



Notice of Meeting

Notice is hereby given that a meeting of the LGA Board of Directors will be held on

Thursday 18 July 2019 at 9.00am

City of Whyalla offices

Darling Terrace, Whyalla

A handwritten signature in black ink that reads 'Matt Pinnegar'.

Matt Pinnegar

Chief Executive Officer

11 July 2019

For further information about the LGA Board of Directors, click [here](#).

LGA Board of Directors – 2018 / 2020

Mayor Sam Telfer	Director / LGA President
Mayor Gillian Aldridge OAM	Director / Office of the Immediate Past President
Mayor Kevin Knight	Director
Mayor Peter Matthey OAM	Director
Mayor Clare McLaughlin	Director
Mayor David O'Loughlin	Director
Mayor Keith Parkes	Director
Mayor Karen Redman	Director / Chair of GAROC
Mayor Erika Vickery OAM	Director / Chair of SAROC
Mayor Jan-Claire Wisdom	Director

Agenda

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4.6 LGA Procurement <i>(no report)</i>	
5. Invited Guest Speakers	
Dr Matthew Butlin, Chair and Chief Executive Officer, and Mr Jeff Tate, Commissioner for the inquiry into local government costs and efficiencies, South Australian Productivity Commission regarding the Local Government Inquiry	
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Nil	
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12.	Calendar of Key LGA Dates	
	CEO Advisory Group – 8 August	
	Roads & Works Conference – 14-16 August	
	GAROC Committee – 2 September	
	Audit & Risk Committee – 10 September	
	SAROC Committee – 19 September	
	Conference & AGM – 30-31 October	
13.	Next Meeting	
	The next meeting of the LGA Board of Directors will be held on Thursday, 28 August 2019 at Local Government House, 148 Frome Street, Adelaide, commencing at 1:00pm.	
14.	Close	

2.1 Minutes of Meeting held 20 June 2019

Minutes of Previous Meeting

From: Jacqui Kelleher, Office Manager
 Meeting: LGA Board of Directors 18 July 2019
 ECM: 670735 Attachment: 682039

Recommendation

That the LGA Board of Directors confirms the minutes of its meeting held on 20 June 2019 and the circular resolution of 24 June 2019 as true and accurate records of the proceedings held.

Discussion

The draft public minutes of the LGA Board meeting held on 20 June 2019 are attached for confirmation as to their accuracy. The draft confidential minutes are listed under *Confidential Reports* within the agenda for this meeting and will be confirmed separately.

The draft Circular Resolution carried 24 June 2019 is listed here for confirmation as to its accuracy.

“Libraries Board of SA nominations

That the LGA Board of Directors:

1. *notes the report regarding the need to provide additional nominees to the Premier for potential appointment to the Libraries Board of SA; and*
2. *endorses a panel of eight (8) nominations being forwarded to the Premier for the appointment of three nominees to the Libraries Board of SA; being (in alphabetical order):*
 - a. *BERGHUIS, Megan Ms*
 - b. *DONOVAN, Helen Cr Dr*
 - c. *LEWIS, Bronwyn Cr*
 - d. *NEAL, John Deputy Mayor*
 - e. *OUK, Sarah Cr*
 - f. *SPURLING, Lynn Ms*
 - g. *WHITTAKER, Jill Mayor*
 - h. *WISDOM, Jan-Claire Mayor*

Carried”

Draft

Draft Minutes of the LGA Board of Directors Meeting held on Thursday 20 June 2019 at 1:00 pm in the Boardrooms at Local Government House, 148 Frome Street, Adelaide

1. Welcome, Present & Apologies

The President opened the meeting at 1.15 pm and welcomed members and staff.

1.1 Present

Mayor Sam Telfer	Director / LGA President
Mayor Gillian Aldridge OAM (<i>until 4.21pm</i>)	Director / Office of the Immediate Past President
Mayor Kevin Knight	Director
Mayor Peter Matthey OAM	Director
Mayor Clare McLaughlin	Director
Mayor David O'Loughlin	Director
Mayor Keith Parkes (<i>until 3.23pm</i>)	Director
Mayor Karen Redman	Director / Chair of GAROC
Mayor Erika Vickery OAM	Director / Chair of SAROC
Mayor Jan-Claire Wisdom	Director

LGA Secretariat:

Matt Pinnegar	Chief Executive Officer
Lisa Teburea	Executive Director Public Affairs
Dr Andrew Johnson	Executive Director Corporate Governance / Mutual
Lea Bacon	Director Policy
Andrew Wroniak	Director Corporate Services
Astrid Crago	Administration Coordinator (minutes)

1.2 Apologies & Absences

Nil

Draft

2. Minutes of Previous Meeting

2.1 Minutes of Meeting held 16 May 2019

Moved Mayor Matthey Seconded Mayor Vickery that the LGA Board of Directors confirms the minutes of the meeting held on 16 May 2019 as a true and accurate record of the proceedings held.

Carried

2.2 Resolutions and actions from previous meetings

Moved Mayor Knight Seconded Mayor McLaughlin that the LGA Board of Directors notes progress with resolutions resulting from the meeting of 16 May 2019 and outstanding resolutions from earlier meetings.

Carried

3. LGA Updates

3.1 Report from the LGA President

The President provided a verbal update on the report.

Moved Mayor Vickery Seconded Mayor Aldridge that the LGA Board of Directors notes the verbal update and the report.

Carried

3.2 ALGA Update

ALGA President Mayor David O'Loughlin provided a verbal update on the activities of the ALGA.

3.3 Report from the LGA CEO

The CEO provided a verbal update on the report.

Moved Mayor Redman Seconded Mayor Wisdom that the LGA Board of Directors notes the report.

Carried

4. Reports from Bodies Established Pursuant to the LGA Constitution

4.1 LGA Audit & Risk Committee

Refer confidential item 8.4

4.2 Greater Adelaide Region Organisation of Councils (GAROC) Committee

GAROC Committee Chairperson, Mayor Karen Redman provided a verbal update.

Moved Mayor Redman Seconded Mayor Wisdom that the LGA Board of Directors notes the draft minutes of the Greater Adelaide Region Organisation of Councils

Draft

(GAROC) Committee meeting held on 6 May 2019 and special meeting held on 3 June 2019.

Carried

4.3 South Australian Region Organisation of Councils (SAROC) Committee

Moved Mayor Vickery Seconded Mayor Parkes that the LGA Board of Directors notes the draft minutes of the South Australian Region Organisation of Councils (SAROC) Committee meeting held on 16 May 2019.

Carried

4.5 LGASA Mutual

Refer confidential item 8.5.

5. Invited Guest Speakers

Nil.

6. Proposed Items of Business submitted by Member Councils

Nil.

7. Reports for Discussion

7.1 Council elections – LGA evaluation report

Moved Mayor Redman Seconded Mayor Matthey that the LGA Board of Directors:

1. notes the outcomes of the LGA's council elections processes review summarised in this report; and
2. supports the recommended actions for the 2022 council elections outlined in the appendix to this report being used as the basis for the development of the LGA's 2022 council elections work plan.

Carried

7.2 LGA Nominations & Appointments to Outside Bodies — Recommended Policy Framework

Executive Director Public Affairs Lisa Teburea presented an overview of the draft Framework. .

Moved Mayor Wisdom Seconded Mayor Redman that the LGA Board of Directors:

1. notes the report; and
2. endorses the LGA Nominations and Appointments to Outside Bodies— Recommended Policy Framework as the basis for development of a new LGA Nominations and Appointments to Outside Bodies Policy.

Carried

Draft

7.3 SAROC Strategic Plan 2019-2024, Annual Business Plan 2019-2020 and Annual Budget 2019-20

Moved Mayor Vickery Seconded Mayor Matthey that the LGA Board of Directors:

1. notes the report on the SAROC Strategic Plan 2019-2023, Annual Business Plan 2019-2020 and Annual Budget 2019-20; and
2. approves the SAROC Strategic Plan 2019-2023, Annual Business Plan 2019-2020 and Annual Budget 2019-20.

Carried

7.4 GAROC Strategic Plan 2019-2024, Annual Business Plan 2019-2020 and Annual Budget 2019-20

Moved Mayor Redman Seconded Mayor Knight that the LGA Board of Directors:

1. notes the report; and
2. approves the GAROC Strategic Plan 2019-2023, GAROC Annual Business Plan 2019-2020, and 2019-20 GAROC Budget.

Carried

7.5 Landscape SA Bill Position Paper

Moved Mayor Parkes Seconded Mayor Vickery that the LGA Board of Directors:

1. notes the report; and
2. endorses the LGA's Position Paper on the Landscape SA Bill.

Carried

7.6 LGA Submission: Productivity Commission Inquiry into Local Government costs and efficiency

Moved Mayor O'Loughlin Seconded Mayor Aldridge that the LGA Board of Directors:

1. notes the report;
2. notes the LGA Secretariat's proposed process for consultation with member councils;
3. authorises the LGA CEO and the President to finalise two submissions in response to the Methodology Paper by 28 June and 12 July 2019; and
4. asks that the Secretariat recognise that the Inquiry will be evidence based and actively seek and provide any available reports from within SA, individual councils and interstate that can inform the Inquiry and provide them to the Inquiry.

Carried

Draft

7.7 Royal Commission into Aged Care Quality and Safety

Members gave feedback on the submission.

Moved Mayor Redman Seconded Mayor Aldridge that the LGA Board of Directors:

1. notes the report; and
2. approves the LGA's submission (as amended) to the Royal Commission into Aged Care and Quality.

Carried**7.8 Thermal Energy from Waste Activities**

Executive Director Public Affairs Lisa Teburea gave a verbal update. The draft submission had not been finalised in time for this meeting but will be circulated to Board Directors out of session to provide feedback.

Moved Mayor O'Loughlin Seconded Mayor Parkes that the LGA Board of Directors:

1. notes the report on thermal energy from waste activities; and
2. authorises the LGA President and CEO to finalise the LGA submission on Thermal Energy from Waste Activities to be provided to the Environment Protection Authority.

Carried**7.9 LGA Submission: ESCOSA Charter of Consultation and Regulatory Practice Review**

Moved Mayor Aldridge Seconded Mayor Knight that the LGA Board of Directors:

1. notes the report on the LGA submission on the Essential Services Commission of South Australia's (ESCOSA) Charter of Consultation and Regulatory Practice Review; and
2. authorises the LGA CEO to finalise an LGA submission on the ESCOSA Charter of Consultation and Regulatory Practice Review.

Carried

2.26pm the meeting was adjourned for a short break.

2.36pm the meeting resumed.

7.10 Annual Business Plan and Budget

Director Corporate Services Andrew Wroniak gave a verbal update.

There was general discussion.

Moved Mayor Aldridge Seconded Mayor Vickery that the LGA Board of Directors:

1. adopts the draft 2019/20 LGA Annual Business Plan.

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2. adopts the draft 2019/20 LGA Budget incorporating an operating deficit of \$252,000 for operating activities and \$281,000 net decrease in reserves from project activities. The budget includes:
 - An increase in subscriptions fees of 2.5%.
 - Capital Investment in Local Government House of \$445,000.
3. notes the deficit result in accordance with the Local Government Association Long Term Financial Plan.

Carried

7.11 LGA Financial Results Year to 31 May 2019

Moved Mayor Vickery Seconded Mayor Wisdom that the LGA Board of Directors notes the report on the LGA's year to date finances to 31 May 2019.

Carried

7.12 Board Policy Review

The Directors gave feedback on the proposed policies.

Moved Mayor Redman Seconded Mayor Matthey that the LGA Board of Directors:

1. revokes the following policies:
 - Criteria for Assessment of Applications for Associate Membership, as this policy is not relevant following adoption of new constitution which was effective from 2018 AGM.
 - Reimbursement of LGA Committee Member Expenses – Conferences/Seminars, as the provisions included in this policy have been included in the Governance Policy (GP) 02 Board and Committee Member Allowance and Expense policy.
 - Reimbursement of Member/Officer Expenses – Boards/Committees, as the provisions included in this policy have been included in the GP02 Board and Committee Member Allowance and Expense policy.
 - Standing Orders for Meetings of the Board, Executive Committee and other LGA Committees, as this policy has been replaced with the LGA Meeting Procedures which were adopted by the membership at the 2018 AGM.
 - Appointing Members to LGA Scheme Boards, as this issue is addressed in LGASA Mutual Pty Ltd constitution.
 - Frequent Flyer Points Accrued by LGA Board Members, as the provisions included in this policy have been included in the GP02 Board and Committee Member Allowance and Expense policy.
2. adopts the following policies as attached to this report:
 - GP02 Board and Committee Member Allowance and Expenses
 - GP04 LGA Caretaker Policy

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- GP06 Board and Committee Induction Policy
 - GP07 Record of Affixing the Common Seal
 - GP09 Policy for Councils Seeking Funding Support for Litigation
 - GP12 Making Public Comments
3. places policy GP02 Board and Committee Member Allowance and Expenses before the membership of the LGA at the 2019 AGM for endorsement; and
 4. adopts the Position Description for LGA Board Director as attached to this report.

Carried

7.13 Policy Review

Moved Mayor Matthey Seconded Mayor Parkes that the LGA Board of Directors adopts the following policies:

- Asset Accounting Policy
- Asset Management Policy
- Budget Framework Policy
- Asset Disposal Policy
- Fraud, Corruption, Misconduct and Maladministration Control Policy

Carried

7.14 Libraries Board of SA nominations

Mayor Wisdom declared an interest on the basis that she had nominated for a position on the Libraries Board of SA and left the room.

3.10pm Mayor Wisdom left the meeting.

Moved Mayor O'Loughlin Seconded Mayor Knight that the LGA Board of Directors:

That the LGA Board of Directors determines to accept and consider the two late nominations received.

Carried

Moved Mayor Parkes Seconded Mayor Aldridge that the LGA Board of Directors forwards the following three nominees (at least one male and one female) to the Premier for their appointment to the Libraries Board of SA, for a term commencing in July 2019; being (in alphabetical order):

- a) Deputy Mayor John Neal (Regional Council of Goyder)
- b) Ms Lynn Spurling (Copper Coast Council)
- c) Mayor Jill Whittaker (Campbelltown City Council)

Carried

Draft

3.23pm Mayor Parkes left the meeting.

3.23pm Mayor Wisdom returned to the meeting.

