car parking discount. Review car parking consolidation and project review.
Gateway (Part 02)	5	3	Review car parking consolidation and project review.
Core NW	6	3	Review car parking consolidation and project review.
Core SW	7	4	Review car parking consolidation and project review.
GAP YEAR	8	0	Year without construction for trader relief.
Core NE	9	4	Review car parking consolidation and project review.
Core SE	10	4	Review car parking consolidation and project review.

See further detail on implementation in the Masterplan document at Attachment 1.

BUDGET

The costs of the Jetty Road Glenelg and Environs Masterplan have been met within the \$150,000 project budget.

The total project cost estimated by Rider Levett Bucknall is \$19.278 million over a 10-year implementation period. Council will seek funding support from other sources for each implementation stage.

LIFE CYCLE COSTS

This report will have lifecycle cost implications with a new design and construct projects commencing in 2018 subject to funding. An ongoing commitment will be required from Council to fund each of the nine proposed projects to implement the Jetty Road Masterplan over the next 10 or more years. Subsequent to the Chapel Street Plaza project, each project will be subject to further review by Council prior to commencement.

Jetty Road Gleneig Masterplan

Phase 3 Engagement Summary Report &
Overall Engagement Process

FEBRUARY 2018

Jetty Road Glenelg Masterplan
**Phase 3 Engagement Summary Report & Overall
Engagement Process**

PREPARED FOR



PREPARED BY

oxigen

Landscape Architecture | Urban Design | Urban Planning

Adelaide

98-100 Halifax Street, Adelaide SA 5000

and

AECOM

Planning + Engagement Consultants

ISSUE

FINAL

DATE

05.02.2018

Background Summary

01 Process

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Next Steps
Who was engaged

02 Engagement Opportunities

Summary of Phase 03 Engagement
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Summary of Traders Feedback

04 Summary

Overview Phase 3
Overall Engagement Process

05 Appendices



Info session - 71 Jetty Road Shopfront

Background Summary

Oxigen, Landscape Architects and Urban Designers, were engaged by the City of Holdfast Bay to develop a Masterplan for Jetty Road Glenelg.

Under Oxigen's team was specialist planning and engagement consultancy AECOM who were included in the project team to assist Council in the development and implementation of an innovative communication and engagement program.

Following Phase 1 engagement in March 2017, the City of Holdfast Bay commenced a council wide conversation about the draft Concept Plans for Jetty Road. Phase 2 engagement focused towards a more targeted and intensive consultation on the initial concept designs developed by the project team. The designs were used to generate interest and opinions on the project and the future range of potential directions for Jetty Road. This led to phase 03 engagement that aimed at going back to consult with the Draft Masterplan that was built up from feedback received from phase 1 and 2 engagement. Council held information sessions open to the public and Q&A drop in's with businesses. This was supplemented by Council's interactive project website and targeted stakeholder engagement events to generate a deeper understanding of the Draft Masterplan report and how feedback from previous phases of engagement has evolved.

This report sets out how we engaged the local community and stakeholders and the feedback we heard between 10th October and 13th November 2017 through phase 03.

'The Masterplan for Jetty Road is a planning and design framework that describes a vision for the street and provides a guide for future development over time. Jetty Road and its broader precinct is currently a focus for recreation, entertainment and business, working successfully as a high street that serves the local Glenelg community. It is also a major tourist destination in South Australia.'

This Masterplan retains the distinctive character of Jetty Road, whilst proposing new ideas and improvements that contribute to the attractiveness and function of Jetty Road.'

Jetty Road Draft Masterplan

01 Process

Engagement Process

Community engagement for this project was undertaken in three phases. Phase 3 was undertaken in late 2017:

Phase 1
Start-up & listening
19th March -
31st May 2017
'Sidewalk Sunday'
'Mainstreet SA'

A combination of face-to-face and online engagement was undertaken to hear views from the community and stakeholders about what they like, don't like and want to see happen for Jetty Road Glenelg. It was an opportunity to inform anyone with an interest about the Masterplan project starting and the ways in which feedback could be provided. The online 'YourView' website was also available for the community to provide comments through an interactive map and brainstorm page.

Phase 2
Initial Concepts
3rd July - 14th August
2017

The Council invited everyone with an interest in Jetty Road to participate in the Phase Two Jetty Road Concept Plan engagement. The engagement methodology was based on lessons learned during Phase One and from other recent engagement activities conducted by the City of Holdfast Bay.

The aim of the engagement was to reach a wide range of stakeholders in the City of Holdfast Bay and provide the community (including businesses) an opportunity to speak with the project team face to face .

Phase 3
Draft Masterplan
10th October - 13th
November

The draft Masterplan was developed collating all feedback and comments that have been recorded over Phase 1 & 2 of the consultation. The Draft Masterplan was provided online for comment, community info sessions were held and individual Q&A's were provided to traders.

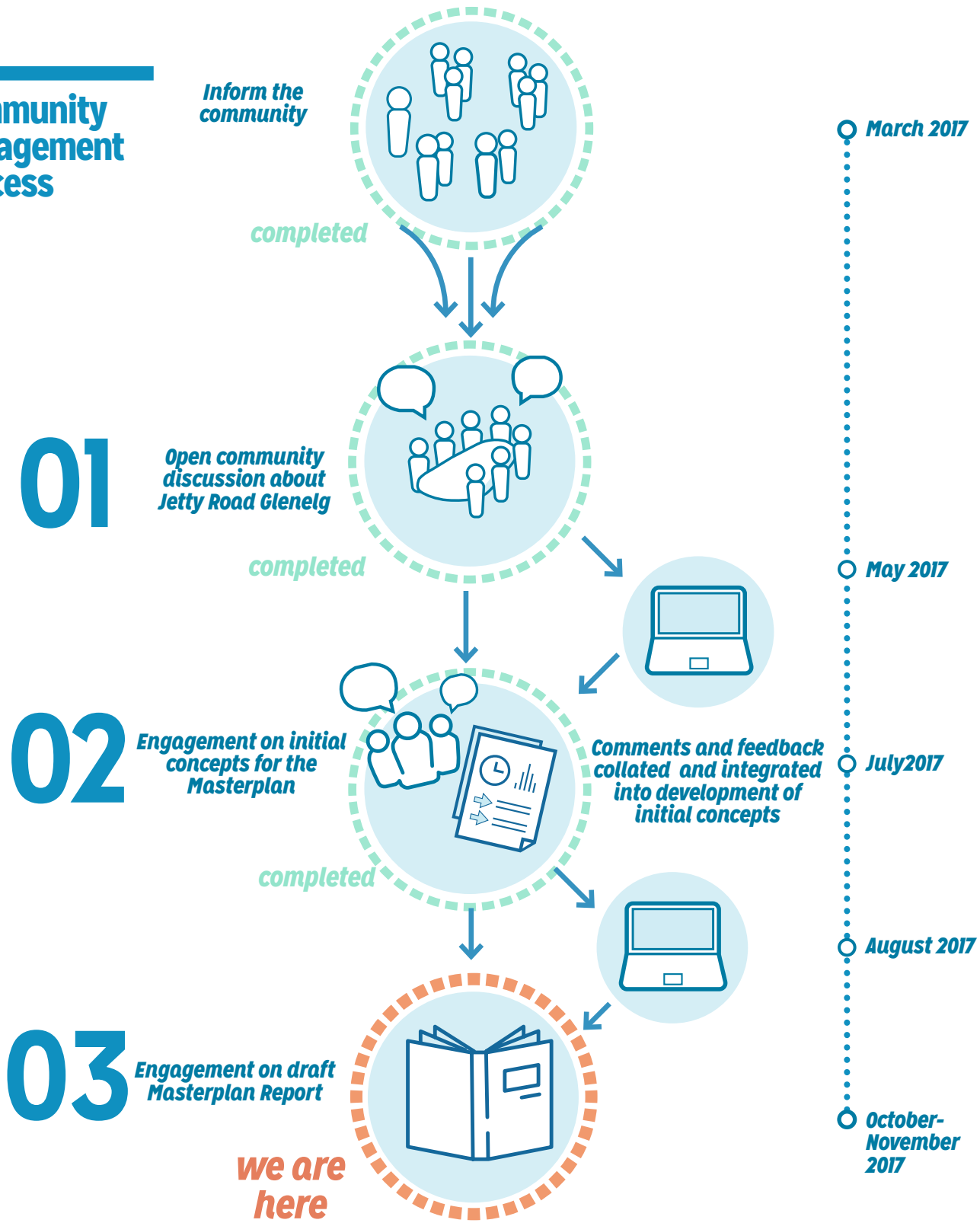
Final Masterplan
December - January

Delivery of the Final Masterplan

Next Steps

Phase 3 feedback will guide the project team in the development of the Final Masterplan for Jetty Road and will be put forward to Council for final endorsement.

Community Engagement Process



Who was engaged?

The Council invited everyone with an interest in Jetty Road to participate in the Phase 03 Jetty Road Draft Masterplan engagement. The engagement methodology was based on responses during Phase 02 and from other recent engagement activities conducted by the City of Holdfast Bay.

The aim of the engagement was to reach a wide range of stakeholders in the City of Holdfast Bay and provide the community (including businesses) an opportunity to gain a detailed insight into the Draft Masterplan report and speak with the project team face to face.

A number of communication channels were used to promote the engagement period, such as:

- the Jetty Road Trader Newsletter;
- postal invite to Info-sessions;
- tailored emails sent to special interest groups;
- local Messenger Newspaper advertisements; and
- Twitter and Facebook.



/JettyRdGlenelg



/JettyRdGlenelg

Local Info-sessions at shop 71 Jetty Road



Who was engaged	How did we engage
Local residents	<ul style="list-style-type: none"> · Messenger advertisements · Social media · Postal invite to Info-sessions · Info-sessions x 3 @ 71 Jetty Road, Glenelg · Email to MyView database · City of Holdfast Bay website · Digital slideshow at civic centre LCD screens · Moseley Square Banner · GU Filmhouse Advertisement
Local businesses	<ul style="list-style-type: none"> · Q&A drop in with each shop front (108 out of 184) · Jetty Road Main Street Committee newsletter · Jetty Road Main Street Committee meetings · Postal invite to Info-sessions · Info-sessions x 3 @ 71 Jetty Road, Glenelg · Email to MyView database
Special interest and community groups	<ul style="list-style-type: none"> · Email to stakeholders on distribution list · Letters to stakeholders on distribution list · Meetings · Follow-up phone calls to stakeholders on distribution list
Stakeholder groups (e.g. Department of Planning, Transport and Infrastructure, SA Tourism, Bicycle Institute of South Australia, and Bike SA)	<ul style="list-style-type: none"> · Steering group meetings · Workshops · Meetings
Tourists	<ul style="list-style-type: none"> · Large banner · Social media · Info-sessions x 3 @ 71 Jetty Road, Glenelg · Moseley Square Banner · GU Filmhouse Advertisement
Wider community	<ul style="list-style-type: none"> · Social media · Council website · Messenger advertisements · Info-sessions x 3 @ 71 Jetty Road, Glenelg
Elected members	<ul style="list-style-type: none"> · Workshop and presentations · Emails

02 Engagement Opportunities

Summary of Phase 3

Phase 3 engagement invited the community and traders to provide feedback on the Draft Masterplan that has been developed by the project team and responded to feedback during Phase 1 and 2. The focus of the Phase 3 engagement process was to allow the community to gain an insight into the overall Masterplan document provide feedback. This feedback assists in the direction of the Final Masterplan and allows Council to gain an understanding of the community's perspective on The Masterplan report to date.

Engagement Opportunity	Details
On-line survey on the project website	<ul style="list-style-type: none"> · http://yourviewholdfast.com/jettyroadglenelg
Hard copy surveys available at community events, at council customer service, libraries or available to order over the phone	<ul style="list-style-type: none"> · Brighton Library - 20 Jetty Road, Brighton · Glenelg Library- 2 Colley Terrace, Glenelg · Brighton Civic Centre, 24 Jetty Road, Brighton
Project email address	<ul style="list-style-type: none"> · mail@holdfast.sa.gov.au
Phone via the council customer service	<ul style="list-style-type: none"> · 8229 9999
Post	<ul style="list-style-type: none"> · Jetty Road Masterplan, PO Box 19, Brighton SA 5048
Verbally by speaking to staff at community info sessions	<ul style="list-style-type: none"> · Info-sessions @ 71 Jetty Road, Glenelg · Sunday 29 October · Tuesday 24 October · Wednesday 25 October
Council Q&A drop in to shopfronts	<ul style="list-style-type: none"> · Council staff visited each shopfront along Jetty Road and provided a survey and provided a Q&A session
Project website tools: - Forum - Quick polls - Question and answer posts	<ul style="list-style-type: none"> · http://yourviewholdfast.com/jettyroadglenelg

Engagement Events

Two key engagement events ran through the engagement period. These included:

Shopfront Q&A drop in

Friday 10th October

Friday 27th October

Monday 30th October

Friday 3rd November

108
*traders door
knocked of
184 on-street
shopfronts*



Info sessions

Sunday 29 October

Tuesday 24 October

Wednesday 25 October

141
attendees



*It is noted that an informal session was run outside of The Masterplan engagement by some community members.

To engage people, aid conversations and obtain feedback a number of materials were made available:

- Large maps to aid conversations and gain feedback related to specific locations
- Printed draft masterplan reports and summary reports
- Hard copy feedback forms and feedback box
- Short 'have your say' forms for those who wanted to leave a quick comment.

03 Feedback

Overview

764 people provided responses through various feedback channels. A breakdown of where the responses came from is provided in Figure 2.

YourView

total
1,580
webpage visits

total
388
documents
downloaded

Survey

442
comments
recorded

107
surveys
completed

Survey respondents

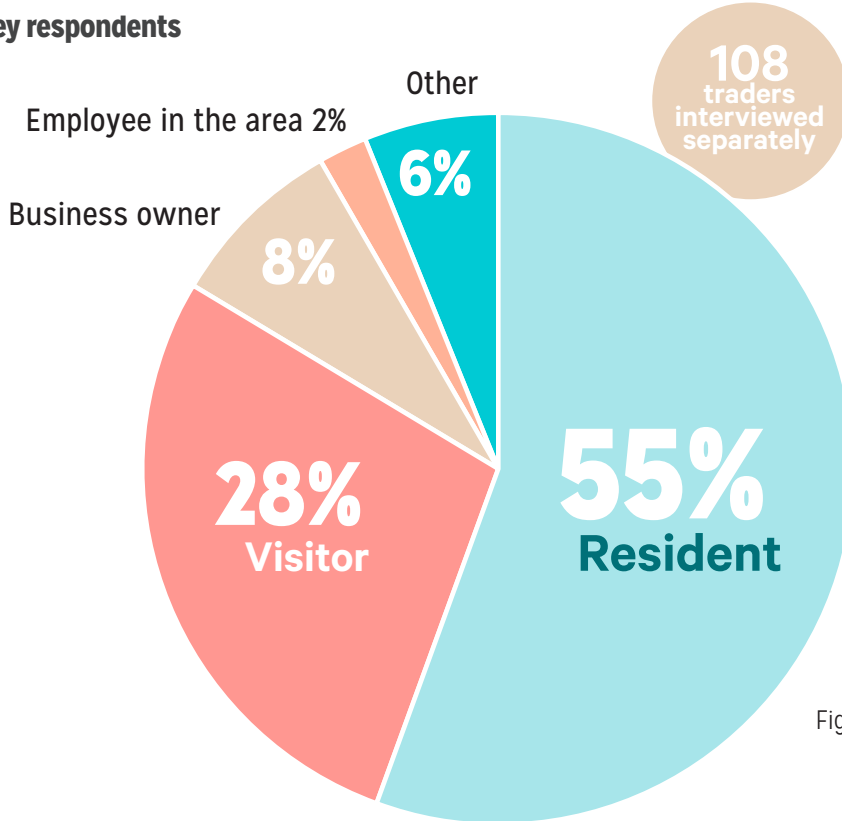


Figure 01.

Respondent suburbs

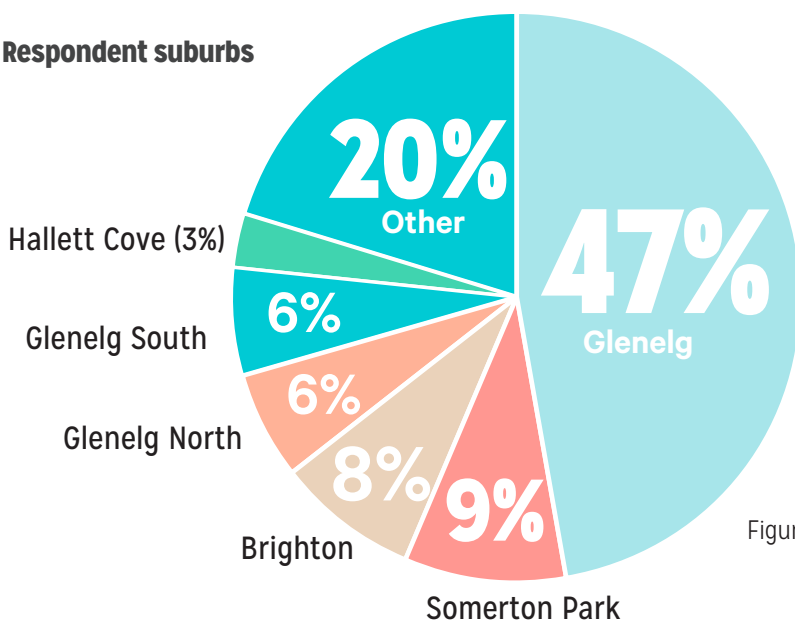
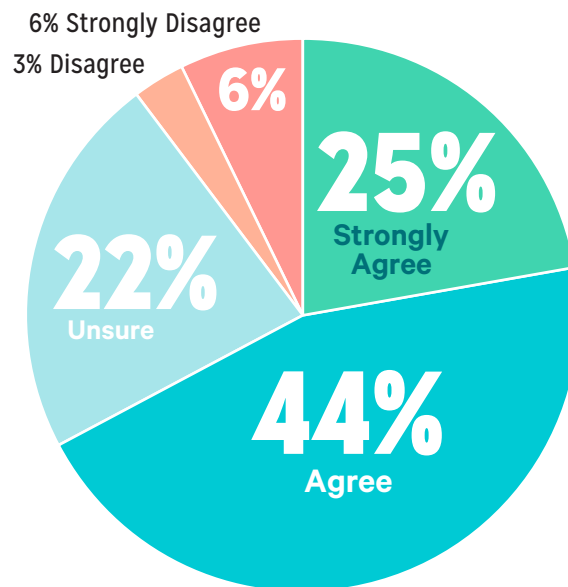


Figure 02.