8. Confidential Reports

8.1 Grounds for moving into confidence

Moved Mayor Aldridge Seconded Mayor Vickery that the LGA Board of Directors resolves to consider the following items in confidence being satisfied that there are reasonable grounds for the information received, discussed or considered in relation to these items to be treated confidentially having considered clause 2.5.3 of the LGA Meeting Procedures and orders all observers at the meeting, with the exception of LGA staff on duty, be excluded from attendance at the meeting:

1. Agenda Item 8.2 - Confidential Minutes of Previous Meetings
2. Agenda Item 8.3 - Confidential Resolutions and Actions from Previous Meetings;
3. Agenda Item 8.4 - LGA Audit and Risk Committee Confidential Minutes of Meeting;
4. Agenda Item 8.5 - LGASA Mutual Board Confidential Minutes of Meeting;
5. Agenda Item 8.6 - Local Government Awareness Campaign;
6. Agenda Item 8.7 - LGA Procurement - Business Plan and Budget;
7. Agenda Item 8.8 - LGASA Mutual Pty Ltd – Business Plan 2019/20-2021/22;
8. Agenda Item 8.9 - LGASA Mutual Pty Ltd – Strategic Plan;
9. Agenda Item 8.10 - LGASA Mutual Pty Ltd – Strategic Risk Review;
10. Agenda Item 8.11 - LGA Schemes Review Update;
11. Agenda Item 8.12 - External Audit Plan 2018/19;
12. Agenda Item 8.13 - Update on Audit Findings; and
13. Agenda Item 8.14 - Lease Negotiations Update.
14. Agenda Item 9.1 - State Budget – Solid Waste Levy Increases

Carried

8.2 Confidential Minutes of Previous Meetings

Moved Mayor Aldridge Seconded Mayor Redman that the LGA Board of Directors:

1. notes that this item is being considered in confidence as the report deals with a matter or matters that have reasonable grounds to be treated confidentially having considered clause 2.5.3 of the LGA Meeting Procedures;



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2. confirms the confidential minutes of the meeting of 16 May 2019 as a true and accurate record of the proceedings held; and
3. having considered Agenda Item 8.2 - *Confidential Minutes of Previous Meetings* in confidence resolves to retain the attachment and discussion in confidence within the parameters of the original resolutions contained within.

Carried

8.3 Confidential Resolutions and Actions from previous meetings

Moved Mayor Redman Seconded Mayor Vickery that the LGA Board of Directors:

1. notes that this item is being considered in confidence as the report deals with a matter or matters that have reasonable grounds to be treated confidentially having considered clause 2.5.3 of the LGA Meeting Procedures;
2. notes progress of confidential resolutions resulting from the meeting of 16 May 2019 and outstanding confidential resolutions from earlier meetings including the LGA Executive Committee; and
3. having considered Agenda Item 8.3 - *Confidential Resolutions and Actions from Previous Meetings* in confidence resolves to retain the attachment in confidence within the parameters of the original resolutions contained within; and release the resolution.

Carried

8.4 LGA Audit & Risk Committee Confidential Minutes

Moved Mayor Matthey Seconded Mayor Aldridge that the LGA Board of Directors:

1. notes that this item is being considered in confidence as the report deals with a matter or matters that have reasonable grounds to be treated confidentially having considered clause 2.5.3 of the LGA Meeting Procedures;
2. notes the confidential minutes of the LGA Audit and Risk Committee meeting held on 5 June 2019; and
3. having considered Agenda Item 8.4 *LGA Audit and Risk Committee Confidential Minutes of Meeting* in confidence resolves to retain the report and attachment in confidence indefinitely.

Carried

8.5 LGASA Mutual Board Confidential Minutes of Meeting

8.6 Local Government Awareness Campaign

Executive Director Public Affairs Lisa Teburea gave a presentation.

Moved Mayor Matthey Seconded Mayor Aldridge that the LGA Board of Directors:

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1. notes that this item is being considered in confidence as the report deals with a matter or matters that have reasonable grounds to be treated confidentially having considered clause 2.5.3 of the LGA Meeting Procedures;
2. notes the approved allocation of \$200,000 in the Local Government Research & Development Scheme 2019/20 budget for Local Government Awareness Campaign;
3. endorses the implementation of the Local Government Awareness Campaign strategy outlined in this report over the next four years, subject to approval of annual budget allocations; and
5. having considered Agenda Item 8.6 – *Local Government Awareness Campaign* in confidence resolves to release the resolution and retain the report in confidence indefinitely on the grounds the release of which could prejudice the LGA's strategic position.

Carried

8.7 LGA Procurement - Business Plan and Budget

8.8 LGASA Mutual Pty Ltd – Business Plan 2019/20-2021/22

3.54pm Mayor Aldridge left the meeting

8.9 LGASA Mutual Pty Ltd – Strategic Plan

8.10 LGASA Mutual Pty Ltd – Strategic Risk Review

8.11 LGA Schemes Review Update

8.12 External Audit Plan 2018/19

8.13 Update on Audit Findings

8.14 Lease Negotiations Update

*4.21pm Mayor Aldridge left the meeting.***9. Late Reports**

9.1 State Budget – Solid Waste Levy Increases - Confidential

10. Questions With / Without Notice**11. Any Other Business**

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12. Calendar of upcoming Key Dates

GAROC Committee – 1 July
SAROC Committee – 17 July (in Whyalla)
CEO Advisory Group – 8 August
Roads & Works Conference – 14-16 August
Audit & Risk Committee – 10 September
Conference & AGM – 30-31 October

13. Next Meeting

The next meeting of the LGA Board of Directors will be held on Thursday 18 July 2019 at City of Whyalla offices, Darling Terrace, Whyalla, commencing at 9:00am.

14. Close

The meeting was declared closed at 4.43pm.

Minutes confirmed

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Chairperson signature

Date

2.2 Resolutions and Actions from Previous Meetings

Minutes of Previous Meeting

From:	Jacqui Kelleher, Office Manager	
Meeting	LGA Board of Directors	18 July 2019
ECM:	669436	

Recommendation

That the LGA Board of Directors notes progress with resolutions resulting from the meeting of 20 June 2019 and outstanding resolutions from earlier meetings.

Discussion

The attachment shows progress of resolutions from previous meetings of the LGA Board of Directors.

Circular Resolution of the LGA Board of Directors – 24 June 2019	Action Taken / Progress
<p>Circular Resolution –Libraries Board of SA Nominations (LT 681371)</p> <p>That the LGA Board of Directors</p> <ol style="list-style-type: none"> 1. notes the report regarding the need to provide additional nominees to the Premier for potential appointment to the Libraries Board of SA; and 2. endorses a panel of eight (8) nominations being forwarded to the Premier for the appointment of three nominees to the Libraries Board of SA; being (in alphabetical order): <ol style="list-style-type: none"> a. BERGHUIS, Megan Ms b. DONOVAN, Helen Cr Dr c. LEWIS, Bronwyn Cr d. NEAL, John Deputy Mayor e. OUK, Sarah Cr f. SPURLING, Lynn Ms g. WHITTAKER, Jill Mayor h. WISDOM, Jan-Claire Mayor 	<p>A letter has been sent to the Premier submitting the nominees.</p>

Resolutions from the meeting of the LGA Board of Directors – 20 June 2019	Action Taken / Progress
<p>7.1 Council elections – LGA evaluation report (SR 677852) that the LGA Board of Directors:</p> <ol style="list-style-type: none"> notes the outcomes of the LGA's council elections processes review summarised in this report; and supports the recommended actions for the 2022 council elections outlined in the appendix to this report being used as the basis for the development of the LGA's 2022 council elections work plan. 	<p>The recommended actions will be built into the elections work program to commence in 2020.</p>
<p>7.2 LGA Nominations & Appointments to Outside Bodies — Recommended Policy Framework (AS 674508) that the LGA Board of Directors:</p> <ol style="list-style-type: none"> notes the report; and endorses the LGA Nominations and Appointments to Outside Bodies— Recommended Policy Framework as the basis for development of a new LGA Nominations and Appointments to Outside Bodies Policy. 	<p>A LGA Nominations and Appointments to Outside Bodies Policy is currently being drafted. The draft policy will be provided to the LGA Board of Directors for approval in August.</p>

<p>7.3 SAROC Strategic Plan 2019-2024, Annual Business Plan 2019-2020 and Annual Budget 2019-20 (SPS 679415)</p> <p>that the LGA Board of Directors:</p> <ol style="list-style-type: none"> notes the report on the SAROC Strategic Plan 2019-2023, Annual Business Plan 2019-2020 and Annual Budget 2019-20; and approves the SAROC Strategic Plan 2019-2023, Annual Business Plan 2019-2020 and Annual Budget 2019-20. 	<p>The SAROC Strategic Plan 2019-2024 and Annual Business Plan 2019-2020 have been published on the LGA's website.</p>
<p>7.4 GAROC Strategic Plan 2019-2024, Annual Business Plan 2019-2020 and Annual Budget 2019-20 (LB 679998)</p> <p>that the LGA Board of Directors:</p> <ol style="list-style-type: none"> notes the report; and approves the GAROC Strategic Plan 2019-2023, GAROC Annual Business Plan 2019-2020, and 2019-20 GAROC Budget. 	<p>The GAROC Strategic Plan 2019-2024 and Annual Business Plan 2019-2020 have been published on the LGA's website.</p> <p>The GAROC Chairperson has written to those councils that provided input during the consultation process to thank them for their feedback.</p>
<p>7.5 Landscape SA Bill Position Paper (VB 680191)</p> <p>that the LGA Board of Directors:</p> <ol style="list-style-type: none"> notes the report; and endorses the LGA's Position Paper on the Landscape SA Bill. 	<p>The LGA's Position Paper on the Landscape SA Bill has been provided to members of parliament.</p>

<p>7.6 LGA Submission: Productivity Commission Inquiry into Local Government costs and efficiency (RM 680396)</p> <p>that the LGA Board of Directors:</p> <ol style="list-style-type: none"> 1. notes the report; 2. notes the LGA Secretariat's proposed process for consultation with member councils; 3. authorises the LGA CEO and the President to finalise two submissions in response to the Methodology Paper by 28 June and 12 July 2019; and 4. asks that the Secretariat recognise that the Inquiry will be evidence based and actively seek and provide any available reports from within SA, individual councils and interstate that can inform the Inquiry and provide them to the Inquiry. 	<p>First sector-wide submission has been submitted, the first submission has focussed on where the sector has come from and the challenges we have faced.</p> <p>The second submission is currently being prepared and will build on the first and aim to provide as many examples from councils as possible.</p> <p>The second submission will also build the case for our sensible plan for local government reform, and how the measures proposed will improve efficiency, transparency and accountability.</p>
<p>7.7 Royal Commission into Aged Care Quality and Safety (RM 679885)</p> <p>that the LGA Board of Directors:</p> <ol style="list-style-type: none"> 1. notes the report; and 2. approves the LGA's submission (as amended) to the Royal Commission into Aged Care and Quality. 	<p>The LGA submission is currently being finalised by the LGA Secretariat as per the amendments proposed by the LGA Board of Directors at its 20 June meeting.</p>

<p>7.8 Thermal Energy from Waste Activities (BM 679180)</p> <p>that the LGA Board of Directors:</p> <ol style="list-style-type: none"> notes the report on thermal energy from waste activities; and authorises the LGA President and CEO to finalise the LGA submission on Thermal Energy from Waste Activities to be provided to the Environment Protection Authority. 	<p>The LGA's draft submission was circulated to the LGA Board of Directors and has been finalised by the LGA President and CEO.</p>
<p>7.9 LGA Submission: ESCOSA Charter of Consultation and Regulatory Practice Review (BM 679142)</p> <p>that the LGA Board of Directors:</p> <ol style="list-style-type: none"> notes the report on the LGA submission on the Essential Services Commission of South Australia's (ESCOSA) Charter of Consultation and Regulatory Practice Review; and authorises the LGA CEO to finalise an LGA submission on the ESCOSA Charter of Consultation and Regulatory Practice Review. 	<p>As at 5 July 2019, the LGA's submission was being finalised by the LGA CEO to be provided to ESCOSA thereafter.</p>
<p>7.10 Annual Business Plan and Budget (AW 680367)</p> <p>that the LGA Board of Directors:</p> <ol style="list-style-type: none"> adopts the draft 2019/20 LGA Annual Business Plan. adopts the draft 2019/20 LGA Budget incorporating an operating deficit of \$252,000 for operating activities and \$281,000 net 	<p>The Annual Business Plan and Budget was endorsed by the Board. A report is being drafted on the Key Performance Indicators for 2019/20.</p>

<p>decrease in reserves from project activities. The budget includes:</p> <ul style="list-style-type: none"> • An increase in subscriptions fees of 2.5%. • Capital Investment in Local Government House of \$445,000. <p>3. notes the deficit result in accordance with the Local Government Association Long Term Financial Plan.</p>	
<p>7.12 Board Policy Review (AJ 680467)</p> <p>that the LGA Board of Directors:</p> <p>1. revokes the following policies:</p> <ul style="list-style-type: none"> • Criteria for Assessment of Applications for Associate Membership, as this policy is not relevant following adoption of new constitution which was effective from 2018 AGM. • Reimbursement of LGA Committee Member Expenses – Conferences/Seminars, as the provisions included in this policy have been included in the Governance Policy (GP) 02 Board and Committee Member Allowance and Expense policy. • Reimbursement of Member/Officer Expenses – Boards/Committees, as the provisions included in this policy have been included in the GP02 Board and Committee Member Allowance and Expense policy. • Standing Orders for Meetings of the Board, Executive Committee and other LGA Committees, as this policy has 	<p>The policies will shortly be available on the LGA website and extranet.</p>

<p>been replaced with the LGA Meeting Procedures which were adopted by the membership at the 2018 AGM.</p> <ul style="list-style-type: none"> • Appointing Members to LGA Scheme Boards, as this issue is addressed in LGASA Mutual Pty Ltd constitution. • Frequent Flyer Points Accrued by LGA Board Members, as the provisions included in this policy have been included in the GP02 Board and Committee Member Allowance and Expense policy. <p>2. adopts the following policies as attached to this report:</p> <ul style="list-style-type: none"> • GP02 Board and Committee Member Allowance and Expenses • GP04 LGA Caretaker Policy • GP06 Board and Committee Induction Policy • GP07 Record of Affixing the Common Seal • GP09 Policy for Councils Seeking Funding Support for Litigation • GP12 Making Public Comments <p>3. places policy GP02 Board and Committee Member Allowance and Expenses before the membership of the LGA at the 2019 AGM for endorsement; and</p> <p>4. adopts the Position Description for LGA Board Director as attached to this report.</p>	
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<p>7.13 Policy Review (AJ 680380)</p> <p>that the LGA Board of Directors adopts the following policies:</p> <ul style="list-style-type: none"> • Asset Accounting Policy • Asset Management Policy • Budget Framework Policy • Asset Disposal Policy • Fraud, Corruption, Misconduct and Maladministration Control Policy 	<p>The policies will shortly be available on the LGA website and extranet.</p>
<p>7.14 Libraries Board of SA nominations (KR 678270)</p> <p>that the LGA Board of Directors determines to accept and consider the two late nominations received.</p> <p>that the LGA Board of Directors forwards the following three nominees (at least one male and one female) to the Premier for their appointment to the Libraries Board of SA, for a term commencing in July 2019; being (in alphabetical order):</p> <ol style="list-style-type: none"> Deputy Mayor John Neal (Regional Council of Goyder) Ms Lynn Spurling (Copper Coast Council) Mayor Jill Whittaker (Campbelltown City Council) 	<p>Refer to Circular Resolution on Libraries Board of SA Nominations (<i>LT 681371</i>).</p> <p>The LGA wrote to the Premier on 27 June 2019 submitting a list of 8 nominees consistent with the requirements of the <i>Acts Interpretation Act 1915</i>.</p>

<p>8.6 Local Government Awareness Campaign (SR 679402)</p> <p>that the LGA Board of Directors:</p> <ol style="list-style-type: none"> notes that this item is being considered in confidence as the report deals with a matter or matters that have reasonable grounds to be treated confidentially having considered clause 2.5.3 of the LGA Meeting Procedures; notes the approved allocation of \$200,000 in the Local Government Research & Development Scheme 2019/20 budget for Local Government Awareness Campaign; endorses the implementation of the Local Government Awareness Campaign strategy outlined in this report over the next four years, subject to approval of annual budget allocations; and having considered Agenda Item 8.6 – <i>Local Government Awareness Campaign</i> in confidence resolves to release the resolution and retain the report in confidence indefinitely on the grounds the release of which could prejudice the LGA's strategic position. 	<p>The Awareness Strategy is ongoing.</p>

Resolutions from the meeting of the LGA Board – 17 May 2018	Action Taken / Progress
<p>4.4.2 Road Safety (LB 660946)</p> <p>that the LGA Board asks the LGA Secretariat to work with all member councils to develop a Local Government Road Safety Strategy Action Plan that articulates existing actions and provides further direction for council efforts in contributing to a safer road system in South Australia.</p>	<p>The LGA Secretariat has drafted a Guide to preparing a Local Government Road Safety Strategy Action Plan, in consultation with a working group of member councils.</p> <p>Further feedback is currently being sought from all member councils and other key stakeholders.</p> <p>This Guide will be presented to the LGA Board of Directors for endorsement at its meeting on 28 August 2019.</p>
Resolutions from the meeting of the LGA Board – 20 July 2017	Action Taken / Progress
<p>7.12 LGA Nominations to State Boards and Committees (LT 651892)</p> <p><i>Excerpt only – for full resolution please contact Alicia Stewart alicia.stewart@lga.sa.gov.au</i></p> <p>That the LGA Board endorses the following recommendations:</p> <ol style="list-style-type: none"> 1. that the process for making direct appointments to LGA owned entities should ensure that appointments are skills-based and made on merit. 2. that further work on the processes for making direct appointments should be deferred until the completion of the LGA Governance Review, on the basis that any new processes risk being superseded by new proposals for managing these entities. 	<p>A draft framework for a new policy and procedures was endorsed by the LGA Board in June 2019, which supersedes this resolution.</p>

3.1 Report from the LGA President – July 2019

Recommendation

That LGA Board of Directors notes the report.

Solid Waste Levy

Councils were hit hard in the 2019/20 State Budget with a 40% increase to the Solid Waste Levy. This will result in South Australian ratepayers contributing around \$42.5 million to the Levy in 2019/20, up from \$34 million in 2018/19. Given the timing of the announcement, many metro councils had little choice but to pass this increase on in full to their ratepayers. Despite contributing more than \$40 million this year, councils will have to share with the waste industry in just \$2.5 million in waste and recycling grants, with most of the money collecting being diverted to state government departments and programs. The LGA will continue to advocate for relief for councils from this unprecedented increase to the Levy, as well as more of the money collected being invested in waste and recycling projects. We will also continue to draw attention to the taxes that councils are required to collect on behalf of the State Government.

Productivity Commission Inquiry

The LGA has provided its first submission to the State Government's Productivity Commission on the proposed methodology for their Inquiry into local government costs and efficiency. The Secretariat is preparing a second submission that will build on the first, and include tangible examples of external pressures on councils including state government cost shifting. This second submission will also build the case for our sensible plan for local government reform, and how the measures proposed will improve efficiency, transparency and accountability.

Parliamentary Recycling Inquiry

The LGA's submission to Parliament's Inquiry into Recycling is currently being finalised. This submission will outline opportunities for the State Government to better shield ratepayers from the increased costs of waste and recycling that are due to China's National Sword policy, and to build a true circular economy in South Australia that will support the recycling and reuse of valuable resources.

Meetings attended since the June Board meeting

June

15	Attended ALGA Board meeting and General Meeting in Canberra with Mayor Redman and Executive Director Public Affairs, Lisa Teburea
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16-19	Attended ALGA NGA in Canberra with Mayor Redman, Executive Director Public Affairs Lisa Teburea and CEO Matt Pinnegar
20	Attended LGA Board of Directors meeting
26	Teleconference with CEO and Lisa Teburea re solid waste levy

Correspondence sent since the June Board meeting

June

3	Letters to all State Members of Parliament and Members of Legislative Council re council rates notices
11	Letters to Anthony Albanese MP, Jason Clarke MP, Prime Minister Scott Morrison and Mark Coulton MP re Congratulations from Local Government in South Australia
17	Letter to Michael Lennon re Local Heritage Places PDA – Contributory Item Conversion Process
18	Letters to Stephan Knoll MP, Michael McCormack MP and Mayor David O'Loughlin re the 2019 LGA Roads and Works Conference (SA)
26	Letter to Treasurer Rob Lucas re 2019-20 State Budget – Solid Waste Levy Increase
	Letter to Peter Malinauskas, Frank Pangallo MLC, Connie Bonaros MLC, Mark Parnell MP, John Darley, Geoff Brock MP, Frances Bedford MP and Troy Bell MP re 2019-20 State Budget – Solid Waste Levy Increase

July

3	Letter to Dr Matthew Butlin, SAPC re Inquiry into Local Government Costs and Efficiency – methodology Paper
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Media Releases since the June Board meeting

June

18	Ratepayers slugged in State Budget
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Media Articles/Radio Interviews since the June Board meeting

June

19	Interview with 5AA re Solid Waste Levy
19	Interview with ABC Adelaide re Solid Waste Levy
19	Interview with ABC Statewide re Solid Waste Levy
25	Interview with ABC Adelaide re Solid Waste Levy

3.2 ALGA Update

LGA Updates

From:	Lea Bacon, Director Policy	
Key Initiative:	K.I 1 Leadership and advocacy	
Strategy:	1A Listen to, and represent members	
Meeting	LGA Board of Directors	18 July 2019
ECM:	682717	

Recommendation

That the LGA Board of Directors notes the report.

Discussion

ALGA Board Meeting 15 June 2019 – key outcomes

Federal Election Campaign Outcome

The Board noted a report and discussed the election outcomes and alignment with ALGA's 12 election priorities. South Australia noted its appreciation of ALGA's support in securing an extension to supplementary road funding for South Australia for another two years in the recent Federal Budget. The LGASA President has written to federal leaders and SA federal MPs to say thank you.

ALGA's campaign on a 'fair share' will continue post-election following a review of the strategy and key messages.

Revised ALGA Action Plan 2019-20

The Board noted the progress against the ALGA 2019-20 Action Plan and endorsed a revised plan. The Action Plan includes an item to "*Advocate for an equitable level of Commonwealth funding for local roads for all states and advocate for the reinstatement of supplementary Commonwealth funding for local roads in South Australia.*"

The LGASA has written to the Prime Minister welcoming the provision of a further 2 years of additional funding (\$40 million) for 2019-20 and 2020-21 in the 2019-20 Federal Budget, and seeking to continue to working collaboratively with the federal government to find a permanent funding solution for South Australia.

Following discussion, the action plan was revised to include an emphasis on 'resilience' in relation to climate change advocacy.

Waste and Recycling

The Board has asked the ALGA Secretariat continue its engagement with the relevant state and territory association staff to influence the direction of the national waste policy action plan.

The LGASA continues to provide significant time and resources to advocate and assist South Australian councils in dealing with the current recycling issues facing local government. We continue to inform and support ALGA's advocacy at the national level.

Review of Telecommunications (Low Impact Facilities Determination)

The Board agreed to a request from South Australia that the ALGA President write to the Minister for Communications the Hon. Paul Fletcher MP, raising the issue and seeking a meeting.

The ALGA National General Assembly (NGA) on 17-18 June 2019 also carried a motion from the City of Adelaide:

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

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

ALGA General Meeting 15 June 2019 – key outcomes

2019-2020 ALGA Subscription Levels

Members approved the subscription schedule for 2019-2020.

LGASA ‘% change’ in subscriptions is at 1.73%. This is below the overall increase of 2% for all ALGA members as SA has had a lower growth in population and local government expenditure, comparative to other ALGA member states and territories.

2019 ALGA National General Assembly

The ALGA NGA was held on 16 – 19 June 2019, following the ALGA Board Meeting and Annual General Meeting.

The LGASA prepared a briefing note for members on all of the motions presented to the NGA.

ALGA will host a teleconference with its Board members on 19 July to consider forward plan to progress the 121 resolutions of the 2019 NGA.

Financial and Resource Implications

The LGASA’s 2019-20 subscription level to ALGA has been anticipated in the LGA’s 2019-20 Budget.

3.3 Report from the LGA CEO

LGA Updates

From: Matt Pinnegar, Chief Executive Officer
 Meeting LGA Board of Directors 18 July 2019
 ECM: 683005

Recommendation

That the LGA Board of Directors notes the report.

Discussion

Staff Update

All staff have received a pay increase on 1 July of 1.5% as approved in the 2019/20 budget.

The Secretariat has also implemented a Family and Domestic Violence policy. Staff will be entitled to up to five days of paid leave to address any issues arising from family and domestic violence where the issues cannot be resolved outside of normal business hours.

LG House Update

The Secretariat has been approached by Knight Frank, the LGA's building manager, to install solar power. Options are being considered as it may provide a financial saving to the LGA and tenants of LG House. Board approval will be required given this expenditure was not included in the LGA's 2019/20 budget. The Secretariat has questioned Knight Frank about the poor timing of this request given the capital investment budget for LG House was only finalised in June.

WHS Update

The LGA has been actively updating its Work Health Safety (WHS) policies to address a risk highlighted in the internal audit of the LGA.

The internal audit was conducted by Local Government Risk Services (LGRS) as part of the LGA's Audit and Risk Committee's internal audit plan. The Audit compared internal processes against the Return to Work of South Australia performance standards for self-insurers and relevant legislation.

The LGRS's report is still being finalised and will be provided to the LGA's Audit and Risk Committee for its consideration in July.

A detailed work plan is being established in consultation with LGRS to bring the LGA's processes up to a suitable standard.

There have been no accidents, incidents or reported hazards since June's Board report.

State Wage Case Update

The Full Bench of the Industrial Relations Commission of South Australia is considering the State Wage Case for 2019.

The National Wage Case determined to increase Award rates by 3.0%, to apply from 1 July 2019, and SA Unions are seeking a 'flow-on' decision from the South Australian Employment Tribunal for State-based Awards.

The LGA is party to the State Wage Case proceedings, and we will need to submit our position by Friday 2 August 2019.

Most councils covered by Enterprise Agreements will not be affected by this decision. However, there are some circumstances where there will be an impact, such as:

- Where the Enterprise Agreements refer to a % Above-Award;
- Where allowances are as per Award (that is there are no specific rates contained in the EA);
- Employees who are not covered by an Enterprise Agreement but are paid in-accordance with an Award;
- Trainees or Apprentices whose rates of pay are not specifically determined in the Enterprise Agreement.

The late commencement of these proceedings will probably mean affected employees will be back-paid, as we anticipate a decision will be handed down late August but will apply from 1 July 2019.

We are formulating a response by collecting council feedback on the potential 'flow-on' effects of the National Wage Case Decision.

LGA Board of Directors Forward Agenda

2019	Financial Reports	Strategy Reports	Other Matters
June	<ul style="list-style-type: none"> LGA 2019/20 Budget 	<ul style="list-style-type: none"> LGA 2019/20 Annual Business Plan Business Plans and budget for LGA Procurement and LGASA Mutual 	<ul style="list-style-type: none"> LGASA Mutual presentation on budget, contributions etc.
July	<ul style="list-style-type: none"> LGA Pricing Methodology and Schedule 	<ul style="list-style-type: none"> Key Performance Indicators – 4th quarter report 	<ul style="list-style-type: none"> State Wage Case Special Local Roads Program <p>Meeting to be held at Whyalla</p>
August			<ul style="list-style-type: none"> Constitution Amendments for LGA, SAROC and GAROC
September	<ul style="list-style-type: none"> LGA Annual Report LGA Financial Statements 2018/19 Audit and Risk Committee Annual Report SAROC Annual Report GAROC Annual Report CEO Advisory Group Annual Report 	<ul style="list-style-type: none"> LGA AGM – Items of Business LGR&DS Advisory Committee funding recommendations 	<ul style="list-style-type: none"> External auditor presentation LGASA Mutual and LGA Procurement presentation on previous year's achievements and financial results AGM Agenda reports
October			
November	<ul style="list-style-type: none"> Budget review – First Quarter Long Term Financial Plan 2019/20 (updated) 	<ul style="list-style-type: none"> Key Performance Indicators – 1st quarter report 	<ul style="list-style-type: none"> Member Survey results <p>Meeting to be held at Copper Coast</p>
December			

4.2 GAROC Committee

Reports from Bodies Established Pursuant to the LGA Constitution

From:	Lea Bacon, Director Policy	
Meeting	LGA Board of Directors	18 July 2019
ECM:	683550	Attachments: 680821

Recommendation

That the LGA Board of Directors notes the draft minutes of the Greater Adelaide Region Organisation of Councils (GAROC) Committee meeting held on 1 July 2019.

Discussion

The draft minutes of the Greater Adelaide Region Organisation of Councils (GAROC) Committee meeting held on 1 July 2019 are attached. A verbal update may be provided by the Chair should members so wish.



Draft

Draft Minutes of the Greater Adelaide Region Organisation of Councils (GAROC) Committee meeting held on Monday 1 July 2019 at 10:00am in the Boardrooms at Local Government House, 148 Frome Street, Adelaide

1. Welcome, Present & Apologies

The Chairperson welcomed members and staff made a Kaurna Acknowledgement and opened the meeting at 10:07am.

1.1 Present

GAROC Committee

Mayor Karen Redman*	Member / Chairperson
Mayor Gillian Aldridge OAM* (<i>from 10.25am</i>)	Member / Office of the Immediate Past President
Mayor Angela Evans	Member
Mayor Kevin Knight*	Member
Lord Mayor Sandy Verschoor	Member
Mayor Jan-Claire Wisdom*	Member

LGA Secretariat

Lisa Teburea	Executive Director, Public Affairs
Lea Bacon	Director Policy
Sean Holden	Senior Policy Adviser
Katherine Russell	Senior Policy Officer
Astrid Crago	Administration Coordinator (minutes)

* LGA Board Director

1.2 Apologies & Absences

Cr Christel Mex	Member
Mayor David O'Loughlin*	Member
Cr Tim Pfeiffer	Member

2. Standing Items

2.1 Member Conflicts of Interest

None declared.



Draft

2.2 Minutes of Meetings

Moved Mayor Knight Seconded Mayor Wisdom that the GAROC Committee confirms the minutes of its meeting held on 6 May 2019 and the special meeting of 3 June 2019 as accurate records of the proceedings held.

Carried

2.3 Resolutions and Actions from previous meetings

Moved Lord Mayor Verschoor Seconded Mayor Evans that the GAROC Committee notes progress with resolutions resulting from the meetings of 6 May 2019 and 3 June 2019.