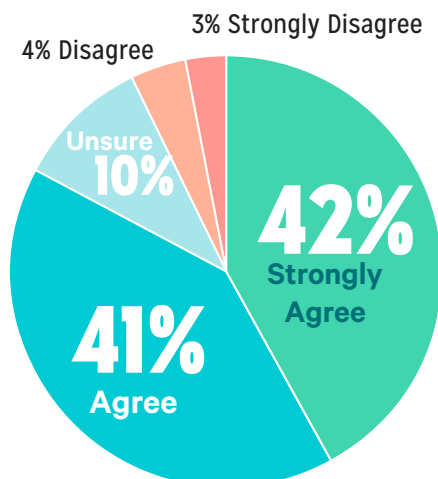
Summary of Survey Feedback

A feedback form was made available in hard copy and electronic format during the engagement period which contained 11 questions (10 closed and 1 open ended). 108 people completed the feedback form and returned it to the engagement team.

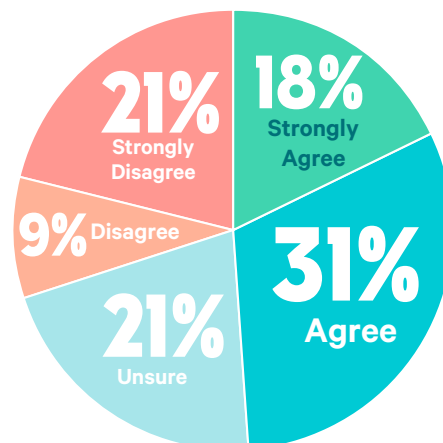
To what extent do you support the overall objectives of the Draft Masterplan?



To what extent do you support a 30km/h corridor for Jetty Road, in order to provide greater safety for pedestrians, cyclists and vehicles as shown in the Draft Masterplan?

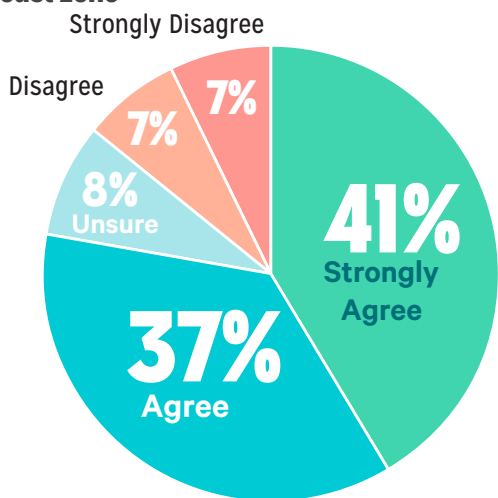


To what extent do you support the relocation of the Moseley Square tram-stop to Colley Terrace in the place?

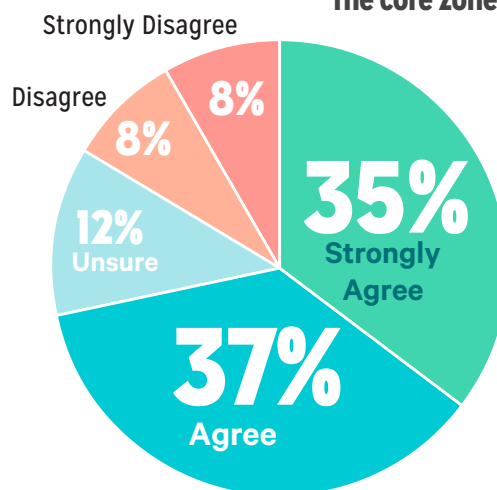


To what extent do you support removing some on-street carparking, in order to achieve increased tree planting, greater outdoor dining opportunities, wider footpaths and greater pedestrian safety in:

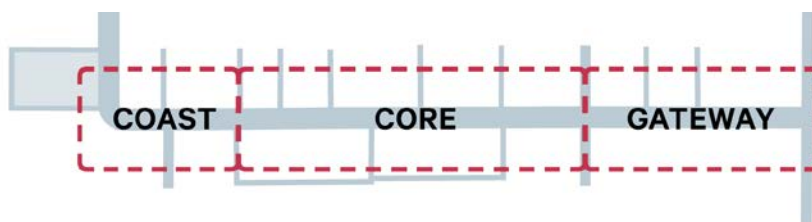
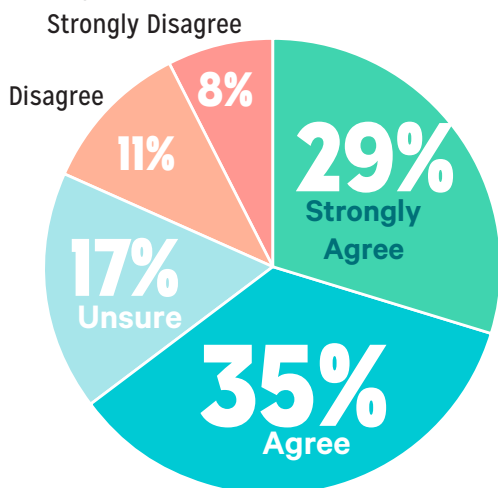
The Coast Zone



The Core Zone



The Gateway Zone



Jetty Road Zoning Diagram

Summary of Traders Feedback

Traders were directly engaged through drop-in Q&A sessions. A Council member visited storefronts along the extent of Jetty Road, informing businesses of The Masterplan and their view. The methodology to this process was as follows (refer to page 20 for key results):

- Introduction of officer and role.
- Asked if the manager or owner was available to speak with
- In some instances neither the owner or the manager was present
- Regardless of the presence of the owner or manager the same message was relayed and provided either the survey or the flyer regarding the link back to the survey.
- Asked them if aware of the Jetty Rd Masterplan (there were varying levels of knowledge)
- The same process was followed for all regardless of knowledge.
- Businesses were all keen to hear any information prior to making comment.

Coast Zone

- Started by showing pages with the Mosely Square design and talked about the proposed beautification, proposed removal of the tram from the square, breaking down the barriers for pedestrians and flow of people in and out of the area
- Spoke of the tram going around into Colley Tce and the connect between the Marina and Jetty Rd
- Identified existing tree(s) and proposed new trees (both in the street and Moseley Square)
- Pointed out the raised paved roads (crossings) leading into Jetty Rd and explained the traffic calming effects
- Explained the reduction in traffic speed limits from 40km/h to 30km/h

Core Zone

- Identified more additional tree planting along the corridor.
- Talked about the seamless curbing to the street and better accessibility for pedestrians
- Identified the current condition of Chapel St and the proposal to close this off and create more of activated plaza space.
- Discussed the ability to connect one end of the street to the other by creating more activated spaces with a mid-point
- Explained there had been positive feedback to Chapel Street and phase 1 and 2 engagement.

Gateway Zone

- Identified more tree-scaping
- Talked about the disconnect between the gateway to Jetty Road and Moseley Square.
- Explained the Masterplan aimed to connect the whole street
- Mentioned the lack of an iconic gateway to Jetty Road when travelling along Brighton Road.
- Talked about the need to create a more inviting entrance statement identifying people had arrived in Jetty Rd particularly for Tram travellers
- After showing the street drawings – for the gateway zone it was necessary to show design concept drawing of Gateway entrance to visually display the concept
- Identified the Telephone Exchange was heritage and somewhat unattractive and the plan provides potential opportunities for the beautification of around the building
- Pointed out more tree planting in keeping with arriving at a beach location
- Pointed out potential for public art.
- Identified the need to remove some parking at the entrance as one side had no parking and a turning lane and the southern side had some car parking spaces but would likely need to be replaced to make way for a more appealing entrance

Following the zone snapshot the following was discussed:

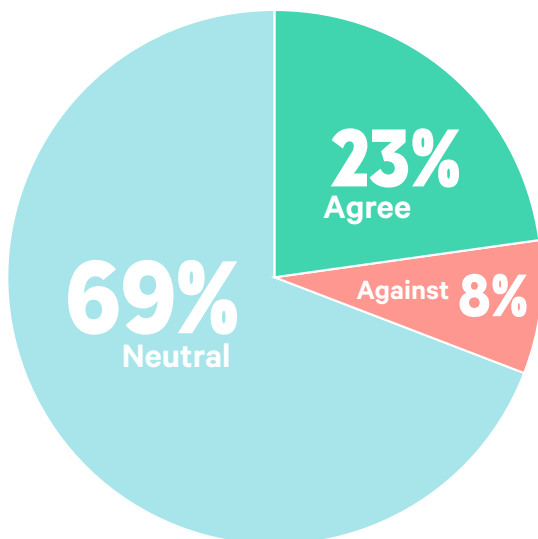
- Showed page relating to carpark usage surrounding Jetty Rd and percentage of underutilisation
- Said that the proposed car park removals were only indicative in location and that depending on the feedback from all the consultation this would be taken into consideration before any final planning and there was opportunity for them to fill in the survey online – reinforced their input would be welcomed
- Depending on the level of conversation on parking (many weren't concerned at all) discussion would open up further detail on the parking strategy.
- Highlighted the potential to turn Waterloo Street into a one way street creating potentially eight carparks.
- Prompted and unprompted conversation:
 - Depending on the level of conversation and interest there was discussion about staff car parking, incentives for staff to utilise high-rise carparks and better signage for directing people to alternative carparks
 - Comments were recorded and relayed back to them and discussed how it would be utilised. They were encouraged to visit the YourView website and provide further comments or undertake a survey.

Traders feedback

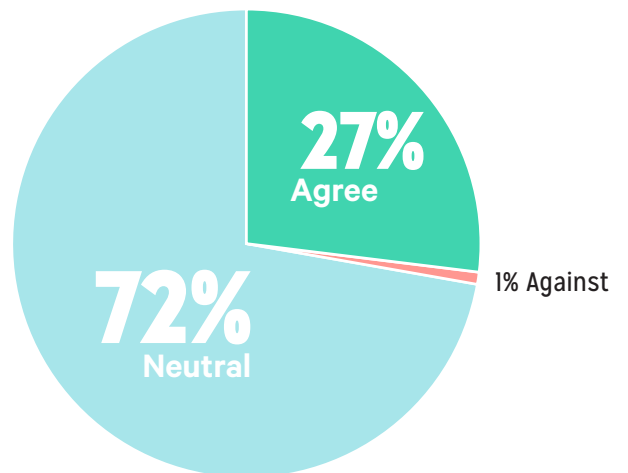
Through Q&A drop in's to businesses along Jetty Road, open discussions were recorded with key themes being received. The following information was collected:



To what extent do you support removing some on-street carparking, as indicated in the Draft Masterplan report?



To what extent do you support the overall objectives of the Draft Masterplan?



Key feedback themes

All verbal comments and written feedback has been analysed and shared amongst the project team. Below, in alphabetical order, is a summary of all key themes and issues mentioned.

Accessibility

- Consideration of paving selection for trafficable areas with pedestrian use. Ensure there is a clear contrast between types.
- Not enough disability parking and streetscape improvement to cater for the disabled.

Carparking

- Removal of on-street car-parking was the biggest concern through engagement in regards to availability of spaces and what other alternatives there would be.
- There was support for car parking reductions proposed if the following is considered:
 - Improved promotion required of off-street carparks.
 - Consideration of parking times and costs for staff parking areas.
 - Explore potential sites for future off-street carparking - Elizabeth St carpark.

Community issues and needs

- Ensure there is more consultation on how streetscape works will be constructed and the impacts on traders.

Cycling

- Concerns with the proposed tram on Colley Terrace and the further issues this will create with cyclists.
- Predominant support for the tram stop 16 proposal, with some concern over cyclists not stopping for pedestrians.

Footpaths and pedestrians

- Strong support for wider footpaths.
- Positive feedback on new paving and 'refreshing the street'.

Infrastructure

- Preference for the removal of the Telstra building.
- Consideration of solar panels and smart technology.
- Including free Wi-Fi along full length of Jetty Road.

Pedestrians

- Support for reduced traffic speeds to improve pedestrian safety.
- Requirement to have clear pedestrian crossing points.

Public transport

- Mixed response on the shift of the tramstop from Moseley Square to Colley Terrace.
- Concern over pedestrian safety if tram goes down Colley Terrace.
- Consideration must be taken for co-ordination with bus routes.

Traffic

- Strong support for 30km/h speed limit along the extent of Jetty Road.
- Further focus on Moseley Street intersection with numerous issues with cars, cyclists, trams and buses.
- Consideration of service access to side streets.

Key Themes & Comments

It has been recognised from all phases of engagement that key themes have varied between different stakeholders, in particular residents / visitors and traders / businesses. Below are some comments and themes that snapshot the mixture of feedback from phase 03 engagement from various stakeholder groups.

Residents / Visitors

- “Although a strong supporter of the concept of a pedestrian friendly area but I am strongly opposed to the continuation of motor vehicle traffic in the Core area.”
- Concern over car parking availability through high-peak periods on the street.
- “I don’t think the plan has a strong enough long term vision.”
- “I think the plan is fantastic - really well done and I hope this becomes a reality.”
- “Please please please make the whole street more inviting and friendly with streetscape.”
- “A very good vision for the street. Well balanced in terms of the need for street widening + trees and availability of car spaces. practical and sensible recommendations for an improved future.”

Traders / Businesses

- Carparking reiterated as a major concern to business owners.
- “A trader opposite my store regularly rubs chalk off tyres to avoid fines and assists other traders staff by attending to their cars at the same time”
- Better parking for staff similar to what was on offer when the Tram upgrade happened on vacant land
- “Love it - love it - love it”
- Staff having to drive around for at least 15 mins during work time to move cars and find parks
- Not fussed about removal of parking (rear car parking available)
- “Taking away the parking doesn’t concern (when upgrade happened they made budget)”
- Off street carparking confusing - worried about not having a ticket. Hesitate in Partridge Street carpark.

“I don't think the plan has a strong enough long term vision. I think it should be removing all carparking, closing of sections to cars and focusing (the design) as a pedestrian space. This is a project with huge potential to highlight Glenelg as a tourist destination. It's the perfect location, connected to the city by the tram and close to the airport. I would like to think in 10 years we will be less car based and value the human connection with public open spaces.”

-Resident



Summary of Overall Engagement Process

The Jetty Road Masterplan Engagement has been run over a 1 year period in three phases of engagement. The project has evolved through this process and the key themes that have been received have developed in response to changes made in the Masterplan. The following matrix explains some of the key themes that have arisen out of each phase and how they have changed.

March 2017



Inform the community



19th March - 31st May



01

Start-up & listening about Jetty Road Glenelg



Engagement Events

- Community Open Day (Sidewalk Sunday) - Listening
- Elected Members Workshop - Project outline and early concept development
- Mainstreet Conference SA - sought comments from mainstreet professionals
- JRMC Presentation - early concepts discussed
- 485 comments recorded from phase 01

Media Channels

- YourView Website - 840 web page visits
- Messenger advertisement
- Moseley Square Banner and Bin Corflute Advertisement
- Stakeholder database emailed
- JRMC Newsletter
- Social Media platforms

Key Themes

- Improved streetscape environment
- Wider footpaths
- Less vehicle focus - slower speeds and less traffic
- Improved pedestrian safety
- Outdoor dining



3rd July - 14th August

10th October - 13th November

02



Engagement on initial concepts for the Masterplan

Engagement Events

- 11th July, Business Trader Event (26 attendees)
- 15th July, Community Open Day (Winter Wonderland, 90 attendees)
- 17th July to 14th August, Engagement Pop-up Shop (32 attendees)

Media Channels

- YourView Website - 1,500 web page visits
- Digital screens and plans at Council Civic Centre
- Messenger advertisement
- Moseley Square Banner and Bin Corflute Advertisement
- Stakeholder database emailed
- JRMC Newsletter
- Social Media platforms

Key Themes

- Consideration for staff carparking
- Balance of accommodating for the local community and tourist peak seasons
- Breaking down the street into zones
- Street greening
- Support for Chapel Street Plaza

total
1,500
webpage visits

total
764
comments recorded

total
378
surveys completed



03



Engagement on draft Masterplan Report

Engagement Events

- 10th, 27th, 30th October & 3rd November, Shopfront Q&A drop in sessions (108 businesses interviewed)
- 24th, 25th & 29th October, Shopfront info sessions

Media Channels

- YourView Website - 1,580 web page visits & 388 documents downloaded
- Letter box drop to local businesses and residents with invitation flyer
- Digital screens and plans at Council Civic Centre
- Messenger advertisement
- Stakeholder database emailed
- JRMC Newsletter
- Social Media platforms

Key Themes

- Support for 30km/h slow speed corridor
- Emphasis on promoting off-street carparking
- Strong support for streetscape improvements in-lieu of on-street carparking.

total
1,580
webpage visits

total
388
documents downloaded

total
442
comments recorded

03 Summary

Overview

The phase 03 engagement delivered a process that engaged the community and traders with a Draft Masterplan report that encased further detail on the proposals developed in response to the phase 1 & 2 engagement feedback.

The focus of the phase 03 engagement process was to seek feedback on all proposals outlined in the Draft Masterplan report. The main aim was to seek feedback on specific issues that had raised interest in phase 02 and receive comment if these issues had been resolved. This included key questions on:

- To what extent do you support the overall objectives of the Draft Masterplan?
- To what extent do you support removing some on-street carparking, in order to achieve increased tree planting, greater outdoor dining opportunities, wider footpaths and greater pedestrian safety in the coast/core/gateway zones.
- To what extent do you support a 30km/h corridor, in order to provide greater safety for pedestrians, cyclists and vehicles as shown in the draft masterplan?

Through the Information sessions, Q&A with businesses and the 'YourView' Council website an analysis of the feedback provides the following snapshot:

To what extent do you support the overall objectives of the draft masterplan?

- Strong support overall with 69% of people strongly agreeing or agreeing with the Draft Masterplan.

Support for some removal of on-street carparking?

- An average of 70% agree with the removal of carparking outlined in the report.
- Only 8% of businesses interviewed are against the proposed parking changes.

Key Themes

- Concern on removal of on-street car parking and its implementation.
- Improved promotion of off-street carparks.
- Reduction in vehicle traffic and greater focus towards pedestrians.
- Consideration for the entirety of street and not just one section.

These findings will guide the Final Masterplan report that will be put forward for endorsement by Council.