Carried

2.4 Financial update

Moved Mayor Wisdom Seconded Mayor Knight that the GAROC Committee notes the report.

Carried Unanimously

3. Guest Speaker

Nil.

4. Proposed items of business submitted by Member Councils

Nil.

5. Reports for Discussion

5.1 Update on waste and recycling

10.25am Mayor Aldridge joined the meeting.

Executive Director, Lisa Teburea gave a verbal update.

10.34am Mayor Aldridge left the meeting.

10.35am Mayor Aldridge joined the meeting.

There was general discussion.

Moved Mayor Knight Seconded Mayor Wisdom that the GAROC Committee:

1. notes the information contained in this report;
2. receives a verbal update on LGA advocacy in response to increases to the Solid Waste Levy;
3. considers the need for any activities to be undertaken by GAROC to provide further support to metropolitan councils with waste and recycling; and

Draft

4. contributes up to \$10,000 to support the LGA's awareness strategy of the State Government's Solid Waste levy.

Carried

5.2 Climate Change – overview of LGA actions

Moved Mayor Knight Seconded Mayor Aldridge that the GAROC Committee:

1. notes the report and the information provided in the Managing the Risks of Climate Change to Local Government – LGA action statement;
2. notes that the LGA will be engaging with member councils on climate change priorities and will report back to the GAROC Committee on any specific priorities and actions identified by metropolitan councils; and
3. proceeds to host a GAROC member forum as part of the engagement process as outlined in the report and allocates appropriate resources for the same.

Carried Unanimously

5.3 Evidence to inform local government advocacy for a strategic population policy

Moved Mayor Aldridge Seconded Lord Mayor Verschoor that the GAROC Committee:

1. notes the report; and
2. notes the opportunity to use the information contained in the SACES report "Evidence to inform local government advocacy for a strategic population policy" to assist GAROC in delivery on the Economic Development and Job Objectives and Actions outlined in its 2019-2023 Strategic Plan and 2019-20 Annual Business Plan.

Carried Unanimously

5.4 Local Heritage Listing Policy and Procedure

Moved Mayor Knight Seconded Mayor Aldridge that the GAROC Committee:

1. notes the report;
2. endorses the draft LGA Heritage Position Paper and the recommendations therein:
 - a) that current heritage classifications and protections including Historic Conservation Zones/Policy Areas and Contributory Items be transitioned in their current form into Generation 1 of the new planning system;
 - b) that the State Government implement, in consultation with local government, the recommendations of the final report of the Environment, Resources and Development Committee's Heritage Inquiry; and

Draft

- c) that the State Planning Commission engages with local government on the detail of the Planning and Design Code as it relates to heritage and character and, in particular, demolition control;
3. requests that the LGA President provide a copy of the LGA Heritage Position Paper to the Minister for Planning, the Shadow Minister for Planning, and the Chair of the State Planning Commission; and
4. notes the correspondence received on 30 June 2019 from the State Planning Commission and that the Chair of GAROC Committee will respond.

Carried Unanimously

6. Confidential Reports

Nil.

7. Late Reports

Nil.

8. Any Other Business

Nil.

9. Next Meeting

The next meeting of the GAROC Committee will be held on Monday 2 September 2019 at 10:00am in the Local Government Association Boardrooms, 148 Frome Street, Adelaide.

10. Close

The meeting was declared closed at 11.34pm.

7.1 LGA Value Proposition 2019

(Postponed from May meeting)

Reports for Discussion

From:	Lisa Teburea, Executive Director Public Affairs	
Key Initiative:	K.I 3 Best practice and continuous improvement	
Strategy:	3C Improve LGA governance and operations with a focus on people, finances and our members	
Meeting	LGA Board of Directors	18 July 2019
ECM:	677823	Attachment: 674014

Recommendation

That the LGA Board of Directors:

- 1. notes the report;**
- 2. authorises the release of the LGA Value of Membership 2019 report; and**
- 3. authorises an item of business being placed on the Agenda for the LGA 2019 Annual General Meeting to note the LGA Value of Membership 2019 report.**

Discussion

The LGA Constitution and Ancillary Document 'Membership Proposition' outline the relationship between member councils and the LGA. The Membership Proposition provides for a suite of obligations, which include the LGA publishing each year a 'value proposition' which will outline and value the specific membership benefits provided to members in the preceding financial year.

Councils gained financial benefit from membership of the LGA in two ways:

- Savings - where councils are able to spend less on services due to their membership; and
- Contributions - where councils receive funding due to the work of the LGA.

Councils also receive a number of non-financial benefits such as access to information, resources and advice, a strong voice on issues that matter to local government, and increased staff and elected member capacity and capability.

The 'LGA Value of Membership' was first developed and distributed to member councils in August 2016. This 'LGA Value of Membership' was independently verified by UHY Haines Norton in March 2017 and on the basis of their analysis, the average benefit of LGA services to all councils was calculated as being \$1,557,620.

The 'LGA Value of Membership' was again independently updated by UHY Haines Norton in March 2018. For 2018, the average benefit of LGA services to all councils was \$2,001,383 and for the sector is \$139,443,633.

The 2019 LGA Value of Membership report has again been prepared by UHY Haines Norton and their draft report is provided as an attachment.

The report shows an overall increase of estimated value to the sector of \$141,664,788 (1.59% improvement) and estimated value to member councils of \$2,483,677 (24.1% improvement). The summary of financial benefits identified in this report is provided in the table below.

Summary of LGA Value of Membership 2019 report

Initiative	Estimated Benefit to Sector	Improvement for Sector	Estimated Benefit to Participating Councils	Improvement for Councils
Advocate	\$64,091,704		\$1,242,887	
Assist	\$17,340,460		\$368,658	
Advance	\$60,232,624		\$872,132	
Total March 2019	\$141,664,788	1.59%	\$2,483,677	24.1%
Total March 2018	\$139,443,633	4.56%	\$2,001,383	28.49%
Total at March 2017	\$133,368,568		\$1,557,620	
<i>Not all financial benefits are available to all Councils</i>				

As the annual Value Proposition is an annex to the Membership Proposition established under the LGA Constitution, it is recommended that the LGA Value of Membership 2019 report be placed on the agenda for the LGA 2019 Annual General Meeting for noting by members.

Financial and Resource Implications

This work was anticipated in the LGA's work plan and has been delivered within existing resources.



LGA OF SOUTH AUSTRALIA VALUE OF MEMBERSHIP - 2019

Corinne Garrett
UHY Haines Norton

March 2019

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EXECUTIVE SUMMARY

Scope

UHY Haines Norton has been engaged by the LGA of South Australia to provide a report on the value of membership to the Local Government Association of South Australia (LGA), updated for 2019.

Methodology

This report builds on the work undertaken and reported in 2017 and 2018. Interviews and workshops were used in 2018 to identify key services offered by the LGA while information from 2017 was reviewed and expanded upon. In 2019, staff were asked to consider information provided in 2018 and to respond on the status of current services and to highlight new services provided to members.

We have determined 'Value' by comparing the costs paid by councils to comparable alternative prices. LGA staff have provided conservative estimates where supplier comparisons were not available. Where there is a sector benefit open to all members, we have divided the total by the number of councils that have access to or used the service resulting in an estimated average.

Many services require staff resources of the LGA. If these services were undertaken by councils individually, they too would require an allocation of staff resources. For this report, we calculated staff resources on a professional level staff member rate of level 5 to 6 with responsibilities as detailed in the South Australian Municipal Salaried Officers Award. We have estimated a full-time salary (including on-costs such as superannuation and workers compensation insurance) as costing a council approximately \$102,657 per year full time. This estimated salary is an average of a range of councils' Enterprise Bargaining Agreements for Level 5/6 staff.

A service can be valuable to members even if the value is not able to be quantified in financial terms. We have included these types of services in this report.

LGA Staff, LGA website data, and staff from associated service providers such as the Local Government Risk Services (LGRS) and the Local Government Finance Authority (LGFA) have provided information to inform this report.

Our report has been prepared for the LGA for understanding the value of membership to the LGA and should not be used for any other purpose.

A Warning on Averages

It is important to note that averages mean that some councils gained more, and others less than the average benefits indicated. Councils will receive an individual value proposition providing a more detailed overview of the value of the specific services and programs accessed.

Service Areas Assessed

This report lists the services assessed against the LGA's three objectives that guide the organisation:

- Advocate
- Assist
- Advance

Key Findings

Section 59 of the *Local Government Act 1999* sets out the roles of members of councils. Of relevance is Subsection (iii) which sets out that one of the purposes of a member of council is:

“to keep the council’s resource allocation, expenditure and activities and the efficiency and effectiveness of its service delivery, under review.”

Our report demonstrates that there is a financial advantage for councils to be a member of the LGA. There is also a significant non-financial benefit of membership. Membership of the LGA, therefore, is an essential tool for councils and their elected members in seeking to commit to ongoing improvement in the efficiency and effectiveness of service delivery.

There are several services provided by the LGA which are difficult to quantify in financial terms yet provide indirect benefits to elected members and staff in the sector. It would be challenging for individual councils to arrange these services and a council having to go without the service or source a supplier at a potentially significant cost.

The following tables summarise the services provided by the LGA, their link to the Key Initiatives and the estimated value to the average council, both in financial and non-financial terms as well as the sector.

Financial Benefit

Councils gained financial benefit from membership of the LGA in two ways:

- Savings - where councils can spend less on services due to their membership
- Contributions - where councils receive funding due to the work of the LGA

Summary

Initiative	Estimated Benefit to Sector	Improvement for Sector	Estimated Benefit to Participating Councils	Improvement for Councils
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Total March 2018	\$139,443,633	4.56%	\$2,001,383	28.49%
Total at March 2017	\$133,368,568		\$1,557,620	
<i>Not all financial benefits are available to all Councils</i>				

Advocate

Service	Estimated Financial Benefit		
	Sector	Average Per Participating Council	Number of Councils
Aged Care HACC Funding Commitment Contribution	\$27,000,000	\$397,059	68
Awareness Campaign - Savings	\$3,490,331	\$51,328	68
Special Local Roads Program	\$13,450,373	\$498,162	27
State Wage Case - Savings	\$102,000	\$1,500	68
Supplementary Road Funding - Contribution	\$20,000,000	\$294,118	68
Public Health Program	\$49,000	\$720	68
Total Advocacy Benefit	\$64,091,704	\$1,242,887	

Service	Non-Financial Benefit
Advocacy in General	Being part of a strong united voice when dealing with State and Federal Governments. Financial benefits are shown separately.
ALGA Membership	Advocacy at the national level
Economic Development Initiatives	United influence on State Govt. policy development and ability to unite to undertake major economic development projects.
Events – AGM/OGM Conferences	Promotion of sector and networking
Natural Resources Management Reform	United voice to the State Government on matters that affect local government in South Australia
Planning	
Local government reform	
Budget submissions	Increased awareness of local government cost pressures

Assist

Service	Estimated Financial Benefit		
	Sector	Average Per Participating Council	Number of Councils
Climate Change	\$183,701	\$2,701	68
Coastal Management - Guidelines	\$510,000	\$15,000	34
Coastal Management - Grant	\$100,000	\$2,941	34
Dog & Cat Management Act	\$80,000	\$8,000	10
Education and Training	\$552,807	\$8,130	68
Elections Campaign	\$872,576	\$12,832	68
Emergency Management	\$3,490,331	\$51,328	68
Energy Efficiency Audit	\$354,803	\$50,686	7
Executive Recruitment	\$16,000	\$8,000	2
Governance Policies and Guidelines	\$3,689,748	\$54,261	68
LED Public Lighting Contract Legal Advice	\$250,000	\$10,000	25
Legal Delegations and Authorisations Template	\$680,000	\$10,000	68
Media Training	\$57,780	\$2,140	27
Online Services – Website software	\$1,875,000	\$37,500	50
Online Services – Intranet and Extranet	\$700,000	\$20,000	35
Online Services – My Local Services App	\$920,000	\$20,000	46
Online Services – Candidate Website	\$670,000	\$10,000	67
Planning – Implementation of legislation	\$744,260	\$10,945	68
Regional Youth Traineeship Program	\$1,158,456	\$26,941	43
Research & Development Scheme \$2m distributed over programs described elsewhere in this paper			

Support of Regional Local Government Assoc.			
- Outreach Program	\$150,000	\$3,061	49
- Regional Capacity Building	\$284,998	\$4,191	68
Total Assist Benefit	\$17,340,460	\$368,657	

Service	Non-Financial Benefit
Benchmarking	Simplified access to data
Careers in Council	Improved candidate ability and response
Documents/Templates/ Policies & Guidelines & Information Papers	Assist staff and elected members to achieve better outcomes for their communities by having increased capability and expertise in undertaking their roles using best practice principles and ensuring compliance with legislation.
E-news	Increased understanding of sector issues
Governance General Advice and Support	Increased staff and elected member capability
Governance Panel	Independent panel for complaint assessment
LGA Corporate Governance	LGA that effectively serves members
LGA Website	An information source that increases the capability of staff and elected members
Local Government Communicators Network	Increased staff capability
Local Government Events Network	
Media Advice	Media resource & unified responses
Media Coverage	Media resource & unified responses
Networking forums	Competent staff delivering best practice services to communities and decrease in risk and the potential cost of non-compliance
Planning forums and resources	Increased staff and elected member capability
Roads & Works Conference	Improve knowledge and outcomes in the management of road infrastructure.
Sector Morale & Leadership Program	Improved Elected Member leadership
Service Certificates & Awards	Promote sector and encourage leadership
Social Media training and resources	Increased staff capability

Advance

Service	Estimated Financial Benefit – Current		
	Sector	Average per Council	Number of Councils using service
LGA Procurement			
• Diesel Fuel Rebate	\$527,314	\$31,018	17
• Professional Development and Tools	\$680,000	\$10,000	68
• Tendering – General Tenders	\$10,036,000	\$147,588	68
• Tendering – Tender Panel	\$1,606,000	\$38,238	42
• Tendering – Electricity Contract – organising tender	\$1,600,000	\$25,000	64
• Tendering – Electricity Contract savings	\$7,500,000	\$117,188	64
• CWMS (not available to all Councils) - Contribution	\$4,700,000		Available when building new Schemes
LGFA - Banking – interest on loans savings	\$7,907,339	\$125,513	63

LGFA – Banking – bank charges savings	\$68,000	\$1,000	68
LGA Workers Compensation Scheme - Insurance	\$13,505,499	\$198,610	68
LGA Mutual Liability Scheme - Insurance	\$7,894,735	\$116,099	68
LGA Asset Mutual Fund – Insurance	\$4,207,737	\$61,878	68
Total Advance Benefit	\$60,232,624	\$872,132	

Service	Non-Financial Benefit
LGA Procurement	
• LGA Directory	One Stop source of information
• Tendering – Fee for Service	Robust tendering process in line with public sector procurement principles

BACKGROUND

Local Government Association of South Australia

The LGA is the peak representative body for local government in South Australia. The Parliament of South Australia supports the LGA in Schedule 1 of the *Local Government Act 1999*. The mission of the LGA is to provide leadership to councils for the benefit of the South Australian community.

The LGA Constitution adopted in October 2018 sets out the framework for two-way engagement between the LGA and its members. Central to this has been the adoption of a Membership Proposition, which articulates the obligations of the LGA to member councils, and the obligations of member councils to the LGA.

The Membership Proposition, which is ancillary to the LGA Constitution, reinforces the objects of the LGA of advocate, assist and advance, and confirms the right of members to contribute to policy development and the LGA's advocacy strategies, to obtain assistance to build capacity and increase sustainability, and to access the services provided by the LGA.

The requirement to develop an annual Value Proposition to set out the value of the specific membership benefits provided to members in the previous financial year, and to publish an annual pricing methodology for LGA services is embedded within the Membership Proposition.

The obligations of a member council to the LGA include:

- payment of subscriptions;
- complying with the Constitution;
- providing information and support as may reasonably be requested by the LGA to carry out its objects; and
- adopting leadership standards that contribute to the strength of the sector.

The importance and benefit between an LGA and its members has been well articulated by the International Cooperation Agency of the Association of Netherlands Municipalities (VNG):

“Members need to understand that their LGA is as strong or as weak as they want it to be. An LGA with many active members, all paying their membership fees and contributing with information, knowledge, participation in working groups, etc. will be stronger than one with

members who expect to get everything done for them without contributing anything themselves.” (VNG International, 2007)

In South Australia, a strong LGA is vital in providing a single voice to State Government instead of 68 individual voices and enabling the State Government to see the LGA and the local government sector as a partner while providing services and representation to members.

Australian Local Government Association

The LGA of South Australia is a member of the Australian Local Government Association (ALGA).

The “*Australian Local Government Association’s strategic priorities are:*

- *Strengthening local government finances*
- *Sustaining local roads, transport and other infrastructure*
- *Improving natural and built environmental outcomes*
- *Enhancing regional equity and regional development*
- *Building capacity and sustainability in local communities*
- *Connecting member associations and the local government sector*
- *Engaging effectively in Australian Government processes.” (Australian Local Government Association, n.d.).*

State Associations fund the ALGA through annual subscriptions. The ALGA has a small secretariat based in Canberra.

ALGA’s President represents local government in Australia on the Council of Australian Governments (COAG). This body includes the Prime Minister, State Premiers, Territory Chief Ministers and the ALGA President, and provides local government with a significant opportunity to sit at the table with Australian decision makers. City of Prospect Mayor David O’Loughlin, who is also a member of the LGASA’s Board, is the current President of ALGA. The LGASA also appoints two Directors to the Board of ALGA to provide a voice for South Australian councils in the federal arena. The LGASA’s current representatives on the ALGA Board are LGA President Mayor Sam Telfer (District Council of Tumby Bay) and LGA Board Director Mayor Karen Redman (Town of Gawler).

SERVICES

Advocate – Financial Benefits

Aged Care

The LGA prepared discussion papers and submissions in the review of aged care funding reforms (federal) and advocated to the State Government to continue HACC funding during the SA roll out of NDIS. This advocacy contributed to securing a \$27 million commitment from the former State Government to continue Home and Community Care (HACC) funding in 2018/19.

- **Sector contribution benefit is \$27,000,000**
- **Average council benefit is \$27,000,000 divided by 68 councils being \$397,059**

Awareness Campaigns

The Awareness Campaign is an ongoing campaign to raise awareness of what councils do and the value of council services. The LGA provides a design concept, campaign collateral and graphic design services for councils for all awareness campaigns.

This service is enhanced by LGA membership surveys, sector-wide research and brand segmentation.

If councils were required to manage this individually, they would likely need the services of approximately a 0.50 FTE staff member at a professional officer level estimated at \$51,000, including all employment on costs. These figures are an estimate of the average required, with council election years requiring more than other years.

- **Estimated potential savings to each council of \$51,328**
- **Estimated potential sector savings are \$51,328 x 68 = \$3,490,331**

Regional Youth Traineeship Program

The LGA partnered with Primary Industries and Regions SA to implement the LGA Regional Youth Traineeship Program as part of the State Government's \$10m Jobs Accelerator Fund. These two-year programs aim to assist unemployed young people in regional areas to participate in the labour market through paid full-time employment while undertaking a Certificate III qualification. The programs are designed to create sufficient incentive for councils to continue employing these trainees following the conclusion of the funding period.

The programs will increase regional youth workforce participation across regional SA and support council workforce development initiatives to address their ageing workforce and skill shortage areas. The programs provide a wage subsidy per trainee for up to two years filling 114 positions across SA Regional Governing Bodies.

This funding was only available for regional and rural councils outside of metropolitan Adelaide.

- **Sector benefit was a funding contribution of \$4,000,000 over three years being \$1,333,333 annualised. \$1,158,456 was allocated directly to participating councils with the remainder of the annual funds being allocated to spend on youth leadership forums to be delivered in the regions.**
- **The program was only available to regional councils with 43 participating and receiving an average benefit of \$26,941**

Special Local Roads Program

The LGA is a member of and provides secretariat support to the Local Government Transport Advisory Panel (LGTAP), which advises the LGA Board for the recommendation of projects (under the Identified Local Road Grants and SA allocation of Roads to Recovery) to the Federal Minister for Local Government and Territories. Without the due process and prioritisation that the LGTAP provides, SA councils would be unable to provide a unified or cohesive ask to the Commonwealth Government for road funding. Lacking a unified voice would effectively put all these grants at risk.

There has been \$13,450,373 made available through this program with 27 councils receiving project funding.

- **The benefit to each council is state-wide facilitation and coordination effort**
- **The sector benefit is \$13,450,373**
- **27 councils received project funding at an average of \$498,162 per participating council**

State Wage Case

The LGA prepares for and represents councils in the Industrial Relations Commission on behalf of all council as employers in South Australia. This task involves data collection and submission to the Commission. If councils had to undertake this process individually, it would likely cost at least \$1,500 per year based on the process conducted by LGA officers.

- **Estimated savings to each council of \$1,500**
- **Sector savings benefit is \$1,500 x 68 councils being \$102,000.**

Supplementary Road Funding

The LGA was heavily involved in a successful advocacy campaign that resulted in the 2017/18 Federal Budget providing \$40 million over two years to reinstate Supplementary Road Funding for South Australian councils. This funding will ensure a fairer share of roads grant funding from the Commonwealth and will assist councils in maintaining and upgrading the State's road network for the benefit of our communities.

- **Sector benefit is funding contribution of \$40,000,000 over two years being \$20,000,000 per year**
- **The average contribution to each council for one year is \$20m divided by 68 is \$294,118**

Public Health Program

The Local Government Public Health Program has been successful in supporting the development of councils' understanding of their role in public health and undertaking public health planning processes as specified in the Act. It has delivered a range of guidelines and support material designed to ensure the consistent application of the provisions of the Act across local government in coordination with relevant State Government authorities.

The Program also delivers a strong partnership and relationship between SA Health and the LGA for public health.

The 2018 LGA Value of Membership Report noted that in 2018 the LGA had successfully negotiated a further 12-month extension of the Public Health Program funding to assist councils undertaking their functions under the South Australian Public Health Act (2011). In 2019, a final four month extension was negotiated, providing a \$49,000 commitment in an agreement between the LGA and SA Health.

- **The sector benefit was funding of \$49,000.**
- **The benefit to each council is updated understanding and being part of a strong partnership between SA Health and the LGA.**

Advocate – Non-Financial Benefits

Advocacy in General

A crucial role of the LGA is advocacy on behalf of the local government local government sector to influence the State Government - and the Federal Government through the ALGA - in local government matters.

- **The benefit to each council is being part of a strong united voice when dealing with State and Federal Governments on matters that affect local government.**

Australian Local Government Association (ALGA)

As previously mentioned, the LGA of South Australia is a member of the ALGA which gives South Australian councils the benefit of sector-wide advocacy at the national level. Since November 2016, the ALGA President has been City of Prospect Mayor David O'Loughlin. Mayor O'Loughlin's thorough understanding of uniquely South Australian issues has resulted, with support from the LGA, in securing additional road funding specifically for South Australia.

Many SA councils are represented at the ALGA National General Assembly each year where councils from across the country come together to discuss the sector's national advocacy agenda. The LGA adds value to members in this process by preparing a comprehensive briefing paper on the motions that councils have submitted for debate, including information about current LGA policy positions, potential benefits and implications for SA councils and relevant work already underway at the state level.

- **Benefit to councils is advocacy and campaigning at the national level.**

Economic Development Initiatives

The *Local Government Act 1999* describes one of the functions of a council as *'to promote its area and to provide an attractive climate and locations for the development of business, commerce, industry and tourism.'*

This service works to assist councils to foster a sustainable local economy that promotes wealth and job creation, community well-being objectives and provides councils with increased resources to deliver superior service to its ratepayers. This is accomplished by leading and advocating on critical issues via coordinating submissions to parliamentary inquiries representing the sector on government and non-government committees and producing policy and guidelines to help councils be more effective and efficient.

Examples include the China Engagement Strategy, contributions to the Regional Visitor Strategy, joint formation with the State Government of a Red tape reduction taskforce, MLGG Smart Cities program and research of South Australia's population growth potential.

- **The benefit to councils is being part of a united influence on State Government policy development. Additionally, this service allows councils to unite to undertake major economic development projects that would be difficult individually.**

Events

Major events are the LGA Conference and Annual General Meeting and the Showcase and Ordinary General Meeting. There were approximately 200 attendees, including both council staff and elected members, per event in 2018.

Other events include the Roads and Works Conference, which is discussed in the 'Assist' section.

- **The benefit to each council is the promotion of the local government sector and facilitation of networking between council members.**

Natural Resources Management Reform

The LGA provided a submission on the State Government's proposal to reform Natural Resource Management in South Australia.

- **The benefit to each council is a united voice to the State Government on matters that affect local government in South Australia.**

Planning

The LGA has provided submissions to the State Government on behalf of the local government sector on:

- Accredited Professionals Scheme and draft Regulations
- Assessment Pathways
- Performance Indicators
- Natural Resources and Environment Discussion Paper
- Integrated Movement Discussion Paper.
- Planning and Design Code Technical Paper
- State Planning Policies

- Environment and Resources Committee of Parliament Inquiry into Heritage.
- **The benefit to each council is a united voice to the State Government on matters that affect local government in South Australia.**

Budget Submissions

The LGA prepares a State Budget Submission each year to advocate for greater financial assistance to councils and highlight opportunities for the State Government to drive downward pressure on councils rates by addressing issues such as the solid waste levy, collection of NRM fees, community housing rebates and statutory fees and charges.

- **The benefit to each council is a united voice to the State Government on matters that affect local government in South Australia and increased public awareness of the costs pressures faced by councils.**

Assist – Financial Benefits

Climate Change

The LGA has produced Guidance notes and Documents to inform Councils on climate change risks and to assist Councils in developing and implementing measures to address these risks, this has taken approximately .03 FTE of a professional officer being \$2,701. If councils were to develop this work individually they would likely need a similar level of staffing.

The LGA become Core Partners of Climate KIC, which acts as a means to work collaboratively with other state/territory governments, universities and financiers on a range of projects relating to climate adaption, mitigation and regional development.

- **Estimated savings for councils is \$2,701 each**
- **Sector saving benefit is \$2,701 x 68 being \$183,701**
- **Benefits to councils are capacity building to address climate risks and being part of a national working group to further knowledge and understanding of climate change issues.**

Coastal Management

The LGA was instrumental in developing a project that will provide strategic support for all 34 coastal councils. The LGA implemented a process that resulted in state wide buy in for the creation of an SA Coastal Alliance and the development of a state wide strategy, and supported the R&D fund submission (which was successful) from the Limestone Coast LGA, who is now managing the project. The value of the grant is \$100,000.

- **Estimated contribution for coastal councils of the grant is \$100,000 divided by 34 councils being \$2,941 each**
- **Sector benefit is \$100,000 for the thirty-four coastal councils**

Dog & Cat Management Act

The LGA assisted ten metropolitan councils with an issue arose with additional services charges proposed by the RSPCA. The assistance provided included:

- Seeking legal advice with a value of \$3,000.

- Information sessions and discussion between RSPCA and impacted councils.
- A model service agreement for use by the councils with the RSPCA at a cost of \$5,000.

Without the LGA's involvement individual councils would have needed to seek their own legal advice and develop their own agreements.

- **Estimated savings for participating councils is \$8,000 each**
- **Sector saving benefit is \$8,000 x 10 participating Councils being \$80,000**

Waste and Recycling

In early 2018, China implemented changes to its waste import policy which included restrictions on the quality of recyclable materials that it would accept. This placed significant pressure on the waste management sector and increased costs for councils.

The LGA acted quickly to lead a series of activities designed to support councils in managing the financial implications of the revised policy, and to discuss opportunities for growth and evolution of the local waste management industry in SA. These included:

- Participating in the State Government Working Groups and providing information and advice to feed into development of the State Government support package;
- Sharing results of the LGA commissioned "Market Analysis of South Australian Recyclables" report to assist councils in understanding their exposure;
- Developing a model "rise and fall" clause to assist councils in re-negotiating these contracts to provide for risk sharing arrangements; and
- Hosting a Waste Pathways Workshop "Beyond China Sword" in June 2018 to explore the implications of the China Sword policy for the recycling industry in SA.

The Waste Pathways Workshop identified an opportunity for councils to increase their purchasing of recycled-content products and materials, strengthening markets in SA. In December 2018, the LGA was successful in obtaining funding from Green Industries SA for a pilot project to trial the adoption of sustainable procurement targets by councils. Those councils involved in the pilot project will adopt a target for the 2019-20 year.

The LGA also completed an update of its model waste management contract documents towards the end of 2018.

- **Benefit was support and leadership in responding to the industry transition**
- **Consulting and legal advice to assist with the response in the amount of \$25,000**
- **GISA funding for the pilot project in the amount of \$96,500**

Nuisance and litter

The *Local Nuisance and Litter Control Act 2016* conferred a number of responsibilities on councils in responding to local nuisance issues in their communities. The LGA has worked closely with the EPA in supporting councils to administer the new legislation. The LGA/EPA Heads of Agreement document that underpins this relationship was reviewed in 2018 and found to be working well, with a number of areas for improvement identified.

- **Benefit is coordinated support from both LGA and EPA in administering legislation**

Education and Training Programs

Education and Training have been focused on a training needs analysis, reviewing the brand, service offer and improving their regional delivery. Work has commenced in developing a strategic and business plan, including a risk analysis to shape the service offer into the future.

In the second quarter of 2019, visits to councils within metropolitan and regional areas will commence for the purpose of building a deeper understanding of the needs in tailoring training programs. This strategic work is being done in the background whilst delivering a new Elected Member Leadership program, providing one-off tailored programs for Councils and supporting on-going training for Council staff.