I WANT
TO STAY

OLENELO
BRIGHTON
SEACLIFF



I WANT
TO STAY

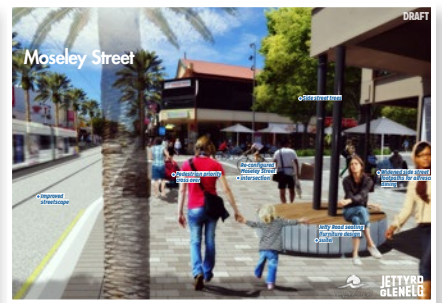
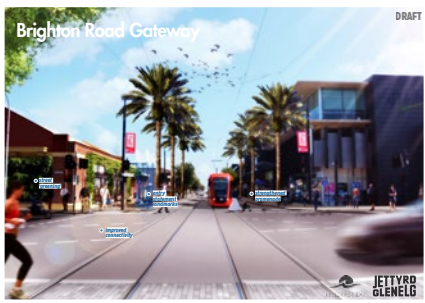
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04 Appendices

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Engagement Content



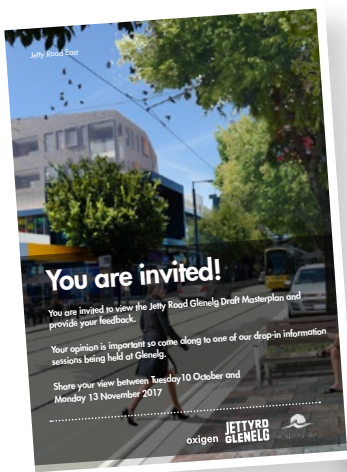
Information Boards



Aerial Map



Draft Masterplan Report



Postal invite



Jetty Road Glenelg Masterplan Survey

This feedback form is available electronically at www.yourviewholdfast.com/jettyroadglenelg

Your feedback is important to us. The feedback you provided as part of the engagement of draft concepts phase has shaped the draft masterplan (the plan).

The project team is interested in understanding what is important to businesses, residents, land owners and visitors. It would help us if you could fill out the feedback form below.

Please provide your feedback by 13 November 2017

About you

1. What is your residential post code?

2. I am a:

- Resident
- Visitor
- Work in the area
- Business owner
- Landlord
- other (please provide details below)

3. Please tick your age group:

- Under 19
- 20-29
- 30-44
- 45-59
- 60-74
- 75 +

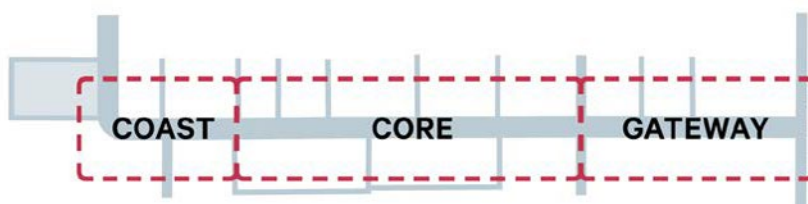
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About the project – the extent to which you agree with the Draft Masterplan

4. Zones

What Zone is most important to you?

- Coast Zone (Moseley Square to Milton / Sussex Street)
- Core Zone (East of Milton / Sussex Street to west of Partridge / Gordon Street)
- Gateway Zone (East of Partridge / Gordon Street to Brighton Road)
- All zones are important





5. Vision

To what extent do you support the overall objectives and vision of the plan (draft Masterplan)?

Strongly agree	Agree	Unsure	Disagree	Strongly disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6. Tram

To what extent do you support the relocation of the Moseley Square tram-stop to Colley Terrace in the plan?

Strongly agree	Agree	Unsure	Disagree	Strongly disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

7. Streetscape

To what extent do you support removing some on-street car parking, in order to achieve increased tree planting, greater outdoor dining opportunities, wider footpaths and greater pedestrian safety in:

	Strongly agree	Agree	Unsure	Disagree	Strongly disagree
The Coast Zone	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Core Zone	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Gateway Zone	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

8. Road Safety

To what extent do you support a 30km/h corridor for Jetty Road, in order to provide greater safety for pedestrians, cyclists and vehicles as shown in the draft Masterplan?

Strongly agree	Agree	Unsure	Disagree	Strongly disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



9. Carparking

To what extent do you support the plan’s objective of providing for short term (30 mins) and accessible/disabled on-street parking on Jetty Road within:

	Strongly agree	Agree	Unsure	Disagree	Strongly disagree
The Coast Zone	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Core Zone	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Gateway Zone	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

10. Carparking

Jetty Road currently has numerous off-street car parks. Which of the following would encourage you to better use off-street parking (tick all that apply)

- Wayfinding and directional signage
- Vacancy signage
- Distance signage
- Better promotion of time allocations and/or fee structure
- Other – please comment

11. Tram Stop

To what extent do you support the new design for tram stop 16 to reduce the risk to cyclists riding between the platform and the tram rails shown in the plan (p88-91)?

Strongly agree	Agree	Unsure	Disagree	Strongly disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Jetty Road Glenelg Master Plan
Master Plan Cost Estimate | January 2018

Location Summary

SA: Site Area
 Rates Current At January 2018

Location	SA m ²	Cost/m ²	Total Cost
A MOSELEY SQUARE INTEGRATION	2,934	1,382	4,055,517.15
B JETTY ROAD WESTERN ZONE STREETScape WORKS	3,447	1,071	3,690,703.45
C CHAPEL STREET PLAZA	1,030	1,929	1,986,393.50
D JETTY ROAD EASTERN ZONE STREETScape WORKS	7,434	931	6,924,315.40
E BRIGHTON ROAD GATEWAY	1,691	1,550	2,621,653.35
ESTIMATED NET COST	16,536	\$1,166	\$19,278,582.85
MARGINS & ADJUSTMENTS			
Escalation Beyond End 2017			Excl.
Goods and Services Taxation			Excl.
ESTIMATED TOTAL COST	16,536	\$1,166	\$19,278,582.85

Item No: **14.3**

Subject: **OFO BIKES – STATION FREE BICYCLE SHARING PLATFORM**

Date: 13 February 2018

Written By: Manager, City Activation

General Manager: Community Services, Ms T Aukett

SUMMARY

Bicycle sharing companies commenced operation within the Adelaide Central Business District late 2017.

Holdfast Bay has received a request for ofo to operate within the Holdfast Bay Council area. It is proposed that Council enter into a formal agreement with ofo to establish its preferred parameters and controls for the bikes including where they can be safely parked, ready for the next rider. It is intended that within the agreement, regular review periods will be established to monitor impact upon local amenity and visitor experience

RECOMMENDATION

- 1. That Council enter into a formal agreement with ofo to allow operation within the City of Holdfast Bay. This agreement will define safe areas where bikes can be parked and detail Council's expectations regarding care and control of the area.**
 - 2. That the agreement will be for 12 months in the first instance with regular reviews.**
-

COMMUNITY PLAN

Community: Building a healthy, active and resilient community

Community: Providing welcoming and accessible facilities

Economy: Making it easier to do business

Economy: Harnessing emerging technology

Economy: Boosting our visitor economy

COUNCIL POLICY

Not Applicable.

STATUTORY PROVISIONS

Not Applicable.

BACKGROUND

Founded in 2014, ofo is the world's first and largest station-free bicycle sharing platform. It has provided more than 10 million bikes in over 180 cities across 17 countries, generating more than 32 million daily transactions, and providing over 200 million global users with 4 billion green, convenient rides.

ofo has partnered with the United Nations Development Programme in April 2017 to support its Sustainable Development Goals, and with C40 cities in October 2017. In New South Wales, ofo are endorsed by Bicycle NSW, and have recently secured support from Adelaide City Council, City of Charles Sturt and City of West Torrens.

Station-free bicycle sharing platform

Station-free bike sharing combines bikes, a free smartphone application and GPS technology to create a fleet of bikes that anyone can ride. In this case, the bikes are owned and maintained by ofo with no cost to Council. Riders sign up to access the bikes through a smartphone application, and use GPS to locate their nearest bike. The bikes do not require a special station or kiosk like some other bike sharing schemes. Bikes can be parked in any safe, designated location, ready for the next rider.

To ensure appropriate use of the bikes and to keep footpaths and shared spaces tidy, designated 'preferred parking zones' and a virtual geo-fence guide customers to preferred parking zones. These preferred parking zones are situated within 'macro-locations' that have been identified as key areas for the pick-up and drop-off of shared bikes.

(Currently the geofence is limited to the Adelaide City Council catchment, although bikes can be ridden outside the fence, they must be brought back within the fence or users will have credits deducted from their account. ofo users also receive a text message when they leave the geofence as an alert. Within the fence there are 'Preferred Parking Zones', which are areas on the app marked as appropriate parking areas. These are small areas of 1-2 metres.)

To encourage their use, customers receive credits to their account when they park in these zones. They can also be used as a guide for customers when parking in larger open spaces, to keep to bikes in one location.

REPORT

An agreement with ofo to establish a station-free bike sharing service within the City of Holdfast Bay will contribute towards four of the objectives described within Council's strategic plan, Our Place 2030. A bike sharing platform works towards a healthy, creative and connected community;

a community which is aware of its impact on the environment; it supports a diverse and resilient local economy and creates lively and safe places to live.

Despite these positive potential outcomes, it has been widely reported in recent times that the establishment of station-free bike services in Melbourne and Sydney have created problems where bikes have been left in such a way as to obstruct paths and roadways, created eyesores, and placed the onus on public authorities to collect and return broken and disused bikes. It is expected, that by entering into a formal agreement with ofo, Council can ensure that these undesirable outcomes are mitigated, with formally agreed responsibilities, expectations and key performance indicators written into the agreement.

The Coordinator of Transport at the City of Charles Sturt has provided the following information based on their recent experiences:

- No reported complaints from the general public since a permit to operate within the catchment was issued. The introduction of ofo has been well received by the City's local Bicycle User Group (Westside BUG) who have written to our Mayor commending the decision and requesting that Council advocate for the adjacent Councils to also permit the introduction. Charles Sturt have also been involved in two radio interviews with ABC to date so the operation is triggering interest from outside of the Council area. Both interviews had a positive view on bikeshare which was good. Internally, the introduction of ofo has generally been well received by staff and Elected Members.
- ofo bikes have adhered to response times for collection and all other permit conditions.
- ofo have entered into a data sharing arrangement with both the Cities of Adelaide and Charles Sturt.
- Charles Sturt have identified a possible benefit to our local businesses by establishing some form of partnership between bikeshare operators and businesses whereby a credit system (or similar) is developed so that customers can obtain bike credits by making a purchase at a local business and bike users can redeem cycling credits at a local businesses. Charles Sturt would be glad to work with Holdfast and other neighbouring Councils to expand this opportunity should a decision be made to permit their operations.

A copy of the draft permit agreement issued by the City of Charles Sturt is attached for Members' information. This permit is currently being reviewed by our Traffic Officer for use within the City of Holdfast Bay.

Refer Attachment 1

All proposed *preferred parking zones* will be located within existing bike parking areas, which accommodate 141 bikes across the following sites (noting that it is expected that the majority of bikes using the bike parking areas will continue to be privately owned bikes). The table on the following page details the bike parks and available capacity at each location.

Suburb	Location	Infrastructure	Total bike capacity
Glenelg East	Tram Stop 15 Brighton Road	1 bike shelter	14 bikes
Glenelg	15 Moseley Street at Superette	5 bike racks	10 bikes
	Broadway Kiosk	1 bike rack	11 bikes
	Glenelg Jetty	2 bike racks	14 bikes
	Glenelg Library	1 bike rack	2 bikes
	Grand Hotel	5 bike racks	10 bikes
	Holdfast Walk	1 bike rack	11 bikes
	Jimmy Melrose at Kent Street	3 bike racks	6 bikes
	Mamma Carmella	1 bike rack	11 bikes
	Partridge Street Car Park	1 bike rack	4 bikes
	Sussex Street at Zest Café	1 bike rack	10 bikes
Somerton Park	John Miller Reserve	2 bike racks	4 bikes
Brighton	Bindarra Reserve	1 bike rack	7 bikes
	Jetty Road Brighton at Cream Café	4 bike racks	4 bikes
	Jetty Road Brighton at Civic Centre	2 bike rack	4 bikes
Seacliff	Coast Park Opposite Seacliff Hotel	1 bike rack	7 bikes
	Coast Park opposite Angus Neil Reserve	6 bike racks	12 bikes

In the event of the bike racks being full, ofo bike users would park adjacent to the existing infrastructure.

Refer Attachment 2

The agreement between Council and ofo would explicitly require ofo staff to collect damaged bikes through a 24 hour customer service hotline, noting that damaged bikes are immediately made inactive and unavailable to riders. Both damaged bikes and bikes that are not left in the designated locations will be collected by ofo staff within 24 hours of being notified. If this does not occur Council reserves the right to impound the bikes and/or terminate any agreement prior to the end of 12 months.

of0 is covered by a \$US50 million public liability insurance policy. (Bikes which are left in such a way as to obstruct paths can be rolled a short distance to a safe space, until collected by ofo staff).

Council's public safety officers will be able to report and move bikes if required.

Appropriate review periods will be built into the agreement to ensure operations do not negatively affect the amenity of the area.

Should Council agree to enter into an agreement with ofo, operations could start within City of Holdfast Bay within a matter of weeks.

BUDGET

There are no budget implications with this report.

LIFE CYCLE COSTS

There are no life cycle costs associated with this report.



Approval for Business Use of Community Land and Public Roads

Approval pursuant to Section 200 and Section 222 – Local Government Act 1999

Approval Number:	
Approval Holder:	
Approval Nominee or Agent:	
Approval Location:	
Prescribed Activity:	

Approval Valid From:

Expiry Date:

Authorised Officer:

Position:

Signed:

Date of Issue:

The issuing of this approval is subject to:

- *The Approval Holder agreeing to the General and Specified Conditions of the approval.*
- *The Approval Holder agreeing to all Directions which the City of Charles Sturt may determine from time to time.*
- *The Approval Holder paying the prescribed fee.*
- *The Approval Holder providing the Council with evidence of all insurances as required by either the General Conditions and/or Special Conditions.*

Section 200 of the Local Government Act 1999 provides:

(1) *A person must not use community land for a business purpose unless the use is approved by the council.*

...

(3) *The council's approval may be given on conditions the council considers appropriate.*

(4) *A person must not—*

(a) *use community land for a business purpose in contravention of subsection (1); or*

(b) *contravene a condition of an approval for the use of community land for a business purpose.*

Maximum penalty: \$5,000.

Section 222 of the Local Government Act 1999 provides:

(1) *A person must not use a public road for business purposes unless authorised to do so by a permit.*

...

(3) *A permit may be granted for a particular occasion or for a term stated in the permit.*

(4) *The term of a permit cannot exceed five years.*

...

Maximum penalty: \$2,500

Expiation fee: \$210.

General Conditions of Approval

This approval is given by the City of Charles Sturt (**Council**) subject to the following conditions:

1. This approval is not transferable.
2. This approval is valid only for the Prescribed Activity.
3. This approval is valid only for times and dates described on approval.
4. The approval is only valid for the area stipulated on the approval.
5. This approval does not provide exclusive usage rights at the approved location.
6. Commercial advertising by means of signs, banners or leaflets on local government land is prohibited unless authorised by special exemption under the provisions of the Council's By-Law No. 3 – Local Government Land and Bylaw No 2 – Moveable Signs.
7. The approval holder is responsible to ensure that no Council infrastructure is damaged as a result of the activity.
8. The approval holder must ensure that the activity does not cause any damage or disturbance to Council turf, vegetation, equipment or facilities.
9. Except for the operation of the prescribed activity, the sale of any goods, equipment, clothing food or beverages is not permitted whilst occupying public land.
10. The approval holder agrees to indemnify and keep the Council and its respective officers, employees and agents indemnified against all claims, demands, expenses, (including legal costs), loss or damage which may be incurred by or imposed upon the Council and its respective officers, employees and agents in respect of loss or damage to any property, or the death of or personal injury to any person arising out of or related to the approval and caused or contributed to (but only to the extent contributed to) by any wilful, unlawful or negligent act or omission of the approval holder.
11. The approval holder shall obtain and maintain a current a public liability insurance policy in the name of the approval holder insuring the approval holder for the minimum sum of twenty million dollars (\$20,000,000) against all actions, costs, claims, damages, charges and expenses whatsoever which may be brought or made or claimed against the approval holder in relation to the activity.
12. The approval holder must provide confirmation of insurance to Council. Such a policy shall bear the endorsement of the Insurer indicating the Insurer accepts the indemnity given by the approval holder.
13. The approval becomes immediately invalid if the approval holder ceases to have current public liability insurance as set out above.
14. The approval holder must abide by all other State and Commonwealth legislation. The issue of this approval does not absolve the approval holder or their agents from compliance with any other legal duty (whether imposed by statute or otherwise). If any permission or approval is required from any other authority this permission or approval must be current at all times. Failure to comply with this requirement will result in immediate revocation of this approval.
15. The approval conditions may be amended at any time by the Council with or without consultation with the approval holder.
16. The Council may issue directions to the approval holder in addition to these conditions at any time and require that they be complied with from time to time. Failure to comply with a direction will be taken as failing to comply with a condition of the approval.
17. Failure to comply with these conditions will result in the approval being withdrawn and may result in the approval holder being liable for any penalty prescribed by the Local Government Act 1999 or the Council's by-laws.

18. Activities carried out by person operating under this Approval must comply with the provisions of the Local Nuisance and Litter Control Act 2016. The Act describes a local nuisance as being any adverse impact on the amenity value of an area. Failure to comply will be taken as failing to comply with a condition of this approval.
19. The Approval Holder is responsible for eliminating any unreasonable hazards associated with the permit activity.
20. The Approval is liable to be revoked by Council if the Approval Holder fails to comply with a condition of the Permit or may be revoked in any other justifiable circumstance.
21. The Approval will not come into operation until proof of the appropriate insurance has been provided to the Council and a copy of this document.

Specific Conditions of Approval

This approval is given by the City of Charles Sturt (**Council**) subject to the Approval Holder (bike share operator) agreeing to the following:

1. Provide a contact person (name and number) for the City of Charles Sturt to liaise with regarding the approval.
2. Provide a 24-hour contact number that will be published on the City of Charles Sturt website for the public to call if there are any issues with the bikes.
3. To provide their customers with the guidelines to ensure responsible riding and public safety when operating and parking the share bikes and helmets on roads, footpaths or public land.
4. That bikes are not to be used for the sole purpose of advertising or marketing.
5. All bikes operated by dockless bike share operators are to be GPS equipped to enable their exact location to be tracked and monitored at all times.
6. To monitor the location of all bikes daily to avoid clutter and congestion of their bikes in any one location.
7. To ensure bikes remain in a presentable condition so as not to detract from the amenity of the area in which they are parked.
8. To ensure bikes are maintained to an appropriate standard so as to allow convenient and safe use by subscribed riders.
9. To provide an appropriate number of bicycles in line with customer demand, and to avoid an over-supply of bicycles.