The current service offers training targeted to Local Government and uses relevant Local Government content. Training is delivered within the metropolitan and regional areas of South Australia through a variety of methods including face-to-face, online and via webinar. In this financial year the LGA has facilitated a robust and cost effective procurement process (through LGA Procurement) to attract and engage presenters to work with the LGA to provide quality content delivery that meets our sector needs.

If councils were to undertake training separately to the LGA service, they would need to engage an alternative provider to develop and deliver a program specifically tailored to their requirements. An indicative quote from a South Australian training institution that provides training to the State Public Service estimates that preparation and delivery of a one-off, one day, specialist training session to an individual council would be approximately \$7,000 plus GST. This comprises \$4,800 for development and \$2,200 for delivery.

A specialist training program developed and delivered by the LGA for a council for a minimum of 10 participants is charged @ \$3,650 plus GST. In comparison there is a saving of approximately \$3,350 per program delivery when compared to alternative providers.

Specialist Training Cost Comparison per council one day session



The LGA additionally provides training for individual council staff and elected members. Full day courses are charged per participant at \$430 each. Discounts apply with group bookings. Alternative commercial offerings range in price but are approximately \$795 per day. This comparison is a saving of \$365 per person, per one day course.

There were 8,904 FTEs employed by councils in South Australia in 2017. If 10% of these were to attend one full day training session a year with the LGA as opposed to an alternative provider, there would be a saving of approximately \$365 per person per session. In this case the total saved across the sector would be \$324,850 which is an average of \$4,780 per Council.

FTE Training 2017 Comparison if 10% attended one full day of training / year



Note: Graphs and figures presented are conservative estimates only.

In addition the LGA continue to support the Flinders University by attending their JobLink Summits and presenting to students the benefits of considering a career in Local Government or indeed volunteering in the meantime. Held twice a year, they provide an opportunity for graduates to interact with LGA staff for networking and information seeking purposes as a part of the Careers and Employability Service within the University.

- **The estimated benefit to councils is relevant to the amount of training undertaken with the LGA as opposed to alternative providers. There is the potential to save considerably when utilising the LGA's E&T services and in the examples used above, savings per council could well be in excess of \$8,130p.a.**
- **Sector savings benefit based on the above two examples is a conservative \$552,807p.a.**

Council elections campaign

This campaign occurs every four years. Its primary objective is raising awareness of the council elections and increasing the participation levels, particularly during the 'nominate' phase of the election.

The LGA also provides graphic design services for councils to provide greater opportunities for spreading the messages during council election campaigns.

This service is enhanced by LGA membership surveys, sector-wide research and brand segmentation.

Printed materials, provided free of charge to councils included posters, banners, corflutes, flyers, bookmarks and badges.

The following digital artwork files were available online for councils:

- Advertisements;
- Flyer options;
- Social media posts and images;
- Website banners and buttons;
- Digital email footers;
- Template media releases/newsletter articles; and
- Flyer and poster translations.

If councils were required to manage this individually, they would likely need the services of approximately 0.5 FTE staff member at a professional officer level earning approximately \$102,657, being \$51,328 for the election year including all employment on-costs. As this is a service with the majority of the cost falling every four years, the annualised cost has been divided by 4, being \$12,832.

- **Estimated annualised savings benefit to each council of \$12,832**
- **Sector savings benefit is \$12,832 x 68 councils being \$872,576**

There is no cost to individual councils to use the candidate website, and alternative commercial products have been costed at \$10,000 per council. Sector benefit is \$10,000 x 67 councils being \$670,000. Note that Roxby Downs Council does not have elections.

- **Estimated savings benefit per council using this service is approximately \$10,000.**
- **Sector savings benefit is \$10,000 x 67 councils currently using the app being \$670,000**

Emergency Management

The LGA advocated to the State Government to ensure councils are heard at the state level for emergency management policy development. This advocacy allowed the LGA to be represented on State Committees and involved in the coordination of local government in an emergency.

This activity has resulted in a streamlining of information flow as it would be unworkable for 68 councils to work with the state individually. The LGA knows the issues facing the councils in the

State and is, therefore, able to provide councils with up to date, timely and best practice information as well as inform the State on issues about emergency management affecting councils.

The funding achieved from State Government assists councils in emergency management planning to improve preparedness.

State and Federal funding and the Local Government Association Mutual Liability Scheme contribute to the costs of LGA staff wages for this service.

If councils were required to manage this individually, they would likely need the services of approx. 0.50 FTE staff member at a professional officer level estimated at \$51,328 including all employment on-costs.

- **Estimated savings benefit to each council of \$51,328**
- **Sector savings benefit is \$51,328 x 68 councils being \$3,490,331**

Energy Efficiency Audit

An energy audit was conducted for seven councils. This was an independent audit which included an electrical/structural audit of councils' assets. The aim was to provide a 'best fit' energy solution instead of a product-based solution that ensures that energy is used efficiently, and future needs are tailored to the most efficient type of energy available to each specific region.

The following are estimated potential savings if recommendations from the energy audits are adopted and actioned by councils.

- **Estimated average potential savings benefit to participating councils is \$50,686**
- **Sector savings benefit is \$354,803 divided by 7 participating councils**

Executive Recruitment

This service provides councils with:

- Ability to provide intelligence on Local Government candidates Australia wide (in consultation with other LGAs)
- Reduced recruitment spend and a superior in-house end-to-end recruitment solution
- Work undertaken by in-house resources, who are salaried employees instead of recruitment consultants
- A fixed price service offering.
- All-inclusive service.
- 1-year guarantee on all placements.

- **Estimated average potential savings benefit for 2 participating councils is \$8,000**
- **Sector savings benefit is \$16,000 divided by 2 participating councils.**

Governance Policies and Guidelines

The LGA has developed a range of resources that relate to council governance topics, including information papers, template registers, authorised officer templates, model policies, standard operating procedures (SOPs) and guidelines. There are currently 67 governance policies, guidelines and information papers, nine SOPs and twenty-two authorised person templates.

The ongoing annual cost of updates is \$10,000 for external contractors with an additional staff resource of approx. 0.25 FTE.

If Councils had to prepare and update this information individually, they would likely need to pay similar costs and allocate similar staff resources costing potentially an estimated \$10,000 plus 0.25 FTE of \$102,657 (estimated professional wage being \$25,664). This calculation results in a saving of \$35,664 per year.

New resources are continuously being added; in 2018 eight new guidelines, templates, model policies or information papers were added to the database of governance resources. The costs of providing the new resources was approx. \$16,000 for external contractors and approx. 0.03 FTE of \$102,657 (estimated professional wage being \$2,597). This calculation results in a savings of \$18,597.

- **Estimated savings benefit to Councils is approximately \$54,261**
- **Sector savings benefit is \$54,261 x 68 Councils being \$3,689,748**

LED Public Lighting Contract Legal Advice

The LGA sought a series of legal advices on the LED public lighting contracts offered to councils. This included a comprehensive summary of the proposed contract arrangements, an analysis of the commercial and legal risks and recommended amendments to provide greater protection to councils. The LGA funded advice on three updates of SAPN's draft contract and made this advice available to councils upon request via LGA circular. 25 councils contacted the LGA directly to obtain a copy of this advice.

The cost of legal advice was \$10,000 and if Councils' had needed to seek this advice themselves the cost would likely to have been similar.

- **Estimated average potential savings benefit for 25 participating councils is \$10,000**
- **Sector savings benefit is \$10,000 x 25 participating councils being \$250,000**

Legal Delegations and Authorisations Template

The legal delegation templates relating to 30 pieces of legislation that governs local government has been developed by the LGA to assist councils with this legally required document. The LGA updates these delegations quarterly at a contracted legal cost of \$10,000 per year.

Councils would need to undertake this task individually if not provided by the LGA.

As well as the updates of the delegations, the LGA informs councils through the issue of circulars.

There is no additional cost to member councils for using this service.

- **Estimated savings benefit to each council is \$10,000**
- **Sector savings benefit is \$10,000 x 68 being \$680,000**

Media Training

This service provides an in-house, customised, hands-on training session on media techniques and strategies to help councils when liaising with the media.

This provides a sector-wide benefit of consistency of messaging, techniques and strategies tailored exclusively for the local government sector in SA. Providing in-house training results in significant cost savings in travel and time for regional councils.

LGA staff have found that an average market price for this training is \$3,000. The LGA provided training for less than this and also additional discounts where councils grouped to undertake the training. Training was delivered directly to councils or to regional areas where councils grouped together. This saved considerable time and travel costs compared to training given in Adelaide. The travel costs have not been quantified. Training provided by the open market also incurs disbursement costs for the person providing training to cover travel costs. These disbursements were not charged to participating councils by the LGA.

- **Estimated benefit to the twenty-seven participating councils was an average of \$2,140**
- **Sector savings benefit was \$57,780**

Online Services

The LGA provides website software for councils. Alternative website software has been costed at between \$25,000 and \$50,000 more than the LGA service, being an average potential saving of \$37,500 (i.e. \$25k + \$50k divided by 2). 50 Councils use the Unity software. The sector benefit is \$37,500 x 50 Councils being \$1,875,000.

- **Estimated average savings benefit for the fifty Councils using this service is approximately \$37,500**
- **Sector savings benefit is \$37,500 x 50 councils being \$1,875,000**

Alternative suppliers of website software for intranet and extranet (Elected Members website) charge an additional cost while the LGA's system is at no extra charge, resulting in a potential savings per council of \$20,000. 35 councils use this service resulting in a sector benefit of \$20,000 x 35 councils being \$700,000.

- **Estimated average savings benefit for the thirty-five councils using this service is approximately \$20,000**
- **Sector savings benefit is \$20,000 x 35 councils being \$700,000**

Alternative suppliers for an individual app for each council have been costed at \$20,000. 46 councils use the 'My Local Services App'

- **Estimated savings benefit per council using this service is approximately \$20,000.**
- **Sector savings benefit is \$20,000 x 46 councils currently using the app being \$920,000**

The LGA provides an online transaction facility for councils using Synergy Corporate Finance software which allows communities to make online payments via council websites. This service is charged on a 'fee for service' basis. This service supports 12 regional councils.

Planning – implementation of legislation

The LGA provided legal advice to all councils on draft regulations relating to the Accredited Professional Scheme under the PID Act. The cost to the LGA was \$10,945 and was provided to councils free of charge. If councils were not members of the LGA they would have needed to source this information themselves to ensure they were prepared and able to comply with impending legislation.

- **Estimated savings benefit to each council is \$10,945**
- **Sector savings benefit is \$10,945 x 68 councils being \$744,260**

Regional Youth Traineeship Program

This program provides unemployed young people in regional areas with training and employment opportunities in local government.

The State Government has contributed \$4m to two rounds of the program which is managed by the LGA and provides a wage subsidy per trainee for up to two years, filling in excess of 114 positions across SA regional councils.

The LGA provides case management support to all participating councils and trainees to ensure the success of the program and is supported by a formal deed between the LGA and the Minister for Regional Development that establishes key deliverables & milestones.

According to data from the National Centre for Vocational Education and Training Research, South Australian apprentices and trainees (undertaking non-trade occupation qualifications) have a completion rate of around 56%. In comparison for the Regional Youth Traineeship Program, 80% of participants in round one, completed at least one qualification. Employment outcomes have also been strong. Since completing the program, 83% of participants in Round 1 gained employment, either within or outside the local government sector.

Collaboration between the LGA and PIRSA representatives has secured non-expended funding from the first round for regional leadership programs aimed at current and past RYTP participants; tentatively scheduled for mid-2019.

This program supports employment, career progression and retention of young people in South Australia and is a fine example of what can be achieved when governments work together in partnership.

Only regional councils are able to apply.

- **Estimated savings benefit to each participating council is \$26,941**
- **Sector savings benefit is \$1,158,456 for the 43 participating councils.**

Research and Development Scheme (R&D Scheme)

The scheme is funded by:

- Tax-equivalent payments from LGFA to State Treasury as required by legislation; and
- A percentage of mineral “rubble” royalty payments made by Councils to the State Government.

These two sources supply more than \$2m in funding each year.

Hundreds of projects have been completed over the past twenty years. This paper notes many services which have received R&D funding. A portion of the funding each year is available to anyone with interest in local government including councils, for research projects that can benefit local government.

There has been a total of \$6,900,000 allocated to 176 projects over the past five years.

The Scheme funds the expenditure for administration from within the scheme.

- **The benefit to all councils is \$2m contribution per year of projects that increase knowledge and capability. Many of these projects are covered elsewhere in this document.**

Support of Regional Local Government Associations

The LGA liaises with LGA regions, updating meetings on the website and promoting regional events.

The LGA Regional Associations elect representatives to the SA Regional Organisation of Councils (SAROC) and the Metropolitan Local Government Group (MLGG) which provides a forum for Regional LGAs to develop decisions on public policy matters of importance to the country and metropolitan Councils. The LGA provides the secretarial role for SAROC and the MLGG.

The LGA and R&D funding cover the costs of the administration function of the regional LGAs. The LGA also contributes to the administrative support for SAROC and MLGG.

Regional LGAs have been supported financially in 2018/19 through the LGR&DS with a Regional Capacity Building Grant and the LGA Outreach Services Program. These programs support projects undertaken by regional LGAs for the benefit of member Councils. The Metropolitan Local Government Group also received the Regional Capacity Building Grant.

- **The Outreach Program contributed \$150,000 to all regions except for the Metropolitan Region, to a total of 49 councils.**
- **Average benefit per LGA Region member councils is \$3,061**

- **The Regional Capacity Building contributed \$284,998 to all regions**
- **Average benefit per council is \$4,191**

Travel

This service provides 5% up-front discounts on any Virgin flight bookings. LGASA Travel has only recently been implemented. Quantifiable savings will be able to be reported in next year's Membership Value Report.

The service provides:

- Transparency of travel spend per staff/division/council;
- Increased accountability and monitoring of individual and council travel expenditures;
- Up-front visibility of fees and areas for cost savings such as accommodation, car hire and flights;

- Time-saving via an easy one-stop shop for staff to make their bookings; and
 - The duty of care, risk and compliance for council staff on work-related trips.
- **The benefit to participating councils is travel discounts. The actual \$ benefit will be reported in the 2020 Membership Value report.**

Assist – Non-Financial Benefits

Benchmarking

The Benchmarking project gathered data held by the LGA, council websites and Local Government Grants Commission into one source. A report and dashboard spreadsheet has been produced on data collected which compares groups of councils. The report covers spending and priorities of services for groups of councils and a database of supporting data.

This work will assist the LGA to identify areas of potential need in council groups and develop services to address these. The information will also be useful for council staff to consider areas that could be investigated further to improve cost and efficiencies.

- **The benefit to each council is simplified access to data**

Careers in Councils

Careers in Councils is a job search page on the LGA website which is accessible by the public. It has an average of 55,000 hits per month. When council's list their vacancy adverts on their Unity websites, these automatically are displayed on the LGA site resulting in a council's advert reaching a much wider audience. The LGA also provides a unity console for each non-unity council where both some council staff and LGA staff can load council jobs and these are then subsequently displayed on the Careers in Council job search page.

- **The benefit to each council is expanded vacancy advertising leading to potentially improved candidate ability and response.**

Documents/Templates/Policies, Guidelines and Information Papers

The LGA has produced useful guides and resources for many of the professional areas of Local Government. Including;

- Key Dates
- Notifiable Data
- Social Media Guide for Elected Members
- CEO Checklist (for first council meeting following completion of the periodic election)
- Council Members' Guide
- Information Paper on committee and corporate structures available to councils
- Information paper on Labor Hire Licensing
- Notifiable Data Breach Scheme Guidelines
- Template registers for travel by council members and council employee
- Information and updates on Legislation

- Community Engagement
- Developing and maintaining Arts & Culture
- Volunteer Management

- **The benefit to Councils is Guides to assist staff and elected members to achieve better outcomes for their communities and to ensure compliance with key legislation and best practice procedures.**

Enews and Ecomms

This service provides Council members and CEOs with fortnightly enews updates on LGA activities and issues for the sector. This service includes media monitoring and software. There are no additional costs for Councils.

There are also a Communications, LG Events Network and Emergency Management eNews sent to practitioners on a monthly or bi-monthly basis.

- **The benefit to each Council is improved understanding of sector issues.**

Governance General Advice and Support

Local Government operates within a legal framework established by the SA Parliament and the LGA. This service provides a range of tools and expert staff to assist councils to meet their legislative obligations. The service also includes receiving and responding to many direct enquiries from staff and elected members and the development, publication and review of many model policies, templates and guidelines relating to the roles and responsibilities of Councils under the Local Government Act 1999. The LGA also provides advice and tools to assist councils to practice good governance, which encompasses how councils are elected, the accountability of staff and elected members and how councils report to their communities. More detail on this service is included in the Documents/Templates/Policies, Guidelines and Information Papers section.

- **The benefit is an increase in staff and elected member capability.**

Governance and Policy Officers Network (GPON)

The Governance and Policy Officers Network is a network that is set up by council employees to further their knowledge in the governance area. LGA staff participate in the email network discussions and attend quarterly meetings. The LGA provide free use of LGA House meeting facilities, including webinars to allow online participation by regional councils. It is a useful avenue to offer advice, disseminate and collect relevant information.

- **The benefit to councils is an avenue for dissemination and collection of information to improve staff knowledge.**
- **Free use of LGA Webinar facilities improves collaboration opportunities for regional and metro councils and ensures regional councils can attend meetings without travel expense and time.**

Governance Panel

This service assists councils in addressing complaints about the conduct of Council Members under the Code of Conduct for Council Members Part 2 – Behavioural Code. For the period 1 July 17 to 31 June 18 the panel dealt with 13 referrals of alleged breaches of the Code.

Investigations by the Panel is funded on a user pay basis, including a capped price initial assessment.

All councils may use the service if they choose. The 13 referrals related to 10 councils.

- **The benefit to each Council is access to an independent panel for complaint assessment with knowledge of Local Government in South Australia**

LGA Corporate Governance

The LGA is an entity itself and has governance and management responsibilities. It is vital that the LGA leads by example in these areas while supporting its members. This service includes the provision of agendas and minutes for the Board, Audit Committee, records management, WHS and so forth. In 2018 the LGA introduced new governance arrangements through a new LGA Constitution.

- **The benefit to each council is a best practice organisation that can effectively serve its members.**

LGA Website

A range of material about local government is available to the public and members on the LGA website. The public section provides considerable information on current matters and local government in general. The members-only section is an in-depth resource for information on most topics that affect councils in South Australia.

There was a total of 374,964 hits on the website by council staff and elected members during 2018 with a range of 326 to 15,650 hits and an average of 5,514 hits per council.

- **The benefit to each council is an in-depth information source for their communities along with information for council staff and elected members to improve their capability.**

Local Government Communicators Network (LGCN)

The LGA supports, provides advice and network meetings for the LGCN. The LGCN is a network of council communications practitioners who are responsible for delivering their councils' local information to their communities. The LGA provides administration, database management and program development support and covers the costs of the meetings. The meetings are also provided via video conferencing facilities for those who are unable to attend, this is of particular benefit to regional councils. The sessions include topics such as media, communication, marketing, website, social media and community engagement. The LGCN webpage provides council communication practitioners with a wide range of resources including policy templates and guidelines to assist them day to day.

- **The benefit to each council is increased staff capability.**

Local Government Communications Conference

The Local Government Communications Conference was held in 2018 for the first time. The LGA initiated this event because there was a gap in the professional development opportunities for SA council communication practitioners. Historically there are only conferences for communications practitioners held in the eastern states, which creates additional costs for council staff to attend. Consultation was held with practitioners in the lead up and post the event and the overwhelming feedback was positive with a request that it be held each year.

Approximately 70 council staff members attended the conference in 2018.

- **The benefit to each council is increased staff capability.**

Local Government Events Network (LGEN)

The LGA supports, provides advice, and provides network meetings for the LGEN. This is a network of council staff who are responsible for delivering their councils' events. The LGA provides administration, database management and program development support for all meetings and hosts one of the three meetings per year (others are hosted at a council venue).

The LGA covers the costs of the meetings held at the LGA, and one meeting per year is also provided online for regional councils. The meetings cover topics such as event management, event sponsorship, event marketing, event logistics, and event risk mitigation. The LGEN webpage provides council events staff with resources, standard policies and guides to assist them

- **The benefit to each council is increased staff capability.**

Media Advice and Coverage

This service provides councils with advice on how to manage media enquiries. The LGA can help members develop a media statement, or put councils in touch with neighbours that have similar queries. It also provides media advice on the sector or industry issues. There is no additional charge to councils to access the service.

The LGA President, CEO and senior staff frequently participate in interviews on topics that are relevant to the local government sector. The outcome is that councils are often not required to respond on topics which broadly affect the sector, or if they do, they are able to do so with support from the LGA. The LGA processed 418 media enquiries in 2018.

- **The benefit to each council is access to trained experience media personnel along with unified media responses to sector-wide issues.**

Networking

Many networking groups work both within and with the LGA.

Networking is an essential professional development practice to assist in ensuring that staff are fully informed of legislative changes. Council staff work within a highly regulated framework that covers numerous pieces of legislation. Understanding of this legislation is continuously challenged by case law along with ongoing changes to the statutory law framework.

Local Government is very involved with multiple business units and the delivery of various service types to the community. Networking assists in staff working towards the attainment of best practice principles.

By increasing legislative compliance and professional expertise, networking is a tool to help deliver better services to communities with potential for less cost in delivery and less cost and risk of non-compliance.

- **The benefit to each council is competent staff able to deliver compliant and best practice services to communities and decrease in risk and the potential cost of non-compliance in a complex legislative environment.**

Roads and Works Conference

The Roads and Works Conference is a forum where the latest construction, maintenance and operations of community infrastructure topics and best practices are presented as well as government policy changes that effect councils' management of roads and infrastructure projects. Additionally, the conference brings together in one place significant suppliers to local government infrastructure and works departments. The conference also enables these practitioners to meet and network with others, allowing discussion on and potential sharing solutions for common problems.

Approx. 200 staff and elected members attended the conference in 2018.

- **The benefit to each council is to improve knowledge and outcomes in the management of road infrastructure.**

Sector Morale and Leadership Program

This program is an emerging program to improve sector morale and improve leadership capability. One anticipated outcome of the program is to demonstrate enhanced elected member leadership with reduced complaints and associated costs for councils.

Strategies planned are: improve networking for elected members, being responsive to leadership issues in the sector, building on and utilising sector engagement, developing leadership capability, induction and peer support programs.

The Elected Member Leadership Program was released in Sept 2018 and provides a range of professional development opportunities along with Elected Member Mandatory Training Modules.

- **The benefit to each council is to improve Elected Member leadership with the potential reduction of costly Code of Conduct issues.**

Service Certificates and Awards

These awards include certificates for elected members to celebrate achieving key milestones of service and special awards such as the Joy Baluch, Jim Hullick and Jim Crawford awards.

There are also service certificates for staff for achieving service to local government ranging over 10yrs, 20, 25, 30, 35, 40, 45 & 50 years of service.

Over 400 certificates were issued in 2018 to staff and elected members.

- **The benefit to each council is to increase the profile of local government and to encourage leadership.**

Social Media Training

The Social Media 101 & 2.0 training is 'video conferenced' and recorded, making it available to councils in regional SA that would generally need to travel to attend. Training costs are covered by participants and are initiated and consulted/produced by the LGA's Communications Team and delivered through LGA's Education & Training Service.

A suite of resources has also been developed by the LGA for council staff when introducing and using social media channels for their councils as well as for the training sessions noted above. These are available for free to all councils on the LG Communicators webpage.

There are also 15 one-hour webinars on various social media topics, for example, understanding Twitter and Instagram, promoting your event on social media, advertising on social media, website analytics, developing engaging social media content, Facebook business manager etc, where users are charged a fee for access. These webinars provide council practitioners focussed content and allows them to review the webinars in their own time as they require. The LGA communications team assisted in the production/editing of these webinars (in-kind services), and this includes the Social Media for Elected Member resources and two training webinars all of which are available through the LGA's Education & Training Service.

- **The benefit to each council is increased staff and Elected Member capability.**

Advance – Financial Benefits

LGA Procurement

LGA Procurement is a commercial entity owned by the LGA and designed to support councils to deliver the best value for their communities. LGA Procurement identifies, develop and provide value-added products and generates economies of scale through bulk purchasing, contract administration and e-commerce. LGA Procurement provides several contracts to councils that have been negotiated as a sector-wide endeavour and is continuing to investigate additional contracts which would give economy of scale savings to councils.

LGA Procurement also undertakes the tendering process for individual or groups of councils.

Diesel Fuel Rebate

LGA Procurement discovered that considerable funds collectively had been overpaid by councils. 17 councils have used the services of LGA Procurement to gain savings in this area.

- **Estimated average savings benefit to the 17 councils using the service was \$31,018**
- **Sector savings benefit was \$527,314**

Professional Development and Tools

LGA Procurement also provides training for council officers on a fee for service basis. Training is targeted to local government in South Australia, ensuring that staff are competent in procurement practices.

The LGA Procurement also provides tools and resources such as model policies, documentation and templates and advice. The LGA Procurement estimate the cost of annually maintaining these documents being \$10,000 per year. Councils would likely need to undertake this process individually if this service was unavailable.

- **Estimated savings benefit to councils is competent staff and procurement processes and \$10,000 per year.**
- **Sector savings benefit is \$10,000 x 68 councils being \$680,000**

Tendering

Tendering for the 'whole of sector' contracts which provide savings to councils on the tendering costs and ability to tender in a bulk buy situation.

General tenders

The spending through LGA Procurement resulted in estimated savings of \$10,036,000 over the 68 councils, ranging from \$1000 to \$955,000 with an average of \$147,588.

- **Sector benefit in savings on contracts was \$10,036,000**
- **The estimated average benefit per council in savings on contracts is \$10,036,000 divided by 68 Councils being \$147,588**

Tender Panel

Councils can use the LGA Procurement Vendor Panel. This is a panel of vendors that have been gone through a competitive tender process. Councils can save costs by using the Vendor Panel rather than undertaking the entire tender and supply research process themselves.

- **Sector benefit in tendering savings is \$1,606,000**
- **42 councils used this service resulting in an average benefit for those councils of \$38,238.**

Electricity

The contract for electricity is worth \$43m over two years. 64 councils can be involved in this contract. LGA Procurement estimates the cost of organising the electricity contracts to be \$50,000 which would otherwise be borne by councils individually.

LGA Procurement estimates the potential savings on the cost of electricity being at least \$15m over the two years for the sector.

Estimated benefit per council annually for arranging the contract is \$50,000 divided by two years = \$25,000

The estimated average benefit per council is \$15m divided by 64 potential councils divided by two years = \$117,187

- Sector savings benefit for organising the tender and contract is \$25,000 x 64 councils being \$1,600,000 with the savings benefit per council being \$25,000
- Sector savings benefit of contract savings is \$7.5m per year with the savings benefit per council being \$7.5m divided by 64 councils being \$117,188
- Total sector savings benefit is \$1.6m + \$7.5m being \$9.1m
- Council savings benefit is \$25,000 + 117,188 being \$142,188

Community Wastewater Management Schemes (CWMS)

LGA Procurement has negotiated a new contract for \$47m over ten years as a subsidy for the cost of building new schemes. This benefit is only relevant to Councils needing to develop new CWMS. Many metropolitan councils would have SA Water providing sewerage schemes for their communities and would not need this service.

- The benefit is funding contributions of \$4.7million per year as a subsidy to councils building new CWMS.

Banking

The Local Government Finance Authority of South Australia (LGFA) exclusively serves South Australian councils and local government bodies. The LGFA was established in 1983.

In accordance with section 24 of the Local Government Finance Authority Act 1983, the Treasurer of South Australia guarantees all of LGFA's liabilities, including monies accepted on deposit from clients.

Members who support the LGFA with deposits and use the loan facilities receive a share of annual distributions.

The LGFA makes payments equivalent to company income tax to the Research and Development Scheme administered by the LGA.

Banking	Benefit to Sector
Borrowings held by SA Councils at 31 st January 2019	\$718,849,040
The difference in interest rates between alternative commercial products and the LGFA dependent on the type of borrowings undertaken by the minimum difference was a reduced rate of;	1.1%
Total savings per year for Sector for borrowings	\$7,907,339
Average savings per Council (total divided by 63 councils with loans)	\$125,513
The LGFA investment accounts do not charge fees which provides an average saving per Council of:	\$1,000
Total savings per year for Sector on bank fees	\$68,000
Savings per Council	\$1,000

Insurance

Local Government Risk Services provides councils in South Australia with some insurance products.

LGA Workers Compensation Scheme (LGAWCS)

Local government in South Australia is self-funded and not part of the Return to Work SA (RTWSA) scheme that other South Australian businesses must be members of. The LGAWCS provides members with a discounted registration cost compared to the RTWSA.

All benefits to councils are listed in the table below;

LGA Workers Compensation Scheme	Benefit to Sector
Annual Sector saving from Self-Insurance compared to RTWSA - Savings	\$2,258,054
Special Distributions paid to Members - Contribution	\$2,872,504
Council Risk Incentive Program - Contribution	\$963,272
15.9% reduction in Annual Workers Compensation Claims - Savings	\$814,155
Scheme Funded Health & Wellbeing Program 2,200 Health Checks & 3,000 Skin Screenings – Contribution	\$815,771
Access to Scheme Funded WHS & Risk Specialists + System Development & Training – Contribution	\$3,955,532
Annual Subscription Fee for Skytrust Risk Management Software - Savings	\$450,007
Investment income from Contributions & Surplus funds – Contribution	\$1,376,203
Total Sector Benefit	\$13,505,499
Average benefit per Council (total divided by 68)	\$198,610

LGA Mutual Liability Scheme

This scheme provides councils in South Australia with a fully integrated Risk, Claims and Legal services for the management of civil liabilities.