Safe Bike Parking

10. Where possible, bikes should be parked next to public bike racks with the designated racks left available for regular bike users.
11. In other areas, bikes are to be parked on wide footpaths which would allow at least a wheelchair to pass, in low pedestrian locations, and positioned kerbside; away from the building line. This will ensure safe and convenient access to footpaths for all City users.
12. Bikes must be setback from entrances, safety exits and street infrastructure such as seating, fire hydrants and tactile indicators for the vision impaired.
13. The Approval holder to adhere to the directions of the City of Charles Sturt and relocate any bikes that are not suitably parked or may create nuisance.

Response Times

14. The below response timeframes will be imposed from when reported to the operator by Council or a member of the public. If the below timeframes are exceeded, bikes may be impounded by Council and the operator will be required to reimburse Council for any costs associated with impounding the bike/s.

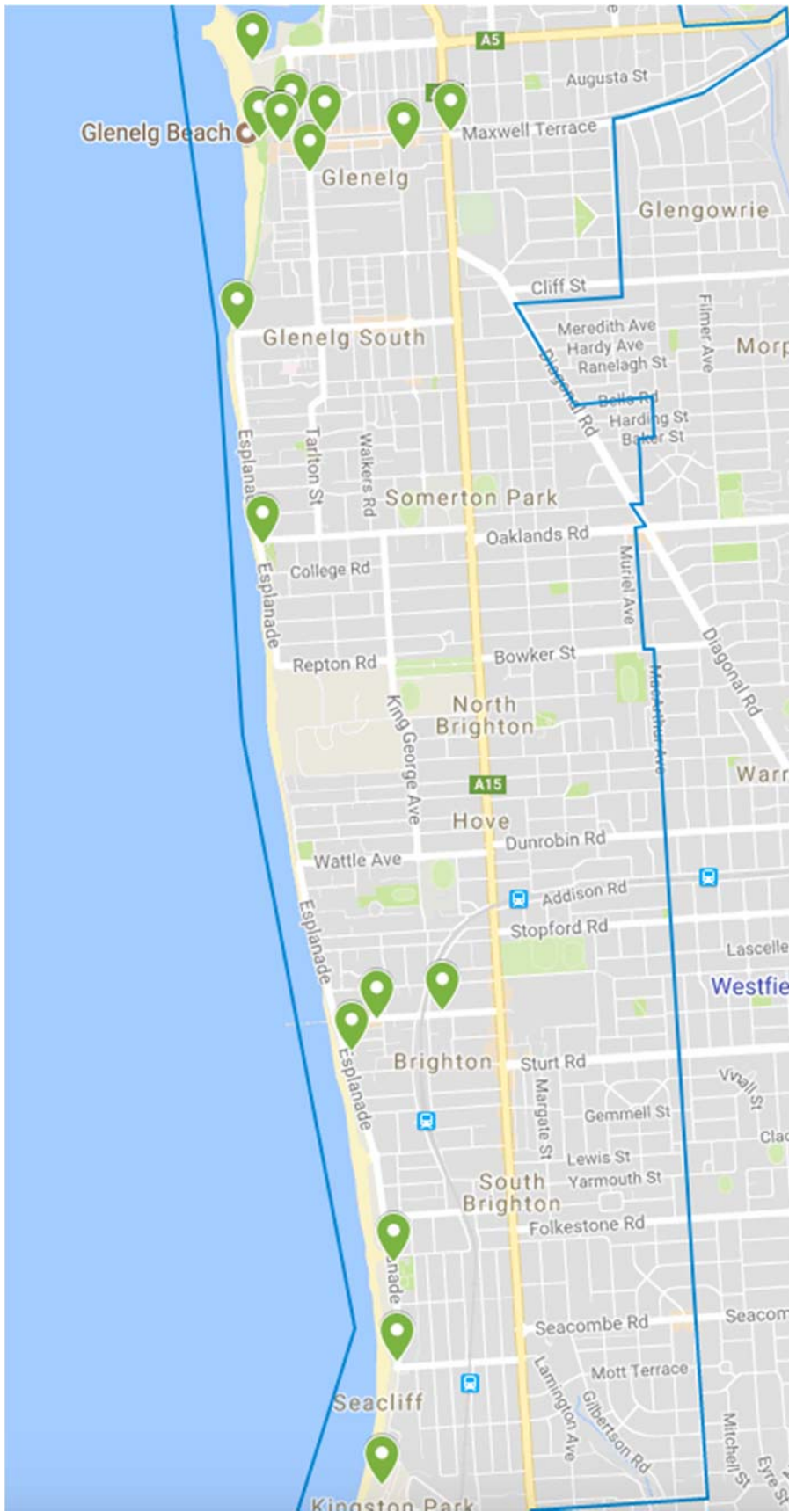
- a) Bike unsafely located within 2 hours
- b) Bike faulty / damaged within 24 hours
- c) Bike/s tipped over: within 24 hours
- d) Bike inappropriately located: within 48 hours

Data Provision

15. Dockless bike share operators are required to provide the following monthly data on request by Council:

- a) The number of bikes deployed within the City of Charles Sturt and their locations
- b) The number of bikes collected or relocated and the reasons
- c) Data regarding damaged, vandalised and lost bikes and helmets
- d) Data regarding trip origins and destinations, and average trip hire lengths
- e) Information regarding complaints directly received by the operators and the action taken including timeframes for resolution

Proposed parking zone locations



Item No: **14.4**

Subject: **ILLUMINATED ART GLENELG AND BRIGHTON JETTIES**

Date: 13 February 2018

Written By: Community, Arts & Cultural Coordinator, Active Communities

General Manager: Community Services, Ms T Aukett

SUMMARY

This report responds to a Council resolution to investigate the installation of luminescent Aboriginal artworks at the end of the Brighton and Glenelg Jetties. On investigation, the type of photo luminescent pebbles described would not be suitable for installation on our jetties, but could be installed in other public spaces, where there is minimal ambient light.

RECOMMENDATION

That Council notes the report.

COMMUNITY PLAN

Placemaking: Creating lively and safe places
Placemaking: Building character and celebrating history
Community: Celebrating culture and diversity
Community: Building a healthy, active and resilient community
Community: Providing welcoming and accessible facilities

COUNCIL POLICY

Not Applicable.

STATUTORY PROVISIONS

Not Applicable.

BACKGROUND

Council resolved at its meeting on 9 May 2017, Resolution No. C090517/746

That Council Administration investigate as a part of the 2018/19 budget process:

1. *the cost of the installation of a 2m x 2m public lighting / art installation by photo-luminescent pebbles, luminophores (or similar) near the end (or along) both the Glenelg and Brighton Jetties in an Aboriginal Art design.*
2. *the cost of acquiring an artistic design that represents the Kaurna peoples' Tjilbruke Springs Dreaming: this design can then be used both in the jetty art installations and in the yet to be built Tjilbruke interpretive centre at Kingston Park.*

The two jetties located within the city are situated along the foreshore at Glenelg and Brighton and are extensions of the popular Jetty Road main streets. Both jetties are iconic to the city and attract a broad range of daily visitors.

It is anticipated that the inclusion of illuminated glow in the dark artworks designed to promote and reflect the Tjilbruke Dreaming story at the end of each of the jetties will create a point of interest that encourages people to visit the jetties at night and acknowledges the importance of the Aboriginal culture and heritage of the area.

REPORT

On investigation, it was deemed that the installation of the glow in the dark luminescent pebbles would not be suitable for installation on the jetties as the pebbles need to be embedded directly into concrete. The installation would therefore require modifications to the existing structures and would be detrimental to the structural integrity of the jetties. Any installation on either jetty would need to be approved by DPTI. Illuminated glow in the dark spray coating such as the Moon Deck System would be the only feasible option for application on the jetties.

For the illuminated artworks to have the greatest visual impact, the site of installation needs to have minimal lighting, as ambient lighting will affect the glow strength. The jetties are therefore not appropriate for a glow in the dark installation as they are required to be well lit in the interest of public safety.

It is anticipated that the glow in the dark artworks created using the spray on Moon Deck System or luminophores pebbles would be better suited and have a greater visual and artistic impact if they were to be installed on a path as part of a future reserve upgrade. The selected reserve would need to have minimal to no ambient lighting to get the optimum affect as an alternative lighting option and in turn will create an element of intrigue for pedestrians.

Moon Deck is a multi-layered luminous resin coating that can be installed on concrete or asphalt as a full pathway, line marking or as a more detailed stencilled artwork. The thermoplastic paint emits a passive form of lamination that has best results in complete darkness. The cost of the Moon Deck System vary depending on the detail of the application required and the surface for installation, prices are around \$160 per metre for application only. There will additional costs such as site and substrate preparation, logistics, and on site management.

The Tjilbruke Dreaming story is of great cultural importance and significance to the Kurna People and the wider Aboriginal Population. The sacred Tjilbruke spring site is located at Kingston Park and is only one of the spiritual sites that is part of the more extensive dreaming story that specifically links to several sites travelling south along the coast to Cape Jervis. The Tjilbruke Dreaming connects directly to the land and the use of imagery or designs that do not have a direct affiliation to the sites would not be appropriate or culturally respectful.

In 2017 Council was successful in securing funding of \$69,000 to commission Aboriginal artists to create artworks along the Kingston Park Coastal Reserve that directly relate to the Tjilbruke Dreaming story and shares the cultural significance and importance of the site. The selection and commissioning of the Aboriginal Artists will be done in conjunction with Kurna Elders and Arts SA to ensure a collaborative, respectful and successful outcome.

BUDGET

There has been no budget allocated for this project in the 2017/18 financial year.

LIFE CYCLE COSTS

Life cycle costs will be developed through the planning process.

Item No: **14.5**

Subject: **TRANSFER OF ONE CARD AGREEMENT TO THE LIBRARIES BOARD OF SOUTH AUSTRALIA FROM LOCAL GOVERNMENT CORPORATE SERVICES – DEED OF NOVATION**

Date: 13 February 2018

Written By: Manager, Library Services

General Manager: Community Services, Ms T Aukett

SUMMARY

The Local Government Corporate Services (LGCS) request to transfer the One Library Management System vendor agreement to the Libraries Board of South Australia has been completed and now the service agreement between the City of Holdfast Bay and the LGCS needs to be transferred to the Libraries Board of South Australia. To complete the transfer of the service agreement Council is required to sign with the common seal a deed of novation and variation.

RECOMMENDATION

That Council authorise the Deputy Mayor and Chief Executive Officer to sign and seal the Deed of Novation and Variation between the Local Government Corporate Services and the Libraries Board of South Australia for the transfer of the One Card Agreement.

COMMUNITY PLAN

Community: Providing welcoming and accessible facilities
Culture: Supporting excellent, efficient operations

COUNCIL POLICY

Not Applicable

STATUTORY PROVISIONS

Local Government Act
Libraries Act

BACKGROUND

In November 2012 the Holdfast Bay Library Service joined the One Library Management System.

To streamline the implementation of the system the contract with the system vendor was owned by the LGCS and day to day support was provided by the Libraries Board of South Australia.

As the system and contract owner the LGCS issued a service agreement to each participating council.

The system became fully operational in September 2014 once every South Australian public library had joined the system.

Once fully operational the LGCS requested the transfer of both the vendor agreement and council service agreements to the Libraries Board of South Australia.

Refer Attachment 1

Now the transfer of the vendor agreement to the Libraries Board of South Australia has been completed, all council service agreements must be transferred across.

REPORT

Council is required to sign with the common seal a deed of novation and variation to transfer the service agreement between the City of Holdfast Bay and the LGCS to the Libraries Board of South Australia.

The amendments to the original document mainly relate to standard state government clauses related to privacy principles. These changes have no significant impact on the intention of the original documentation.

Refer Attachment 2

BUDGET

There are no budget implications relating to the signing of this novation deed.

LIFE CYCLE COSTS

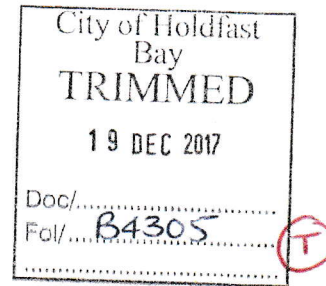
Not Applicable



Our Reference: 657771 / AH:VN

15 December 2017

Mr Justin Lynch
City of Holdfast Bay
PO Box 19
BRIGHTON SA 5048



Dear Mr Lynch

Transfer of One Card Agreement to the Libraries Board of South Australia

On Monday, 12 November 2012 your Council joined the One Library Management System (LMS) which has proven to be another successful joint venture between State and Local Government.

To streamline the implementation of the system, a decision was made by all parties that the contract with the system vendor would be owned by the Local Government Corporate Services (LGCS) while day to day management and support would be provided by the Libraries Board of South Australia through Public Library Services. This model is currently in place.

As the system and contract owner, the LGCS issued separate Service Agreements to each participating council that governed its participation in the consortium and use of the system.

With the LMS implementation finalised in September 2014 and the system now in operational mode, the LGCS requested the transfer of the vendor agreement to and corresponding Council agreements to the Libraries Board of South Australia. This has partly been born from an internal review of the LGCS' operations and a desire to refocuses the LGCS on its core activities. It also consolidates the contractual arrangements with the day to day management of the system to the Libraries Board providing a seamless approach to the service delivery.

Now that the vendor agreement has been transferred to the Libraries Board all council Service Agreements will also need to be novated across. Attached is the novation document for your Council. There are minimal amendments to the original document which are chiefly related to standard State Government clauses around Information Privacy Principles. These changes have no significant impact on the intention of the original documentation.

Please sign the attached documentation and return all copies, marked Confidential, to:

Brendan Robinson
Business Services Officer
Public Library Services
PO Box 1971
ADELAIDE SA 5000

Once all parties have signed the novation, a copy will be provided for your records

Yours sincerely

Andrew Haste
Chief Executive Officer, LGA Procurement
Telephone: 8224 2073
Email: andrew.haste@lga.sa.gov.au

DATED

15 JAN 2018

DEED OF NOVATION AND VARIATION

BETWEEN

LGCS PTY LTD

as trustee of the LGSC Trust Number 1 trading as Local Government Corporate Services

(LGCS)

AND

LIBRARIES BOARD OF SOUTH AUSTRALIA

(Board)

AND

City Of Holdfast Bay

(Council)



**Government
of South Australia**

CROWN SOLICITOR

Level 9, 45 Pirie Street, Adelaide SA 5000

DEED OF NOVATION AND VARIATION

DEED dated

BETWEEN:

LGCS Pty Ltd as trustee of The LGSC Trust Number 1 trading as Local Government Corporate Services (ABN 90 602 350 622)

(LGCS)

AND

Libraries Board of South Australia, a statutory authority established by the *Libraries Act 1982* (SA)

(Board)

AND

The local / district council or other local government body named as the Council on the cover of this Deed

(Council)

BACKGROUND

- A. LGCS and the Council entered into a South Australian One Library Management System Service Agreement (**Original Contract**).
- B. This Deed provides for:
 - (i) the Council and LGCS to terminate the Original Contract; and
 - (ii) the Council and the Board to enter into a contract on substantially the same terms as the Original Contract (**Substituted Contract**).

AGREED TERMS:

1. NOVATION

- 1.1 **The Council and LGCS agree that** on the Effective Date, the Original Contract terminates without prejudice to rights and obligations then accrued.
- 1.2 The Council and the Board agree that on the Effective Date, by force of this Deed, they enter into a Substituted Contract on the same terms and conditions as the Original Contract except:
 - 1.2.1 the Board substitutes for all references to LGCS;
 - 1.2.2 with credit given for any step taken in performance of the Original Contract before the Effective Date; and
 - 1.2.3 with those other changes clause 3 of this Deed requires.
- 1.3 In this Deed, **Effective Date** means:
 - 1.3.1 the date of this Deed; or

- 1.3.2 the date LGCS or the Board notifies the Council that every Participating Organisation (as defined in the Original Contract) has agreed to novate their sublicence in favour of a sublicence with the Board,

whichever is the later.

2. RUN OUT OBLIGATIONS

- 2.1 Effective on the Effective Date, LGCS must keep the Board indemnified against any claim, loss, cost or expense which the Board suffers or incurs or is liable for in respect of any act or omission by LGCS in respect of the Original Contract which occurred before the Effective Date.
- 2.2 Effective on the Effective Date, subject to clause 2.1, the Board undertakes to LGCS to duly observe and perform any obligations of LGCS under the Original Contract (if any) as remain to be observed or performed on the Effective Date.

3. CHANGES APPLICABLE TO THE SUBSTITUTED CONTRACT

The Substituted Contract has the following changes from those provisions of the Original Contract:

- 3.1 By deleting the definitions of "National Privacy Principles" and "Privacy Act" from clause 1.1.
- 3.2 By inserting the following definition at clause 1.1:
- "Information Privacy Principles** means the Department of the Premier and Cabinet Circular 12 - Information Privacy Principles Instruction - 20 June 2016 (a copy of which can be found at http://dpc.sa.gov.au/sites/default/files/pubimages/Circulars/PC012_Privacy_0.pdf).
- 3.3 By replacing the text of clause 3.5 with the following:
- "The Board shall use its reasonable endeavours to procure compliance by the Supplier with its obligations under the Head Agreement for the benefit of the Council including, without limitation, those in relation to the handling and safeguarding of data and compliance with the Information Privacy Principles."
- 3.4 By deleting clauses 5.1.3, 5.1.4, and 5.2.2.
- 3.5 By replacing the text of clause 5.1.5 with the following:
- "The Council must not directly contact the Supplier in relation to any aspect of the Head Agreement, the System or any other related matter, but must notify the Board of any issues which affect the operation of the System or the management of the Head Agreement."
- 3.6 By deleting the words "*as requested by the Libraries Board, related agreements and matters*" from clause 5.3.1.1.
- 3.7 By replacing the text of clause 6.3.2 with the following:
- "The Council agrees that the Annual Software Maintenance Fee will be deducted from grant funding remitted to it by the Libraries Board in each year during the Term and those funds shall be applied by the Libraries Board

in satisfaction of the Council's obligation to pay the Annual Software Maintenance Fee."

3.8 By replacing the text of clause 11.13.2.1 with the following:

"If to the Board:

Address: Libraries Board of South Australia
GPO Box 1971
Adelaide SA

Attention: Associate Director, Public Libraries Services

Facsimile: 8223 0964

4. COSTS OF THIS DEED

4.1 Each party must pay its own costs arising from the preparation and execution of this Deed.

4.2 The Board must pay the stamp duty (if any) assessed on this Deed.

EXECUTED AS A DEED

EXECUTED by LGCS as Trustee for the)
LGCS Trust Number 1 in accordance with)
Section 127 of the Corporations Act 2001:)

.....
Signature of Director

.....
DAVID O'LOUGHLIN
[Print Name]

.....
Signature of Chief Executive Officer

.....
ANDREW HASTE
[Print name]

THE COMMON SEAL of the Board was)
hereunto affixed by authority of the Board and)
is countersigned by two members of the)
Board:)

.....
Board Member

.....
[Print Name]

.....
Board Member

.....
[Print name]

THE COMMON SEAL of the **Council** was)
hereunto affixed in the presence of:)

.....
Chief Executive Officer

.....
Mayor

.....
[Print Name]

.....
[Print name]

Item No: **14.6**

Subject: **GLENELG OVAL – PROPOSED TELECOMMUNICATIONS TOWER SITE**

Date: 13 February 2018

Written By: Team Leader, Leasing & Commercial Operations

General Manager: City Assets & Services, Mr S Hodge

SUMMARY

On 9 February 2016 report 19/16 was submitted to Council which outlined Vodafone's desire to commence lease negotiations over a portion of land at Glenelg Oval. At this meeting, Council resolved (Resolution C090216/309) to adjourn the report and their decision until such time that the Glenelg Oval Master plan had been endorsed.

On 11 July 2017 Council endorsed the Glenelg Oval Master Plan and subsequently on 26 September 2017 endorsed the Stage One Budget Commitment which in turn triggered the recommencement of lease negotiation (in accordance with Resolution C090216/309).

ProRealty, who act on behalf of the applicant, have now advised that Vodafone seek to enter into a lease for an initial term of 20 years to occupy a portion of land (approximately 7m²) within C/T 5869/949. Vodafone have proposed to pay an annual rent of \$18,000, (plus GST) to Council for occupancy of this site.

As the applicant seeks a lease term of more than five (5) years and the land is classified as Community Land, pursuant to section 202 of the *Local Government Act 1999* prior to proceeding with any further lease arrangements Council must undertake public consultation in accordance with its Community Consultation and Engagement Policy to obtain the community's view about the proposed alienation of the community land.

RECOMMENDATION

- 1. That Council endorse the proposal put forward by Vodafone in principle;**
 - 2. That Administration undertake the required public consultation in accordance with its Community Consultation and Engagement Policy;**
 - 3. That following the completion of the Community Consultation the findings be returned to Council together with a subsequent report which outlines all relevant terms and conditions of any proposed Lease Agreement.**
-

COMMUNITY PLAN

Economy: Making it easier to do business
 Economy: Harnessing emerging technology

COUNCIL POLICY

Commercial Leasing Policy.
 Community Consultation & Engagement Policy.

STATUTORY PROVISIONS

Local Government Act 1999.
Telecommunications Act 1997 (Com).
Retail and Commercial Leases Act 1995.

BACKGROUND

Previous Relevant Reports, Applications and Decisions

- Council Report No.: 332/17; Item No.: 14.9, '*Glenelg Oval Master Plan – Stage One 2018-2019*', 26 September 2017 (Resolution No.: C260917/916).
- Council Report No.: 242/17; Item No.: 14.11, '*Glenelg Oval Master Plan – Consultation Findings*', 11 July 2017 (Resolution No.: C110717/848).
- Council Report No.: 304/16; Item No.: 14.4, '*Glenelg Oval Master Plan*', 13 December 2016 (Resolution No.: C131216/605).
- Council Report No.: 19/16; Item No.: 17.2, '*Glenelg Oval – Telecommunications Tower Site*', 9 February 2016 (Resolution No.: C090216/309) – Report Adjourned.

REPORT

Following the endorsement of the Glenelg Oval Master Plan and Stage One Budget ProRealty, acting on behalf of the Vodafone Corporation, have again approached Council seeking to reopen lease negotiations to occupy a portion of land at Glenelg Oval.

Basic Terms and Conditions Proposed by Vodafone

At this present time, the basic terms and conditions of Vodafone's proposal are as follows:

Lessor	City of Holdfast Bay (ABN 62 551 270 492)
Lessee	Vodafone Network Pty Ltd (ACN 081 918 461)
Commencement Date	TBA
Initial Term	Twenty (20) years

Option to Renew	N/A
Rental	\$18,000 per annum (plus GST) to Council
Rental Review	3% per annum on the anniversary of the commencement of the lease.
Other Conditions	<p>Vodafone to be responsible for all operational costs associated with this facility.</p> <p>Vodafone is to pay outgoings for the site and a portion of Council's legal fees.</p> <p>Vodafone require that a Break Clause be incorporated within the lease.</p>

It should be noted that other relevant terms and conditions will be negotiated upon completion and consideration of the public consultation.

Proposed Works

Vodafone seek to lease an area of approximately 7m² at the north-western end of Glenelg Oval adjacent to the Cricket Club building and Air Raid Shelter.

Refer Attachment 1

The proposed site works to be undertaken by Vodafone to install the infrastructure will include:

- the removal of the existing light pole, replacing it with a new pole;
- the reinstatement of Council's lights;
- the installation of VHA's antennas atop the tower;
- the installation of a bay of six (6) cabinets against the wall adjacent existing canteen building; and
- the running of underground cables between the pole and cabinets.

The cost of these works will be borne by the applicant.

Community Consultation

As the applicant seeks a lease term of more than five (5) years and the land is classified as Community Land, pursuant to section 202 of the *Local Government Act 1999* prior to proceeding with any further formal lease arrangements Council must undertake public consultation to obtain the community's view on the alienation of the community land in question.

Development Approval

To assist Council further, Vodafone have submitted schematics for the proposed infrastructure.

Refer Attachment 2

As the overall height of the tower and antennas do not exceed 30 metres, the proposal avoids any *non-complying* assessment under the Development Act; which will allow it to be assessed on merit alone. Public consultation for the development will also be required but in the form of Category 2 notification; which invites comments from adjacent landowners but does not allow appeal rights from third parties following a decision on the proposal.

Upon receipt of the development application, council staff will apply due diligence and enquire with the Minister for Planning as to whether the commercial benefits from the lease would give rise to a conflict of interest in the assessment of the proposal by Council's own Assessment Panel. Should the Minister consider that a conflict does exist, the State Planning Assessment Commission will be appointed as the relevant planning authority instead of Council's Assessment Panel.

Glenelg Oval Master Plan

In September 2017, Council endorsed both the operational commencement of the Glenelg Oval Master Plan, which consists of three (3) separate stages:

- Stage One entailing the redevelopment of the tennis club building, re surfacing of eight courts, new car park and on street parking and upgrades to Margaret Messenger Reserve;
- Stage Two entailing the redevelopment of the Cricket Club building and refurbishment of Football Club building, new cricket nets, playground and amenities; and
- Stage Three entailing the development of a two court indoor sports stadium at the north-western most corner of the property.

Refer Attachment 3

At this present time, neither Stages One, Two nor Three include the redevelopment of the lighting towers. Therefore the installation of the proposed VHA's antennas atop the tower is deemed consistent with the Master Plan development.

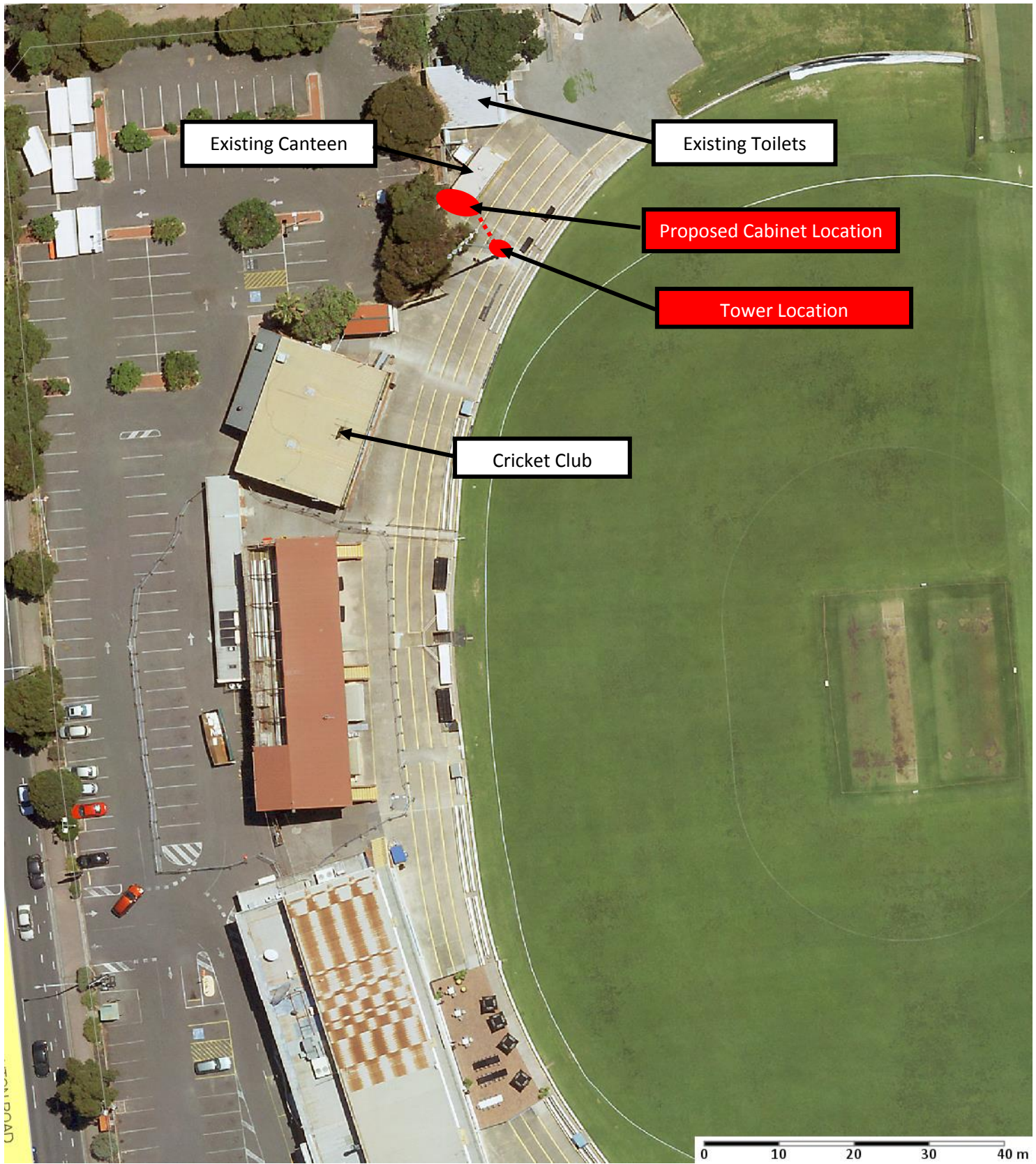
However, it should be noted that the proposed demolition of the existing northern toilets and canteens (per the current Stage Two plans) *may* impact the proposed location of the six (6) bay cabinets. Due to this, a possible alternate location for the six (6) cabinets is to be further discussed with the applicant.

BUDGET

Should this lease proceed, any rental received will positively impact budget revenue over the following 20 years. All initial costs associated with undertaking public consultation will be included in the 2017/18 budget.

LIFE CYCLE COSTS

All costs of construction and maintenance of the proposed facility will be the responsibility of the applicant. Therefore there will be no impact on Council's Long Term Financial Plan.



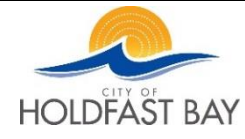
Existing Canteen

Existing Toilets

Proposed Cabinet Location

Tower Location

Cricket Club



This map has been created for the purpose of showing basic locality information and is a representation of the data currently held by The City of Holdfast Bay. This information is provided for private use only. While every effort has been made to ensure the accuracy of the product, Council accepts no responsibility for any errors or omissions. Property Boundary line network data is supplied by State Government.

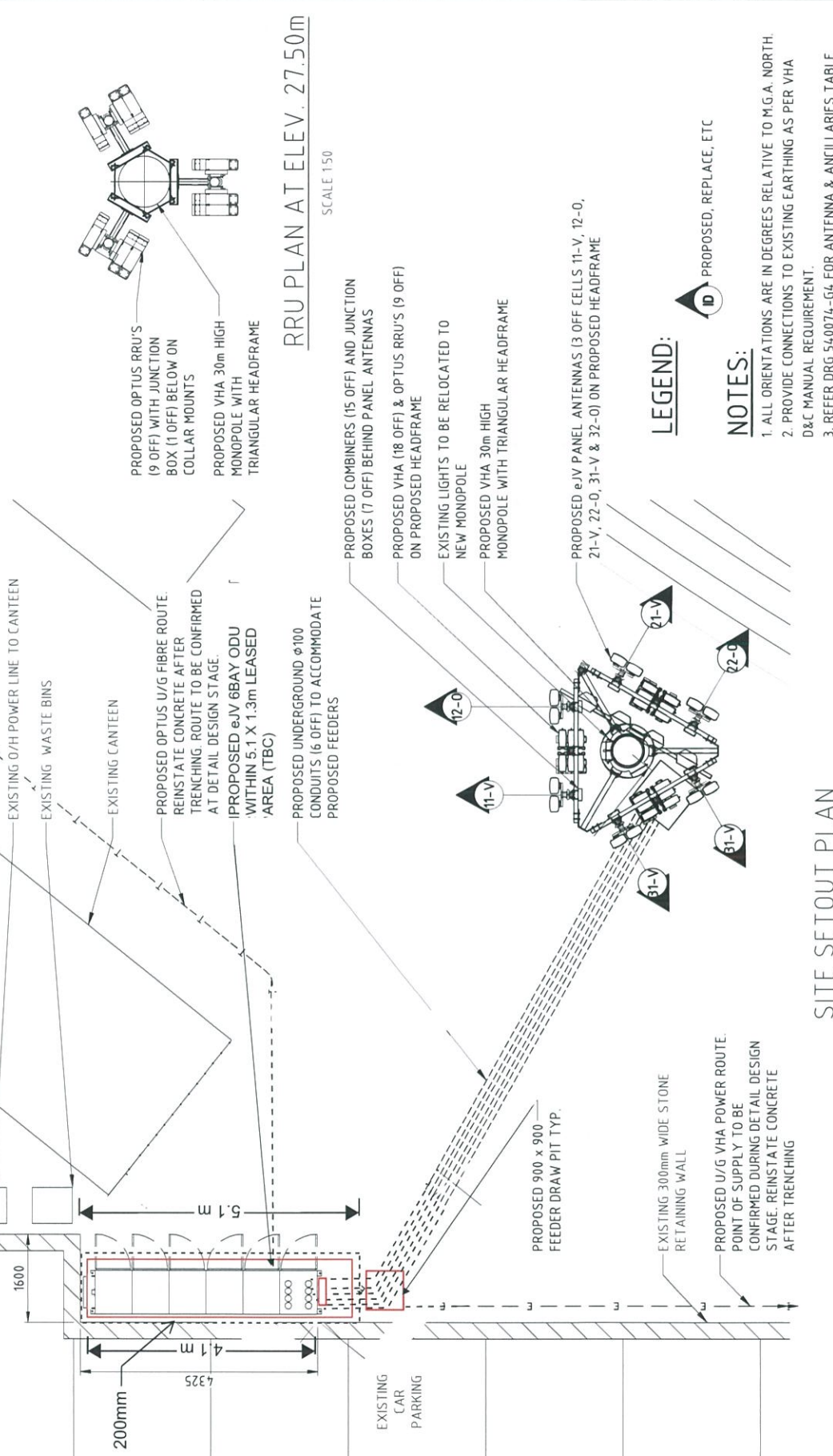
VODAFONE TOWER – GLENELG OVAL



A3



DATUM POINT		GDA94 CO-ORDINATES		GROUND LEVEL	
LATITUDE		-34.98298		A.H.D.R.L 5.80m	
LONGITUDE		138.52124		EL. 0.00m	
MGA CO-ORDINATES		E 273 738		ZONE	
		N 6 126 037		54	



RRU PLAN AT ELEV. 27.50m
SCALE 1:50

- LEGEND:**
- PROPOSED, REPLACE, ETC
- NOTES:**
1. ALL ORIENTATIONS ARE IN DEGREES RELATIVE TO M.G.A. NORTH.
 2. PROVIDE CONNECTIONS TO EXISTING EARTHING AS PER VHA D&C MANUAL REQUIREMENT.
 3. REFER DRG 540074-G4 FOR ANTENNA & ANCILLARIES TABLE.

SITE SETOUT PLAN
SCALE 1:75

ANTENNA TYPE		ANTENNA SIZE		JOINT VENTURE NO:	
TONGYU T08-D609017 / Q17271DDE-60F		2680H x 620W x 160D		JA3208	
REV		DATE		TITLE	
B 21/15		16/12/15		SITE SETOUT PLAN	
A 14/15		14/12/15		eJV GREENFIELD PROJECT	
REV		DATE		DRAWING STATUS:	
A 14/15		14/12/15		PRELIMINARY	
REV		DATE		DRAWING NO:	
A 14/15		14/12/15		540074-G2	
REV		DATE		REV	
A 14/15		14/12/15		B	

servicestream
MOBILE COMMUNICATIONS
US: 39 Park Ave, Woodside North, SA 5092
T: +61 8 3211 9634 F: +61 8 3211 9650 | www.servicestream.com.au

VHA
VHA SITE 540074
GLENELG EAST - V
BRIGHTON ROAD
GLENELG EAST, SA 5045

NOTE:
 REFER TO TABLE AND ANCILLARIES INFORMATION
 FOR ANTENNA AND ANCILLARIES INFORMATION

REV	DATE	DESCRIPTION
B	21/12/15	DWG ADDED
A	16/12/15	PRELIMINARY ISSUE (eJV GREENFIELD PROJECT)

DRAWING CHECK	DESIGN CHECK	APPROVED	DATE
AS	AI		

INITIALS	SIGNATURE	DATE
		16/12/15
		16/12/15
		16/12/15



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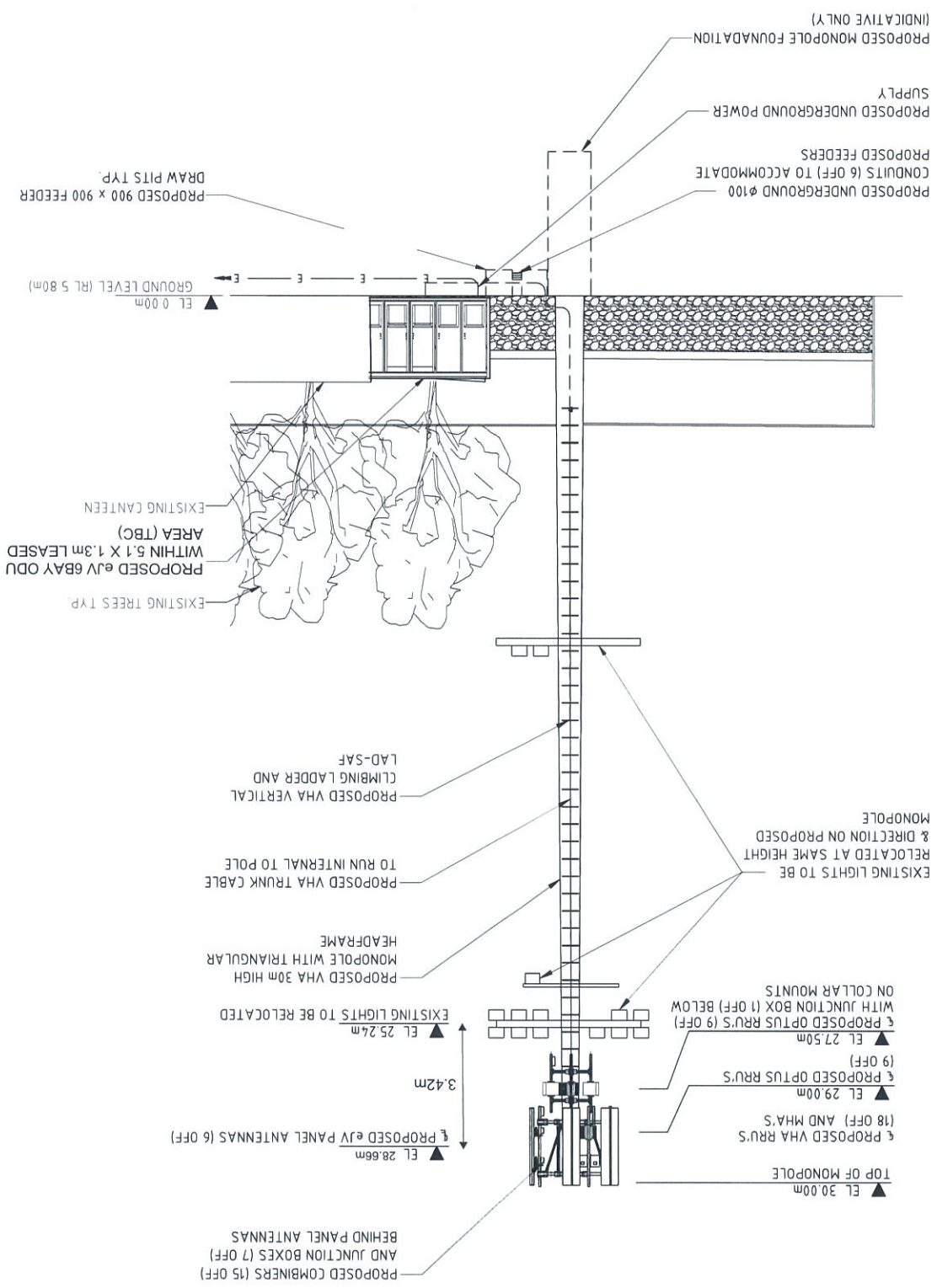
VHA
 VHA SITE 54,0074
 GLENELG EAST - V
 BRIGHTON ROAD
 GLENELG EAST, SA 5045

THE
 SITE ELEVATION
 DRAWING No. 54,0074-G3
 PRELIMINARY
 STATUS

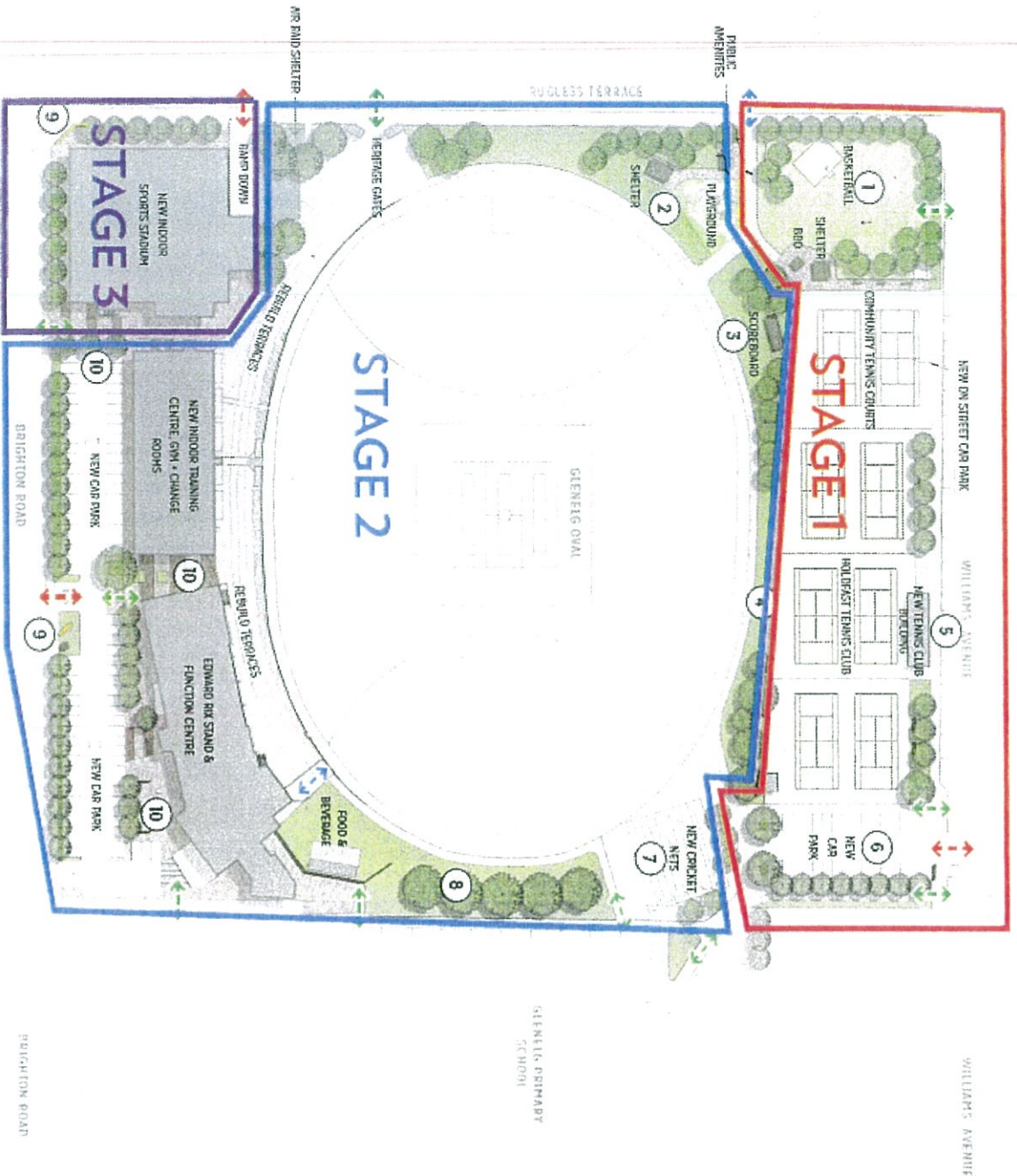
JOINT VENTURE NO: JA3208

ANTENNA TYPE	TONGU T08-D609017 / 01727170ER-60F
ANTENNA SIZE	2680H x 620W x 160D

NORTH EASTERN ELEVATION
 SCALE 1:150



GLENELG OVAL LANDSCAPE MASTER PLAN
CITY OF HOLDFAST BAY



KEY MOVES

- 1 Upgrade Margaret Messenger Reserve, provide new entry points, retain existing shelter, BBQ and 3 on 3 basketball court
- 2 Provide new playground, shelter, public amenities and tree planting
- 3 Install new scoreboard and reduce northern end of existing stone retaining wall to improve access to Glenelg Oval
- 4 Retain existing mound and provide new tree planting and path to oval edge
- 5 Provide new tennis club building, courts and tree planting
- 6 Provide defined entry pathway to Glenelg Primary School with new car parking, signage, tree planting and paving
- 7 Install new cricket nets
- 8 Remove existing retaining wall, provide a path to the oval edge with new tree planting and reduce mound to improve access from Glenelg Primary School
- 9 Provide new signage/entry walls and tree planting to Brighton Road/Williams Road and retain selected existing trees
- 10 Provide entry plazas to new and existing buildings and formalise the central entry plaza for Glenelg Oval

ENTRIES

- Pedestrian
- ↔ Pedestrian + Maintenance
- ↔ Vehicle

Item No:	14.7
Subject:	LIQUOR LICENSING (LIQUOR REVIEW) AMENDMENT BILL 2017, AND COUNCIL'S NEW LIQUOR LICENSING POLICY (2018)
Date:	13 February 2018
Written By:	Team Leader, Leasing & Commercial Operations
General Manager:	City Assets, Mr S Hodge

SUMMARY

At its meeting on 8 March 2011, Council endorsed its current Liquor Licencing Policy which at the time was aligned with the aims and objectives of the *Liquor Licensing Act 1997*. Over the years since, the policy has set the benchmark for the assessment of all liquor licence applications, as well as serving as a mechanism that allows Council to regulate licensed premises and events within the city.

However, following the two (2) year review of South Australia's Liquor Licensing Laws, in November 2017 the *Liquor Licensing (Liquor Review) Amendment Bill 2017* passed both houses of Parliament, and on 28 November 2017 was granted Assent by the Governor of South Australia.

As a result, a number of amendments have now been made to the *Liquor Licensing Act 1997* which consequently will impact some of Council's statutory authority for liquor licence applications; particularly the ability to intervene and/or object to an application when Planning, Development and/or Council approval is not required.

Administration have now drafted a new revised policy that reflects the aims and intentions of the new legislation. The primary changes are listed on pages 3 and 4. Council endorsement is now required to implement this policy.

RECOMMENDATION

That Council notes the contents of this report and endorses the new Liquor Licensing Policy.

COMMUNITY PLAN

Placemaking: Creating lively and safe places
Economy: Supporting and growing local business
Economy: Making it easier to do business

COUNCIL POLICY

Liquor Licensing Policy (2011).

STATUTORY PROVISIONS

Local Government Act 1999.

Liquor Licensing Act 1997 ("Act").

Liquor Licensing (Liquor Review) Amendment Bill 2017 ("Bill").

Planning, Development and Infrastructure Act 2016.

BACKGROUND

Previous Reports and Decisions

- Council Report No.: 71/17; Item No.: 14.2, '*Council Policy Review*', 14 March 2017 (Resolution No.: C140317/701).
- Council Item in Brief No.: 08/16; Item No.: 14.1.4, '*2016 Liquor Licensing Act Review, and Proposed Deferral of Council's Small Venue Management Plan*', 19 January 2016 (Resolution No.: C190116/297).
- Motion on Notice (Report No.: 325/15; Item No.: 11.2) 27 October 2015 – '*Expansion of Small Venue Licences Outside the Adelaide CBD*' (Resolution No.: C271015/228).
- Council Motion on Notice No.: 332/15; Item No.: 11.1, '*Small Venue Licenses – Letter to the Premier*', 10 November 2015 (Resolution No.: C101115/243).
- Council Item in Brief No.: 182/14; Item No.: 14.1.2, '*Small Venue Licenses – Response from the Liquor & Gambling Commissioner*', 24 June 2014 (Resolution No.: C240614/1146).
- Council Item in Brief No.: 145/14; Item No.: 14.2, '*Small Venue Licenses – Letter to the Liquor & Gambling Commissioner*', 27 May 2014 (Resolution No.: C270514/1116).
- Council Report No.: 50/11; Item No.: 14.3, '*Proposed Liquor Licensing Policy*', 8 March 2011 (Resolution No.: C080311/104).

Other Relevant Council Actions

- City of Holdfast Bay Liquor Licensing Discussion Paper - Submission to the Attorney-General - Responses to Hon T.R Anderson QC Independent review of the *Liquor Licensing Act 1997*.
https://www.agd.sa.gov.au/sites/g/files/net2876/f/23_city_of_holdfast_bay.pdf?v=1491803814

REPORT

On 8 March 2011, Council endorsed its current Liquor Licencing Policy (Resolution C080311/104). This policy, outlines Council's responsibilities and powers in relation to matters of Liquor Licensing within the City of Holdfast Bay, and primarily sought to provide guidance, to ensure that community expectations were met with respect to the location, nature and operating conditions of licensed venues and events.

Now however, with the passing of the *Liquor Licensing (Liquor Review) Amendment Bill 2017*, Council's current Policy has become outdated and inconsistent with the new laws. As such, a new policy has been drafted.

Liquor Licensing (Liquor Review) Amendment Bill 2017

A number of amendments have now been made to the Act as a result of the recent Bill, some of the most notable being:

- The implementation of new licence categories, which are aimed at simplifying the process for venues and events to obtain a licence;
- The introduction of new licensing fees;
- The implementation of tougher laws around the secondary supply of alcohol to minors;
- The removal of outdated restrictions on the sale of liquor on Sundays, Christmas Day, Good Friday, New Year's Eve and New Year's Day; and
- The abolition of anti-competitive "needs test".

However, two (2) of the most noteworthy changes that are relevant to Council's day-to-day authority, are:

- The removal of a council's right to intervene and/or object to an application when Planning, Development and/or Council approval is not required; and
- The new ability for individual councils to implement temporary dry areas via Gazette Notice without the Commissioner's approval.

Though the former removes Council's ability to further regulate licensed premises, the latter increases Council's ability to regulate the public realm as and when needed.

Council's New Liquor Licensing Policy 2017

As a result of the amendments, the primary changes that have been made to Council's new policy are as follows:

- the addition and clarification of council's statutory authority to regulate licensed premises through Development Approval (s 2.2);

- the substitution of the Act's Standard Approved Hours in lieu to the specified hours of trade (s 2.3);
- the inclusions of council's authority to manage and regulate liquor consumption in Outdoor Dining Areas (s 2.7);
- the inclusion of council's right to regulate limited liquor licence applications (ss 2.10 – 2.11); and
- Council's new statutory authority to implement temporary dry areas without the Commissioner's approval (s 2.12).

Refer Attachment 1 and 2

Attachment 1 is the new policy with Attachment 2 being the tracked changes on the old policy.

BUDGET

An annual budget allocation is provided to City Assets & Services for matters relating to Liquor Licensing. This budget includes the engagement of legal advice and services when and where necessary.

LIFE CYCLE COSTS

At this stage, there are no additional costs to Council associated with that contained within this report.

Classification:	Statutory Policy.
Trim Container	TRIM Container Number
Trim Document Number:	TRIM Document Number
First Issued / Approved:	8/03/2011
Last Reviewed:	8/03/2011
	C080311/104
Next Review:	Review Date
Responsible Officer:	Liquor Licensing & Community Safety Officer
Date Placed on Web:	Date placed on the Web

1. PREAMBLE

This policy outlines Council's responsibilities and powers in relation to matters of Liquor Licensing within the City of Holdfast Bay.

1.1 *Background*

The City of Holdfast Bay is one of South Australia's premier seaside destinations and tourist areas accommodating interstate, regional and overseas travellers. Due to this, a significant number of licensed premises exist within the council boundaries; ranging from small-scale sporting clubs and hairdressing salons through to restaurants, cafes and hotels. As licensed premises desire to adapt to social and economic change (like all businesses), the prescriptive nature of Liquor Licensing and Development Legislation require councils to implement guidelines to ensure that the parameters of any/all new licences and/or existing licence variation are compatible within a legislative and policy context, while consistently meeting the expectations of community.

1.2 *Purpose*

This policy sets out the terms of reference and provides a framework for the exercise of Council's powers, assessment mechanisms and intervention rights pursuant the *Liquor Licensing Act 1997*. This policy seeks to encourage responsible attitudes and practices towards the consumption and use of liquor within Holdfast Bay, and should be read in conjunction with the City of Holdfast Bay Development Plan, Outdoor Dining Policy and the City of Holdfast Bay By-Laws for a comprehensive interpretation of requirements.

1.3 *Scope*

This policy applies to the operation of all liquor licences and licensed premises (as defined and approved by the *Liquor Licensing Act 1997*) within the City of Holdfast Bay.

1.4 *Definitions*

1.4.1 *Council* means a Council within the meaning of the *Local Government Act 1999*;

LIQUOR LICENSING POLICY

- 1.4.2** *Council Land/Public Place* means all roads, footpaths, buildings, land, reserves, structures, community centres etc owned and or maintained by a Council pursuant section 4 of the *Local Government Act 1999*;
- 1.4.3** *Entertainment* means entertainment and/or live entertainment within the meaning of the *Liquor Licensing Act 1997*;
- 1.4.4** *Entertainment Consent* means entertainment consent within the meaning of the *Liquor Licensing Act 1997*;
- 1.4.5** *Extended Trading Authorisation (ETA)* means a conditional authorisation imposed on a licence by the 'Licensing Authority' to extend the standard approved hours of liquor service pursuant section 44 of the *Liquor Licensing Act 1997*;
- 1.4.6** *Licensed Premises* means a licensed premise(s) within the meaning of the *Liquor Licensing Act 1997*;
- 1.4.7** *Licensing Authority* means Consumer and Business Services (CBS), the Liquor and Gambling Commissioner ("Commissioner"), the Licensing Court of South Australia; and/or a delegate thereof;
- 1.4.8** *Liquor* means liquor within the meaning of the *Liquor Licensing Act 1997*;
- 1.4.9** *Liquor Licence* means a liquor licence within the meaning of the *Liquor Licensing Act 1997*;
- 1.4.10** *Local Authority* means Council;
- 1.4.11** *Outdoor Dining Area (ODA)* means the area where outdoor dining is permitted under either section 221 or 222 of the *Local Government Act 1999* (in accordance with section 1.4 of the *City of Holdfast Bay's Outdoor Dining Policy*);
- 1.4.12** *Section 69 Approved Area* means an authorisation to consume liquor in an Outdoor Dining Area in accordance with section 69 of the *Liquor Licensing Act 1997*;
- 1.4.13** *Standard Approved Hours (SAH)* means the standard hours legislatively approved for sale and/or supply of liquor for each respective licence category within the *Liquor Licensing Act 1997* **without** an ETA;

1.5 **Community Plan**

Placemaking: Creating lively and safe places

Economy: Supporting and growing local business

Economy: Making it easier to do business

Economy: Boosting our visitor economy

2. POLICY STATEMENT

- 2.1** In accordance with section 52 of the *Act*, Council requires notification no less than 28 days prior to the scheduled hearing date of *all* liquor licence applications, extended trading authorisations and entertainment consents for licensed premises established within its jurisdiction;
- 2.2** In accordance with section 2.1 of this policy, Council will assess the individual merits of each application against relevant legislation, development requirements, Building Code of Australia, Council policy guidelines, and the intentions and objects of the *Act* to ensure:
- 2.2.1** that the existing 'use rights' of the subject land/property are deemed suitable for the establishment of a licensed premises;
 - 2.2.2** that the sought standard approved hours are deemed suitable for both the licensed premises and its location;
 - 2.2.3** that any sought extended trading authorisation is deemed appropriate for both the licensed premises and its location;
 - 2.2.4** that the operational hours of any sought section 69 approved Outdoor Dining Area are deemed suitable for a both the licensed premises and its location;
 - 2.2.5** that any sought entertainment consent is deemed appropriate for both the licensed premises and its location;
- 2.3** As the City of Holdfast Bay is a highly residential area, in accordance with sections 2.1, 2.2.2 and 2.2.3 of this policy, with the exception of extenuating circumstances, council will generally only support **Standard Approved Hours** prescribed by the *Act* for each individual licence category.
- 2.3.3** Should an applicant seek licensed hours exceeding the **SAH** prescribed by the *Act*, further development approval and/or Council resolution **may** be required;
- 2.4** In accordance with section 77(3) of the *Act* council may exercise its right of intervention into licence proceedings held before the Licensing Authority for applications requiring Development Approval. To exercise this right council must provide **sufficient** evidence to the Licensing Authority that the application will contravene development and/or planning requirements.
- 2.5** In accordance with sections 77 & 78 of the *Act*, council reserves the right to provide the Licensing Authority with a written submission when a proposed licence, operation of a licence, or conduct of a licensee is deemed to be of detriment to the amenity of the local area. To exercise this right council must provide **sufficient** evidence to the Licensing Authority that a licensed premises will have significant detrimental impact on the community.

LIQUOR LICENSING POLICY

- 2.6** In accordance with section 69 of the *Act* and sections 2.1 - 2.5 of Council's Outdoor Dining Policy, an application may be lodged with the Local Authority by a Licensee to authorise the provision of liquor within an allocated area of council land adjacent to a licensed premise;
- 2.7** For the purpose of section 2.6 of this policy:
- 2.7.1** In accordance with section 2.10.2 of Council's Outdoor Dining Policy, no liquor is to be served, supplied and/or consumed within a section 69 approved area between the hours of 12:00 am and 8:00 am on any day;
- 2.7.2** In accordance with sections 2.6 and 2.7 of Council's Outdoor Dining Policy, should an outdoor dining permit lapses or becomes cancelled, revoked or suspended, the Local Authority will notify the Licensing Authority thus revoking any section 69 authorisation to consume liquor in the area adjacent to the licensed premises;
- 2.7.3** When liquor is to be consumed in an approved outdoor area Council reserves the right to impose a maximum capacity for each individual area based on:
- a) 1 person per 1m² for seated areas;
 - b) 1 person per 0.75m² where approval for standing consumption is sought;
- 2.8** Pursuant to section 105 of the *Act*, entertainment in licensed premises should contribute positively to and not detract from the amenity of the area. As such, in accordance with sections 2.1 and 2.2.5 unless good cause is demonstrated, in all cases where entertainment is sought to be provided, Council will seek the imposition of the following conditions:
- a) All doors and windows within the premises are to be closed (but not locked) during the trading hours when entertainment is provided;
 - b) No [live] entertainment is to be provided on or in any balcony or outdoor/external area;
 - c) No loudspeakers are to be placed on the fascia of the premises, balcony or any other adjacent outdoor area or footpath;
- 2.9** In accordance with section 106 of the *Act* and for the purpose of section 2.5 of this policy, council may exercise its power to submit a complaint to the Licensing Authority on the grounds that entertainment, live entertainment and/or general noise emanating from a licensed premise excessive and is deemed to be **unduly** offensive, annoying, disturbing, or inconvenient to at least ten (10) persons who reside, work or worship in the immediate vicinity of a licensed premises;
- 2.10** In accordance with section 40 of the *Act*, council (both as landlord and local authority) requires that *all* Limited Liquor Licence applications are to be submitted to council for assessment;

LIQUOR LICENSING POLICY

- 2.11** For the purpose of section 2.10 of this policy, and in accordance with the City of Holdfast Bay's public land alcohol management (through the enforcement of By-Laws), council reserves the right to approve, refuse and/or restrict licence hours, conditions, and/or entertainment consent of any limited liquor licence application to assist in the management of public land/places, and to ensure the reasonable peace of residents;
- 2.12** In accordance with the provisions set out in section 131 of the *Act* council reserves the right to implement a temporary dry area for the purpose of prohibiting the consumption and/or possession of liquor in any public place for a period of up to and including 48 hours.

3. REFERENCES

3.1 Legislation

- *Liquor Licensing Act 1997 ("Act").*
- *Planning, Development and Infrastructure Act 2016.*
- *Local Government Act 1999.*

3.2 Other References

- *City of Holdfast Bay Outdoor Dining Policy (2017)*
- *City of Holdfast Bay City Wide Outdoor Urban Design Guidelines*

Trim Container	TRIM Container Number
Trim Document Number:	TRIM Document Number
First Issued / Approved:	Date of first issue/approval
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Responsible Officer:	Responsible Officer
Date Placed on Intranet::	Date Placed on Intranet

1. PREAMBLE

~~This Policy seeks to provide guidance, within the scope of the State Government's liquor licensing laws, to ensure that community expectations are met with respect to the location, nature and operating conditions of licensed venues and events within the Holdfast Bay.~~

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1.1 Background

~~The prevalence of licensed premises and their desire for continual adaptation within the City of Holdfast Bay requires prescriptive guidance to ensure that the parameters of any license are compatible with the expectations of the community and are cognizant of interface issues with residential areas. In recognition of this, Council requires a policy according to which it will assess and consider the merits for and adaptation of licensed premises. Councils has no authority pursuant to the Liquor Licensing Act 1997 but is a referral agency for the Office of the Liquor and Gambling Commissioner where an application to install or vary a liquor licence is made.~~

Commented [SR1]: In the new policy, this section has been amended to more accurately reflect the purpose of Council's aims towards licensing:

This policy outlines Council's responsibilities and powers in relation to matters of Liquor Licensing within the City of Holdfast Bay.

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1.2 Purpose

~~The purpose of this Policy is to provide a framework for the exercise of Council's powers pursuant to the Liquor Licensing Act 1997 and seeks to encourage responsible attitudes and practices towards the consumption and use of liquor within its jurisdiction by attempting to prevent and/or reduce its misuse through:~~

- ~~a. the consideration of Liquor Licence applications referred to the Council Pursuant to the Act;~~
- ~~b. the identification, assessment and actioning of concerns identified by the Council, including complaints made to the Council about particular premises;~~
- ~~c. the reduction of potential impacts on local amenity associated with the consumption of alcohol by minimising noise, offence, disturbance or inconvenience to people who reside, work or worship in the vicinity of licensed premises and to minimise the prejudice to the safety and welfare of children attending kindergarten, primary school or secondary school in the vicinity;~~

Commented [SR2]: In the new policy, this section has been amended to more accurately reflect the purpose of Council's aims towards licensing:

The City of Holdfast Bay is one of South Australia's premier seaside destinations and tourist areas accommodating interstate, regional and overseas travellers. Due to this, a significant number of licensed premises exist within the council boundaries; ranging from small-scale sporting clubs and hairdressing salons through to restaurants, cafes and hotels. As licensed premises desire to adapt to social and economic change (like all businesses), the prescriptive nature of Liquor Licensing and Development Legislation require councils to implement guidelines to ensure that the parameters of any/all new licences and/or existing licence variation are compatible within a legislative and policy context, while consistently meeting the expectations of community.

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LIQUOR LICENCE POLICY

~~d. the assurance that the Council's responses to applications and liquor related matters generally are managed in an effective, timely and consistent manner; and~~

~~e. the achievement of trading hours and licence conditions that are consistent between premises and with the terms of this policy.~~

1.3 Scope

~~The scope of this policy applies to all applications made to install or vary a liquor licence is made pursuant to the Liquor Licensing Act 1997.~~

1.4 Definitions

~~Liquor Licence Application means any proposal requiring authorisation from the Office of the Liquor and Gambling Commissioner (OLGC) and/or the Licensing Court of South Australia (the Court) pursuant to the Liquor Licensing Act, 1997 ("the Act").~~

1.5 Strategic Reference

A Place with a Quality Lifestyle
A Place that is Well Planned

2. PRINCIPLES

~~2.1 As South Australia's premier seaside location, the City of Holdfast Bay recognises the contribution of licensed premises in association with other seaside business activities to create a unique location attractive to residents, workers and visitors.~~

~~Council also acknowledges that as an established area a number of licensed premises have historically co-existed with other land uses including residential land uses. Holdfast Bay's increasing appeal provides further challenges to Council to ensure licensed premises are managed responsibly to minimise impacts to nearby residential land uses.~~

~~This Policy has been developed by the Council after consultation with the Office of the Liquor and Gambling Commissioner and highlights Council's commitment to working collaboratively to address liquor related issues and to protect and enhance the City's unique amenity for the benefit of residents, business, workers and visitors.~~

2.2. The Act:

~~2.2.1 All liquor licensing matters within South Australia are regulated by the provisions of the Liquor Licensing Act 1997 ("the Act").~~

Commented [SR3]: Deleted as excessive.

This section has been condensed and amended to provide a more succinct Purpose:

This policy sets out the terms of reference and provides a framework for the exercise of Council's powers, assessment mechanisms and intervention rights pursuant the *Liquor Licensing Act 1997*. This policy seeks to encourage responsible attitudes and practices towards the consumption and use of liquor within Holdfast Bay, and should be read in conjunction with the City of Holdfast Bay Development Plan, Outdoor Dining Policy and the City of Holdfast Bay By-Laws for a comprehensive interpretation of requirements.

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Commented [SR4]: Amended to read:

This policy applies to the operation of all liquor licences and licensed premises (as defined and approved by the *Liquor Licensing Act 1997*) within the City of Holdfast Bay.

Commented [SR5]: The new policy expands the definitions section to avoid confusion on a number of definitions and meanings:

1.4.1 Council means a Council within the meaning of the *Local Government Act 1999*;

1.4.2 Council Land/Public Place means all roads, footpaths, buildings, land, reserves, structures, community centres etc owned and or maintained by a Council pursuant section 4 of the *Local Government Act 1999*;

1.4.3 Entertainment means entertainment and/or live entertainment within the meaning of the *Liquor Licensing Act 1997*;

1.4.4 Entertainment Consent means entertainment consent within the meaning of the *Liquor Licensing Act 1997*;

1.4.5 Extended Trading Authorisation (ETA) means a conditional authorisation imposed on a licence by the 'Licensing Authority' to extend the standard approved hours of liquor service pursuant section 44 of the *Liquor Licensing Act 1997*;

1.4.6 Licensed Premises means a licensed premise(s) within the meaning of the *Liquor Licensing Act 1997*;

1.4.7 Licensing Authority means Consumer and Business Services (CBS), the Liquor and Gambling Commissioner ("Commissioner"), the Licensing Court of South Australia; and/or a delegate thereof; ... [1]

Commented [SR6]: The entire 'Principles' section has been completely reworked!

The vast majority of text in this section is cumbersome, and now no longer relevant to the Act or Council's authority on Liquor Licensing.

Commented [SR7]: Deleted as unnecessary

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LIQUOR LICENCE POLICY

2.2.2 The Objects of the Act include “to regulate and control the sale, supply and consumption of liquor for the benefit of the community as a whole”.

2.2.3 The Office of the Liquor and Gambling Commissioner (OLGC) and the Licensing Court of South Australia (the Court) are responsible for the administration of the Act.

2.2.4 The Act also sets out roles and responsibilities for local Council in relation to liquor licensing matters. These statutory rights and obligations reflect the Councils’ unique position and experience balancing the sometimes conflicting needs and expectations of the Community.

2.2.5 In order to fulfil its statutory roles and responsibilities in furtherance of the Act and its Objects, the Council will refer to and be guided by this Policy and the Holdfast Bay (City) Development Plan.

2.3. Section 76 and the Power to Intervene

2.3.1 Section 76(2) of the Act provides as follows:

A council in whose area licensed premises or premises proposed to be licensed are situated may intervene in proceedings before a licensing authority for the purpose of introducing evidence, or making representations, on any question before the authority.

2.3.2 The Council will exercise its right of Intervention if it deems that a matter before the OLGC or the Court may:

- Result in undue offence, annoyance, disturbance or inconvenience to people who reside, work or worship in the vicinity of the premises to which the matter relates; or
- Likely prejudice the safety and welfare of children attending kindergarten, primary school or secondary school in the vicinity of the premises to which the matter relates; or
- Adversely affect the amenity of the locality in the vicinity of the premises to which the matter relates or for any other reason that the Council deems to be appropriate.

2.4. Section 106 and Complaints

2.4.1 Section 106 of the Act provides as follows:

(1) If

- (a) an activity on, or the noise emanating from, licensed premises; or
- (b) the behaviour of persons making their way to or from licensed premises, is unduly offensive, annoying, disturbing or inconvenient to a person who resides, works or worships in the vicinity of the licensed

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Commented [SR9]: This section has been amended to more accurately reflect Council’s new powers. This has been done by sections 2.1, 2.4, 2.5

2.1 In accordance with section 52 of the Act, Council requires notification no less than 28 days prior to the scheduled hearing date of all liquor licence applications, extended trading authorisations and entertainment consents for licensed premises established within its jurisdiction;

2.4 In accordance with section 77(3) of the Act council may exercise its right of intervention into licence proceedings held before the Licensing Authority for applications requiring Development Approval. To exercise this right council must provide **sufficient** evidence to the Licensing Authority that the application will contravene development and/or planning requirements.

2.5 In accordance with sections 77 & 78 of the Act, council reserves the right to provide the Licensing Authority with a written submission when a proposed licence, operation of a licence, or conduct of a licensee is deemed to be of detriment to the amenity of the local area. To exercise this right council must provide **sufficient** evidence to the Licensing Authority that a licensed premises will have significant detrimental impact on the community.

LIQUOR LICENCE POLICY

~~premises, a complaint may be lodged with the Commissioner under this section.~~

~~(2) A complaint under this section may be lodged by~~

~~(a)...~~

~~(b) ... the council for the area in which the licensed premises are situated;~~

~~(c)...~~

~~2.4.2 The Council will exercise its power to make a Complaint if it deems that:~~

~~• noise emanating from a licensed premises; or~~

~~• the behaviour of persons making their way to or from a licensed premises is unduly offensive, annoying, disturbing or inconvenient to a person who resides, works or worships in the vicinity of the licensed premises;~~

~~or for any other reason that the Council deems to be appropriate.~~

~~2.5. Consideration of Liquor Licence Applications~~

~~2.5.1 The Council encourages applicants and the Office of the Liquor and Gambling Commissioner to give notice of liquor licensing applications within its jurisdiction and within the prescribed time pursuant to Section 52 of the Act.~~

~~2.5.2 All liquor licence applications referred to the Council will be assessed by reference to this Policy.~~

~~2.5.4 The Council will carefully review and consider all applications within its boundaries, including those referred to it pursuant to the Act.~~

~~2.5.5 If:~~

~~• there are elements of the application which are inconsistent with this Policy; or~~

~~• the Council considers it can provide information or assistance to the Authority in relation to the application; or~~

~~• the Council has any cause for concern in relation to the Application;~~

~~then the Council will give notice to the Authority of those elements, that information or those concerns and may, at its discretion, formally intervene in the relevant application proceedings.~~

~~Where a Liquor Licence application is also associated with a development application seeking approval pursuant to the Development Act 1993,~~

Commented [SR10]: This section has been reviewed, condensed and amended in the new Policy as sections 2.8 and 2.9:

2.8 Pursuant to section 105 of the Act, entertainment in licensed premises should contribute positively to and not detract from the amenity of the area. As such, in accordance with sections 2.1 and 2.2.5 unless good cause is demonstrated, in all cases where entertainment is sought to be provided, Council will seek the imposition of the following conditions:

a) All doors and windows within the premises are to be closed (but not locked) during the trading hours when entertainment is provided;

b) No [live] entertainment is to be provided on or in any balcony or outdoor/external area;

c) No loudspeakers are to be placed on the fascia of the premises, balcony or any other adjacent outdoor area or footpath;

2.9 In accordance with section 106 of the Act and for the purpose of section 2.5 of this policy, council may exercise its power to submit a complaint to the Licensing Authority on the grounds that entertainment, live entertainment and/or general noise emanating from a licensed premise excessive and is deemed to be **unduly** offensive, annoying, disturbing, or inconvenient to at least ten (10) persons who reside, work or worship in the immediate vicinity of a licensed premises;

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~~then the Development Plan will also be used by the Council as the basis of the assessment, in accordance with the provisions of that Act.~~

~~All applications to Council for Outdoor Dining Permits where a liquor licence is also sought, will be assessed against this Policy as well as any other Council policies associated with Outdoor Dining.~~

~~All applications to Council for the hire or use of any Council property or facility (including Council land or reserves) or for road closures, street parties and the like where a liquor licence is also sought, will also be assessed by reference to this Policy.~~

~~2.6. Other Roles and Functions of the Council~~

~~2.6.1 In addition to and in furtherance of its specific roles and functions pursuant to the Act, the Council will undertake the following:~~

- ~~• Provide information and education to the community, where appropriate, which discourages the irresponsible service and consumption of alcohol;~~
- ~~• Act as an advisory body to persons wishing advice or clarification on licensing and planning related issues as they relate to Council;~~
- ~~• Liaise with Licensees, the South Australian Police, the OLGC and the general public to identify issues and complaints for consideration in the assessment of Liquor Licence applications;~~
- ~~• Undertake community consultation from time to time in accordance with this Policy;~~
- ~~• Facilitate regular meetings of Precinct Planning Groups by providing a venue for reference group meetings; facilitate regular meetings of the Events Protocol (?) involving the South Australian Police, Council's Events Unit and Liquor Licence & Public Safety Officer to discuss licensed events and identify and address liquor licensing issues; and~~
- ~~• appoint a Liquor Licensing and Public Safety Officer to assist in the discharge of its roles and obligations pursuant to the Act.~~

~~2.7. Guidelines for the Assessment of Liquor Licensing Applications (including Limited Licences)~~

~~2.7.1 Under Section 41 of the Liquor Licensing Act 1997:~~

- ~~(1) A limited licence authorises~~
 - ~~(a) the licensee to sell or supply liquor; or~~

Commented [SR11]: This section has been reviewed, condensed and amended in the new Policy to reflect Council's authority on the matter. The relevant sections in the new Policy are sections 2.1, 2.2, 2.10-2.12:

2.1 In accordance with section 52 of the Act, Council requires notification no less than 28 days prior to the scheduled hearing date of *all* liquor licence applications, extended trading authorisations and entertainment consents for licensed premises established within its jurisdiction;

2.2 In accordance with section 2.1 of this policy, Council will assess the individual merits of each application against relevant legislation, development requirements, Building Code of Australia, Council policy guidelines, and the intentions and objects of the Act to ensure:

2.2.1 that the existing 'use rights' of the subject land/property are deemed suitable for the establishment of a licensed premises;

2.2.2 that the sought standard approved hours are deemed suitable for both the licensed premises and its location;

2.2.3 that any sought extended trading authorisation is deemed appropriate for both the licensed premises and its location;

2.2.4 that the operational hours of any sought section 69 approved Outdoor Dining Area are deemed suitable for a both the licensed premises and its location;

2.2.5 that any sought entertainment consent is deemed appropriate for both the licensed premises and its location;

Commented [SR12]: Deleted as now unnecessary and obsolete

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- (b) the consumption of liquor, in accordance with the terms and conditions of the licence, in circumstances in which the sale, supply or consumption of liquor would otherwise be unlawful.
- (2) A limited licence may only be granted for a special occasion or series of special occasions.
- (3) A limited licence is not to be granted for a term of more than one month unless the licensing authority is satisfied that there are special circumstances justifying a longer term.
- (4) A limited licence may be granted either to a person who holds a licence of some other class or to an unlicensed person.
- (5) A limited licence is not to be granted if—
- (a) the licence is sought for a function organised by a particular person or group; and
 - (b) limited licences have been granted for previous functions organised by the same person or group; and
 - (c) the licensing authority is of the opinion that the trade to be authorised by the licence would, in view of the frequency of applications, be better authorised by a permanent licence or by condition of a permanent licence.

2.8 Public Safety

2.8.1 The Council will seek the imposition of conditions on Liquor Licences regarding the provision of adequate security, crowd control or supervision, responsible service of alcohol and any other appropriate conditions in order to minimise concerns of public safety.

- the licensee to engage and provide a security patrol service, consisting of a minimum of 1 security guard on every night when the premises are open and trading beyond midnight and/or have live entertainment.
- The role of a security patrol service engaged by a licensee to be to patrol the external grounds within the licensed area.
- The security patrol service to monitor and record the behaviour of persons arriving at and departing from the licensed premises during the trading period.
- Security staff to take all reasonable steps necessary to act as a deterrent to any undue noise and disturbance created by those persons on the licensed premises and the external grounds within the licensed area.
- The security service are to be deployed by the licensee from at least 11:00pm until 30 minutes after the premises close or until the majority of patrons have left the immediate area.
- The licensee to provide a mobile telephone contact number or other appropriate means of communication for the mobile

Commented [SR13]: This section has been reviewed, condensed and amended in the new Policy to reflect Council's authority on the matter. The relevant sections in the new Policy are sections:

2.10. In accordance with section 40 of the Act, council (both as landlord and local authority) requires that *all* Limited Liquor Licence applications are to be submitted to council for assessment;

2.11. For the purpose of section 2.10 of this policy, and in accordance with the City of Holdfast Bay's public land alcohol management (through the enforcement of By-Laws), council reserves the right to approve, refuse and/or restrict licence hours, conditions, and/or entertainment consent of any limited liquor licence application to assist in the management of public land/places, and to ensure the reasonable peace of residents;

2.12. In accordance with the provisions set out in section 131 of the Act council reserves the right to implement a temporary dry area for the purpose of prohibiting the consumption and/or possession of liquor in any public place for a period of up to and including 48 hours.

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~~security patrol service to ensure communication links are provided to:~~

- ~~• any internal security;~~
- ~~• the shift supervisor in charge of the nearest police patrols;~~
- ~~• any interested resident or business proprietor with premises in the vicinity of the licensed premises on request.~~

~~• At the conclusion of each mobile security patrol service shift a report to be provided to the licensee within twelve hours of the shifts completion detailing any issues that have arisen and how they were dealt with. A copy of each shift report must upon request be made available to the local Police, the OLGC and the Council.~~

~~• Other security measures to consider as part of the assessment of a licence application includes:~~

- ~~• the installation and use of CCTV;~~
- ~~• the use of hand held DVD recorders by security guards; and~~
- ~~• the establishment of a First Aid area in the licensed premises as a first contact for persons requiring medical treatment until ambulance assistance arrives.~~

~~2.9. Noise and Disturbance~~

~~2.9.1 The Council will request the applicant to submit an acoustic engineers report in order to provide a baseline for future noise monitoring and assess the potential for any noise impacts from the licensed premises to nearby properties. The acoustic engineers report shall include:~~

~~2.9.2 Baseline data showing the ambient noise levels over a 10 day, 24 hour period measured on the external boundary, adjacent to the outdoor dining area; and~~

~~2.9.3 A recommendation of sound attenuation measures to be undertaken to minimise the potential for noise impacts.~~

~~2.9.4 The Council will seek the imposition of conditions consistent with any such recommendations.~~

Commented [SR14]: Deleted as unnecessary and inconsistent with the intentions of the act and council's authority.

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2.10. Entertainment

2.10.1 In accordance with Section 105 of the Act, entertainment in licensed premises should contribute positively to and not detract from the amenity of the area.

2.10.2 Management and staff of the licensed premises should undertake any appropriate action that is necessary to ensure that any entertainment provided on the licensed premises does not produce excessively loud noise likely to unduly disturb or inconvenience nearby residents, other business proprietors and other users of the nearby area and that noise levels accord with EPA guidelines and the relevant provision of the Act.

2.10.3 Unless good cause is demonstrated, in all cases where entertainment is, or is sought to be provided, Council will seek the imposition of the following conditions:

- The closing (but not locking in accordance with fire safety standards) of doors and windows within the premises during the duration of the trading hours associated with entertainment (ie live music or amplified music);
- Ensuring that entertainment ceases at appropriate times, to be fixed in the conditions;
- On nights when entertainment is provided, Management shall ensure that noise levels emitted from the licensed premises are monitored by way of a suitable sound metre and that all readings are recorded in a logbook;
- The logbook shall be used to record any complaint that is directly related to the noise levels of the entertainment at the premises including the name and address of the complainant, details of the band or DJ performing at that time and what action was taken;
- The logbook shall on request be made available for inspection to the Office of the Liquor and Gambling Commissioner, the Police and Council;
- That the entertainment should not be at a level that is likely to cause undue offence to people who reside, work or worship in the vicinity of the premises.

2.10.4 Council may also request that the following conditions be imposed:

- no entertainment is to be provided on or in any balcony or outdoor area;
- no loudspeakers are to be placed on the fascia of the premises, balcony or any other adjacent outdoor area or footpath;

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- ~~no advertising or promotion of premises or entertainment to take place within the premises by way of posters or any advertising material is to be placed on any Council property.~~

- ~~that the licensee will not promote or advertise the venue as a nightclub, dance club, bar or similar venue.~~

Commented [SR15]: This section has been deleted as it duplicates what was previously written in section 2.4 above. This has been replaced in the new policy (see note above)

2.11 Outdoor Activities

- 2.11.1 ~~Unless good cause is demonstrated, all outdoor licensed areas will be required to cease trading at 11:00pm between Sunday and Thursday and at least one (1) hour prior to the closing time of the premises between Friday and Saturday to reduce the potential for impact on the surrounding environment and neighbouring properties.~~

Commented [SR16]: Deleted as unnecessary.

2.12 Hours of Trading

- 2.12.1 ~~The Council will oppose extended trading hours which the Council considers are likely to cause unreasonable disturbance and inconvenience to residents and other businesses in the vicinity of licensed premises.~~

- 2.12.2 ~~Council's assessment of any proposed extension to trading hours will be based on the location of the premises, the nature of the venue, previous history of complaints, current management practices and treatments put into place to minimise external impacts.~~

- 2.12.3 ~~Unless good cause is demonstrated, Council will not support, and may intervene in applications where the Council considers that proposed hours of trade may give rise to unreasonable noise or disturbance.~~

- 2.12.4 ~~Unless good cause is demonstrated, the Council will not support any extension of trading hours for a premises with a recent history of complaint or breach of licence conditions.~~

- 2.12.5 ~~The Council's assessment will not be based on the competitive advantage / disadvantage to be gained or suffered by a licensed premises should the application be granted / refused.~~

- 2.12.6 ~~The Council will oppose variations to closing times of licensed premises that may in the Council's view result in the potential movement of large numbers of patrons from one venue to another, resulting in potential for greater instances of anti social behaviour, noise, disturbance, vandalism and criminal activity impacting on the nearby residential and business community.~~

- 2.12.7 ~~The Council will not support hours of trading for the sale and supply of liquor beyond the following:~~

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~~2.12.8 For licensed premises located within 100 metres of the boundary of any property used for residential purposes:~~

~~(a) to the general public for consumption on the licensed premises:~~

- ~~i) Monday to Thursday inclusive between 8:00am and 12 midnight the same day;~~
- ~~ii) Friday and Saturday, between 8:00am and 1:00am the following day; and~~
- ~~iii) Sunday between 11:00am and 12 midnight the same day.~~

~~(b) to the general public for consumption off the licensed premises:~~

- ~~i) Monday to Saturday inclusive between 9:00am and 12 midnight the same day;~~
- ~~ii) Sunday between 11:00am and 10:00pm.~~

~~2.12.9 For licensed premises located beyond 100 metres of the boundary of any property used for residential purposes:~~

~~(a) to the general public for consumption on the licensed premises:~~

- ~~i) Monday to Thursday inclusive between 7:00am and 1:00am the same day;~~
- ~~ii) Friday and Saturday, between 7:00am and 2:00am the following day; and~~
- ~~iii) Sunday between 11:00am and 12 midnight the same day.~~

~~(b) to the general public for consumption off the licensed premises:~~

- ~~i) Monday to Saturday inclusive between 9:00am and 12 midnight the same day;~~
- ~~ii) Sunday between 11:00am and 10:00pm.~~

~~2.13. Consultation~~

~~2.13.1 Where an application affecting a licensed premises requires Development Approval, consultation will be conducted by the Council in accordance with the requirements of the Development Act 1993.~~

~~2.13.2 Where the Development Act 1993 does not apply or does not require public notification Council may still undertake consultation in relation to an application, complaint or other matter arising in relation to a licensed premises out of or in connection with the Act if considered necessary by the Council to fulfil its roles and obligations pursuant to the Act and this Policy.~~

Commented [SR17]: Deleted and replaced with section 2.3 in the new policy.

2.3 As the City of Holdfast Bay is a highly residential area, in accordance with sections 2.1, 2.2.2 and 2.2.3 of this policy, with the exception of extenuating circumstances, council will generally only support **Standard Approved Hours** prescribed by the Act for each individual licence category.

2.3.3 Should an applicant seek licensed hours exceeding the **SAH** prescribed by the Act, further development approval and/or Council resolution **may** be required;

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2.13.3 All liquor licensing applications referred to the Council pursuant to the Act that do not accord with the terms of this Policy, will be subject to a consultation process to be undertaken by the Council.

2.13.4 Community consultation will generally not be undertaken in respect of a Limited License application, unless the Council considers that consultation is necessary.

2.13.5 Where consultation is required pursuant to this Policy the following process will apply:

- Written notification will be distributed by the Council to all residents and businesses immediately adjoining the relevant licensed premises or proposed licensed premises. Notification to these properties will outline details of the application or matter before the Council and shall include the procedure for making representation or comment to the OLGC (as the relevant authority) or to the Council to assist in its consideration of the relevant matter;
- The Council will arrange for an advertisement will be placed in the Public Notices section of the local Messenger press providing the same information as contained in the above mentioned written notification;
- Notification will also be placed on the Council's website;
- Persons will be given twenty one (21) days (including weekends and public holidays) to make comment from receipt of the circular or from the day the Notice is placed in the Messenger; and
- Council will summarise any concerns or complaints received and present the findings to the OLGC and the licensee for their consideration with respect to the matter.

2.14. Standard Recommended Conditions

2.14.1 In addition to Council's recommended licensing hours detailed above, the following standard conditions shall (where considered appropriate by the Council) be recommended by Council to the OLGC for inclusion on new or amended liquor licences, to ensure that all licensees use best management practices to guard against the harmful and hazardous use of liquor.

2.14.2 Note: Council may vary the following standard conditions from time to time for Liquor License Applications to suit the specific circumstances of each individual Application. In addition, Council may also require new conditions not included below to suit the individual circumstances of a Liquor License Application that cannot be addressed under the current standard conditions detailed below.

Commented [SR18]: Deleted as this is no longer consistent with Council's authority.

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- ~~That the hours of the Restaurant Licence be in accordance with the hours proposed in the details submitted by the applicant, that being from:~~
- ~~(Insert day) to (Insert day) (except on Good Friday and Christmas Day) (Insert time)~~
- ~~(Insert day) (Insert time).~~
- ~~Noise emanating from the licensed premises shall not exceed 8dB(A) above the ambient background noise level when measured in any octave, such measurement to be taken at the boundary of the nearest noise sensitive site.~~
- ~~No loudspeakers shall be placed closer than 4 metres from any entrance or exit from the premises and at all times any such loud speaker shall be directed away, from the entrance to, or exit from, the premises and into the premises or property.~~
- ~~All conditions are for a 6 month trial period.~~
- ~~The Licensee must ensure the quiet and orderly behaviour of patrons at all times, including patrons arriving and departing the premises to:~~
- ~~Minimise undue offence annoyance, disturbance or inconvenience to people who reside, work or worship in the vicinity of the premises to which the application relates; or~~
- ~~Likely prejudice the safety and welfare of children attending kindergarten, primary school or secondary school in the vicinity of the premises to which the application relates; or~~
- ~~Adversely affect the amenity of the locality in the vicinity of the premises to which the application relates;~~

2.15. Refuse Storage and Collection

- 2.15.1 ~~The removal of bottles and other forms of refuse from the licensed premises needs to be undertaken at a time when it has the least impact on the surrounding area.~~
- 2.15.2 ~~The collection and storage of all garbage or refuse (including empty bottles and cans) should only occur between the hours of 7:00am and 11:00pm on any day.~~
- 2.15.3 ~~Where there is a history of complaints from surrounding properties or where Council receives recent complaints regarding noise and disturbances related to refuse storage and collection, Council reserves~~

Commented [SR19]: Deleted as this is no longer consistent with Council's authority.

It should be noted that Council's statutory authority is now only restricted to Planning and Development.

This has been addressed in the new policy in section 2.2:

2.2. In accordance with section 2.1 of this policy, Council will assess the individual merits of each application against relevant legislation, development requirements, Building Code of Australia, Council policy guidelines, and the intentions and objects of the Act to ensure:

2.2.1 that the existing 'use rights' of the subject land/property are deemed suitable for the establishment of a licensed premises;

2.2.2 that the sought standard approved hours are deemed suitable for both the licensed premises and its location;

2.2.3 that any sought extended trading authorisation is deemed appropriate for both the licensed premises and its location;

2.2.4 that the operational hours of any sought section 69 approved Outdoor Dining Area are deemed suitable for a both the licensed premises and its location;

2.2.5 that any sought entertainment consent is deemed appropriate for both the licensed premises and its location;

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~~the right to request that the OLGC consider imposing further conditions to restrict hours of operation for this activity on the licensed premises.~~

~~2.16. Car Parking~~

~~2.16.1 Car parking areas associated with licensed premises can impact upon nearby properties by way of access issues, safety, noise and other disturbance.~~

~~2.16.2 Council's assessment of all liquor license applications will require the consideration of potential impacts to surrounding streets and properties arising from or associated with the provision of adequate car parking. This is particularly relevant, where a licensed premises capacity is considered greater than its provision for off street car parking.~~

~~2.16.3 Where changes to a licensed premises or the establishment of a new licensed premises requires Development Approval, the provision of sufficient off street car parking will be assessed in accordance with the requirements of Council's Development Plan and the Development Act 1993.~~

~~2.16.4 Where Development Approval is not required Council may take into account the relevant history of the licensed premises to consider whether there are potential impacts to surrounding streets and properties in relation to car parking.~~

~~2.17. Managing Complaints/Advocacy~~

~~2.17.1 All complaints received by Council arising from or in relation to a licensed premises shall be referred to the Council's Liquor Licensing & Public Safety Officer. Where appropriate, the Council may refer particular complaints to the OLGC or the South Australian Police.~~

Commented [SR20]: All sections are no irrelevant.

3. REFERENCES

3.1 Legislation

- *Liquor Licensing Act 1997*
- *Local Government Act 1999*
- *Development Act 1993*

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3.2 Other References

~~3.2.1. Our City, Our Future Council's Strategic Management Plan 2009—2014, in particular Objective 4.4 "A Well Planned City".~~

~~3.2.2. Our City, Our Future Council's Strategic Management Plan 2009—2014 Council's vision that: "A sustainable, well serviced, safe and cohesive seaside community that enjoys an outstanding quality of life, welcomes visitors and values the City's distinctive history and open spaces."~~

The new policy expands the definitions section to avoid confusion on a number of definitions and meanings:

- 1.4.1 **Council** means a Council within the meaning of the *Local Government Act 1999*;
- 1.4.2 **Council Land/Public Place** means all roads, footpaths, buildings, land, reserves, structures, community centres etc owned and or maintained by a Council pursuant section 4 of the *Local Government Act 1999*;
- 1.4.3 **Entertainment** means entertainment and/or live entertainment within the meaning of the *Liquor Licensing Act 1997*;
- 1.4.4 **Entertainment Consent** means entertainment consent within the meaning of the *Liquor Licensing Act 1997*;
- 1.4.5 **Extended Trading Authorisation (ETA)** means a conditional authorisation imposed on a licence by the 'Licensing Authority' to extend the standard approved hours of liquor service pursuant section 44 of the *Liquor Licensing Act 1997*;
- 1.4.6 **Licensed Premises** means a licensed premise(s) within the meaning of the *Liquor Licensing Act 1997*;
- 1.4.7 **Licensing Authority** means Consumer and Business Services (CBS), the Liquor and Gambling Commissioner ("Commissioner"), the Licensing Court of South Australia; and/or a delegate thereof;
- 1.4.8 **Liquor** means liquor within the meaning of the *Liquor Licensing Act 1997*;
- 1.4.9 **Liquor Licence** means a liquor licence within the meaning of the *Liquor Licensing Act 1997*;
- 1.4.10 **Local Authority** means Council;
- 1.4.11 **Outdoor Dining Area (ODA)** means the area where outdoor dining is permitted under either section 221 or 222 of the *Local Government Act 1999* (in accordance with section 1.4 of the *City of Holdfast Bay's Outdoor Dining Policy*);
- 1.4.12 **Section 69 Approved Area** means an authorisation to consume liquor in an Outdoor Dining Area in accordance with section 69 of the *Liquor Licensing Act 1997*;
- 1.4.13 **Standard Approved Hours (SAH)** means the standard hours legislatively approved for sale and/or supply of liquor for each respective licence category within the *Liquor Licensing Act 1997* **without** an ETA;