LGA Mutual Liability Scheme	Benefit to Sector
Special distributions paid to members in 18-19 - Contribution	\$2,000,000
Council Risk incentive program – Contribution	\$800,000
Access to scheme funded Risk Specialists & Risk Programs – Contribution	\$2,437,791
25% Reduction in claims	\$1,860,443
Investment income from Contributions and Surplus funds – Contribution	\$796,501
Total Sector Benefit	\$7,894,735
Average benefit per Council (total divided by 68)	\$116,099

LGA Asset Mutual Fund

This scheme provides councils in South Australia with broad coverage of their physical assets integrated with a specialised claims management system.

LGA Asset Mutual Fund	Benefit to Sector
Performance Bonus issued to Member in 18/19 as a contribution reduction – Contribution	1,934,974
Special distributions paid to Members in 2018/19 - Contribution	954,398
Access to Funded Asset & Risk Management Programs - Contribution	999,982
Investment income from contributions and surplus funds - Contribution	\$318,383
Total Sector Benefit	\$4,207,737
Average benefit per Council (total divided by 68)	\$61,878

- **Total Sector Benefit for all schemes is \$25,607,971**
- **The average benefit per council (total divided by 68) is \$376,588**

Advance – Non-Financial Benefits

LGA Directory

LGA Procurement produces a directory of all councils and other valuable information each year.

- **The benefit to councils is access to updated ‘one-stop’ information.**

Tendering – Individual Councils

LGA Procurement also undertakes the tendering process for individual councils on a fee for service basis. This service ensures a robust tendering process in line with public sector procurement principles.

- **The benefit to councils is a robust tendering process in line with public sector procurement principles.**

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7.2 4th Quarterly KPI Strategic Report 2018/19

Reports for Discussion

From:	Andrew Wroniak, Director Corporate Services	
Key Initiative:	K.I 3 Best practice and continuous improvement	
Strategy:	3C Improve LGA governance and operations with a focus on people, finances and our members	
Meeting	LGA Board of Directors	18 July 2019
ECM:	681072	Attachment: 681073

Recommendation

That the LGA Board of Directors notes the report on the performance of the LGA to 30 June 2019 against the 2018/19 strategic objectives.

Discussion

In May 2018, the LGA Board approved the LGA's 2018/19 Annual Business Plan and Budget which outlined a set of key objectives to monitor the LGA's performance during the 2018-19 financial year. Feedback was received at the time to refine the wording of the objectives and set measurable performance targets. The attached key performance indicators were approved by the LGA's Executive Committee in October 2018.

The attached report covers the LGA's performance to 30 June 2019 (fourth quarter) with the LGA showing it has completed all targets in the plan in 2018/19.

The Secretariat is developing a set of new targets for the 2019/20 financial year with the new targets being more specific and measurable. The draft targets will be presented to the Board in August for its consideration.







Financial and Resource Implications

This activity has been anticipated in the LGA's work program and resources are available to progress this work.

Quarterly Strategic Performance Reporting





Annual Initiatives








4th Quarter (Apr-Jun)









	Category	Owner	Description/Target (Refer to ECM 661212)	Progress Comment	Status	Trend
Advocate	Local Government Awareness campaigns	Exec Director Public Affairs	Complete a revised policy manual including the development of an advocacy plan and associated stakeholder engagement plan to provide the priority advocacy objectives of members.	A revised policy manual was endorsed by members at the Annual General Meeting on 26 October 2018. The previously paper based manual has been converted to a searchable and easy to use online resource, which is ready to launch with the sector. A member survey was completed in October 2018 to identify the advocacy priorities and objectives of members. The local government awareness campaign has continued throughout 2018/19 and included three key phases - council elections, council services and consultation on annual business plans and budgets. The awareness strategy has been informed by a community survey. The 2019/20 advocacy plan is still in development and will be finalised with the LGA Board of Directors in August 2019.		
Advocate Assist	2018 Local Government elections	Exec Director Public Affairs	Support councils through the provision of training, resources and promotional materials prior to, during and following the 2018 Council Elections.	The LGA ran a successful awareness campaign in the lead up to the elections, with an emphasis on encouraging nominations from women and other underrepresented groups. The 2018 council elections saw a 20% increase in the number of female candidates and a significant increase in the number of female Mayors elected. A revised and enhanced LGA Council Members Guide has been launched as a comprehensive resource for new and returning council members. The LGA continued the delivery of the Elected Member Mandatory Training through regional hubs and in-house to individual councils. A post-election evaluation survey of councils about the resources, campaign materials and support provided by the LGA has been completed and the results are the outcomes of the survey and associated recommendations have been provided to the Board and will guide the LGA's planning for the 2022 council elections. The LGA coordinated a sector-wide response to ECSA review and statutory report on the conduct of the 2018 council elections, and we are participating in the State Government's review of the <i>Local Government (Elections) Act 1999</i> .		
Advocate Assist	Local Government sector-driven reform agenda	Exec Director Public Affairs	Work with councils and parliament to deliver the LGA's reform agenda. This will be supported by the development of better practice guides and resources that guide continuous improvement and working together.	The Premier held a roundtable with Mayors and Chairs in February 2018 to launch the State Government's Local Government Reform program. The LGA prepared a discussion paper for further consultation with members about the LGA's reform agenda and the positions that have been adopted by members at LGA General Meetings. Consultation was held with members between March and May, and the LGA Board endorsed a comprehensive submission on the sector's reform ideas in May 2019. The LGA is represented on the Minister's Reform Reference Group by the LGA President and LGA staff are members of the four Working Groups established by the Office of Local Government. Andrew Lamb commenced in the role of Local Government Reform Partner in June 2019 and an 18 month work program is being finalised, including a plan for engaging with councils. The LGA is working closely with the SA Productivity Commission on the Inquiry into Local Government Costs and Efficiency and is represented by the CEO on the Inquiry Reference Group.		




Annual Initiatives




4th Quarter (Apr-Jun)

		Category	Owner	Description/Target (Refer to ECM 661212)	Progress Comment	Status	Trend
Advocate	Assist	Sector conduct and morale	Director Sector Development / Executive Director Public Affairs	Advocate for significant improvements to the Code of Conduct for Council Members to better meet the needs of members. Continue to seek improvements to legislation to strengthen the integrity of leadership and support the sector's ability to self-manage. Undertake training and development and introduce a peer support program to build leadership and capability.	Code of Conduct reform remains a priority and the LGA is participating in a Working Group with representatives from councils, the Office of Local Government, Ombudsman and ICAC to prepare a Discussion Paper on legislative reform options. Based on the LGA's previous advocacy through the Minister and the Attorney General, Code of Conduct is being treated as a reform priority by the State Government. Tthe LGA is finalising a detailed proposal for a further round of consultation in parallel with the Government's reform discussion papers. As part of the LGA Training's Council visits information is being gathered in regard to the future learning and development needs for Elected Members. Based on the success of the Elected Member Leadership Session held in February 2019, a further session is being developed and promoted for 19 August 2019. This session will provide opportunity for Elected Members to share learnings between peers since the beginning of the year and provide an opportunity to develop their leadership skills in managing challenging conversations.		
		Local Government capacity	Director Sector Development / CEO LGASA Mutual	Provide strategic and flexible delivery of learning and development across the sector for both elected members and staff. Continuing with the regional youth traineeship program. Embed the local government functional support (LGFSG) role in emergency management and delivery the 'Council Ready' program to councils.	The Council Ready program facilitated emergency management health check workshops, with 100% of councils and over 550 staff participating in this process. Stage 1 report and recommendations have been prepared and accepted by funding provider. Stage 2 funding proposal submitted to funding provider with funding deed signed by LGA (awaiting signed copy from government). The LGFSG responded and provided assistance with a metropolitan storm event and fires on KI in the last quarter. LG Emergency Management Framework has been updated and out to consultation. The LGFSG continues with its ongoing program to update its documentation and communication with the sector. Since the last quarter, LGA's proposal to deliver Regional Youth Leadership Forums has been accepted by PIRSA and work has commenced in designing and promoting these Forums. The LGA is facilitating the delivery of these forums with the support of the Leadership Institute (SA) and regional PIRSA representatives. LGA Training commenced visitation to member Councils as part of building a stronger understanding of member Councils learning and development needs. 42 x Councils have been visited to date.		

Annual Initiatives				4th Quarter (Apr-Jun)		
	Category	Owner	Description/Target (Refer to ECM 661212)	Progress Comment		
Advance	 Local Government Association of South Australia Governance Review and Schemes Review	Exec Director Public Affairs / CEO LGASA Mutual	Continue the implementation of improved governance arrangements for the management of the LGA Schemes and implement the LGA's Constitution and finalise the Ancillary Documents that provide more details about how the new constitutional governance arrangements will work in practice.	The implementation of the LGA's new Constitution has been completed. SAROC and GAROC have adopted Strategic Plans and Annual Business Plans. The CEO Advisory Group has been formed and held a number of meetings. Guidelines have been prepared and a new process established for the SAROC, GAROC and the Board to consider items of business for LGA General Meetings. These Guidelines were confirmed by the Board following the OGM in April. The new Scheme Governance arrangements have been put in place with LGASA Mutual Pty Ltd being set up, the Constitution adopted, scheme rules have been forwarded to the Minister for approval, a Board appointed, Board induction undertaken and the first Board meeting took place in December. Scheme rules and delegations have been approved by the Board.		
	LGA Procurement	CEO LGA Procurement	Continue with the LGA Procurement transformation program as detailed in the LGA Procurement Strategic Plan 2016-2019.	LGA Procurement has continued to show growth that exceeds the adopted Long Term Financial Plan 2017-21. The entity has diversified its income through the direct consultancy model and is now the top of mind procurement solution for the majority of SA councils. A number of new contracts and panels have been developed in Q4 2018/19 for release in FY 2019/20. End of year financial results have not been determined at the time of writing.		
	LGA Commercial	Exec Director Commercial	Escalate the development of LGA commercial activities with the view to diversifying LGA revenue sources and in turn reducing reliance on subscription funding and improving the LGA's financial sustainability.	LGASA Commercial activities and revenues continue to grow with engagement across 52 councils. Recruitment services has exceeded expectations, having successfully recruited 11 CEO/Senior Executive roles to date. There has been particular interest in LGASA Commercial providing a suite of HR/IR services, particularly following the appointment of Deirdre Albrighton, Human Resources Manager, to the LGASA Commercial team.		

Corporate measurements				4th Quarter (Apr-Jun)		
Category		Description / Target		Progress Comment		
Supporting all objectives	Progress of resolutions from meetings of Members, the Board, Board Committees	Director Corporate Services	Resolutions completed on time and to the Board's satisfaction (within the LGA's control) or on track against agreed plan	During the 2018/19 Financial Year there have been 100 resolutions needing actions raised, with 93 being completed by 20 June 2019. There remain 7 uncompleted at the end of the quarter.		
	Financial management	Director Corporate Services	Delivery of the LGA Board endorsed budget adjusted for extraordinary items and as updated by the LGA Board through quarterly budget reviews Increased returns from commercial activities	The LGA is finalising its accounts for the 2018/19 financial year and preliminary results are showing that the LGA will be within budget. Commercial services has introduced a number of new activities in 2018/19 providing legal, recruitment, travel booking and energy audit services.		
	Member satisfaction and perception of value	Director Corporate Services	Retain member perception of LGA value for money for services to the sector over a rolling 3-year average as measured by the annual member survey using the April 2018 member survey outcomes as a baseline (7/10) Retain value of LGA membership per council over a rolling 3-year average as independently verified, using the April 2018 independent verification as a baseline (\$2m)	The member survey was conducted in September/October 2018 with the LGA achieving an overall satisfaction rating of 7/10 and value for money rating of 7/10. The 'value of membership' report is completed with the Board receiving the final report in this agenda. The average benefit per council is \$2.48 million well above the baseline of \$2 million, set in April 2018.		
	Strength of organisational culture	Director Sector Development	Continued development of the LGA's culture and VOICE values and behaviours as measured by: - LGA culture plan – improvement in constructive culture (VOICE) percentiles as measured by Human Synergistics every 2 years – last survey 2017 - Maintaining zero lost time injury frequency rate	Preparations are underway to support the LGA's performance review process, including a review and refresh of the 2017/18 process. An annual 'People and Culture' calendar has been developed as an addendum to the People and Culture Plan finalised in the last quarter. The 2019/2020 calendar highlights key LGA annual activity in a one page format. The calendar captures events and processes relevant to all staff (i.e. OGMAGM, annual business planning and budgeting, performance & development process, mandatory training and people and culture sessions).		

On target	
Slightly behind target	
Not on target	

Trending Positive	
Stable	
Trending Negative	

7.3 Shared Mobility Devices – Model Permit and Operational Conditions

Reports for Discussion

From: Shane Sody, Executive Officer
 Key Initiative: K.I 1 Leadership and advocacy
 Strategy: 2B Lead, initiate and promote working together
 Meeting: LGA Board of Directors 18 July 2019
 ECM: 681855 Attachments: 676441, 681664

Recommendation

That the LGA Board of Directors:

1. notes the report; and
2. approves the release of the ***Shared Mobility Devices - LGA Issues Paper***, and the ***Shared Mobility Devices - LGA Model Permit and Conditions***.

Discussion

The LGA Ordinary General Meeting on Friday 13 April 2018 resolved:

“that the LGA works with all South Australian Councils to develop, where appropriate, a consistent policy and procedure for Bike Share Schemes operating in South Australia.”

The LGA Secretariat established a Steering Committee to guide the project, comprising officers from the Department of Planning, Transport and Infrastructure, the City of Adelaide, the City of West Torrens, the City of Prospect, Campbelltown City Council, and the City of Norwood Payneham & St Peters.

In July 2018, funding of \$15,000 from the Local Government Research and Development Scheme was allocated to the project. Subsequently, a consultant, InfraPlan Pty Ltd, was contracted to:

Draft a recommended Local Government framework for regulating bicycle sharing schemes; to cater for public demand, by facilitating take-up, while minimising any risk and inconvenience to the public.

The Steering Committee advised the consultant that its research and the document to be prepared should not be limited to bicycle sharing but should also examine the use of e-scooters and be of potential application to any shared mobility devices.

A draft document was prepared for sector consultation and released in LGA Circular 19.1 on 2 May 2019. The Steering Committee reconvened on 25 June 2019 to consider the feedback received from three councils and amendments to the draft document to address the issues that had been raised.

The result is the two documents attached: (1) a broad Issues Paper which examines local factors and the various regulatory mechanisms in other cities; and (2) a separate Model Permit and Conditions.

These documents represent only an initial local government response to the many issues raised by the growing interest in both shared mobility devices and innovative transport options more broadly.

Financial and Resource Implications

This activity was anticipated in the LGA's 2018-19 work program. The resources to complete the attached documents have been expended. No further resources are required to publish these papers.



Shared mobility devices

Issues Paper

July 2019

Executive Summary

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

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

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

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

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

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

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

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

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

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



Definitions

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

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1.INTRODUCTION

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

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

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

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

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



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

1.1 Overview of Bike Share in Adelaide

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



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

Private Bike Hire

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

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

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

Dockless Bike Share Operations

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

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

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

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

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

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

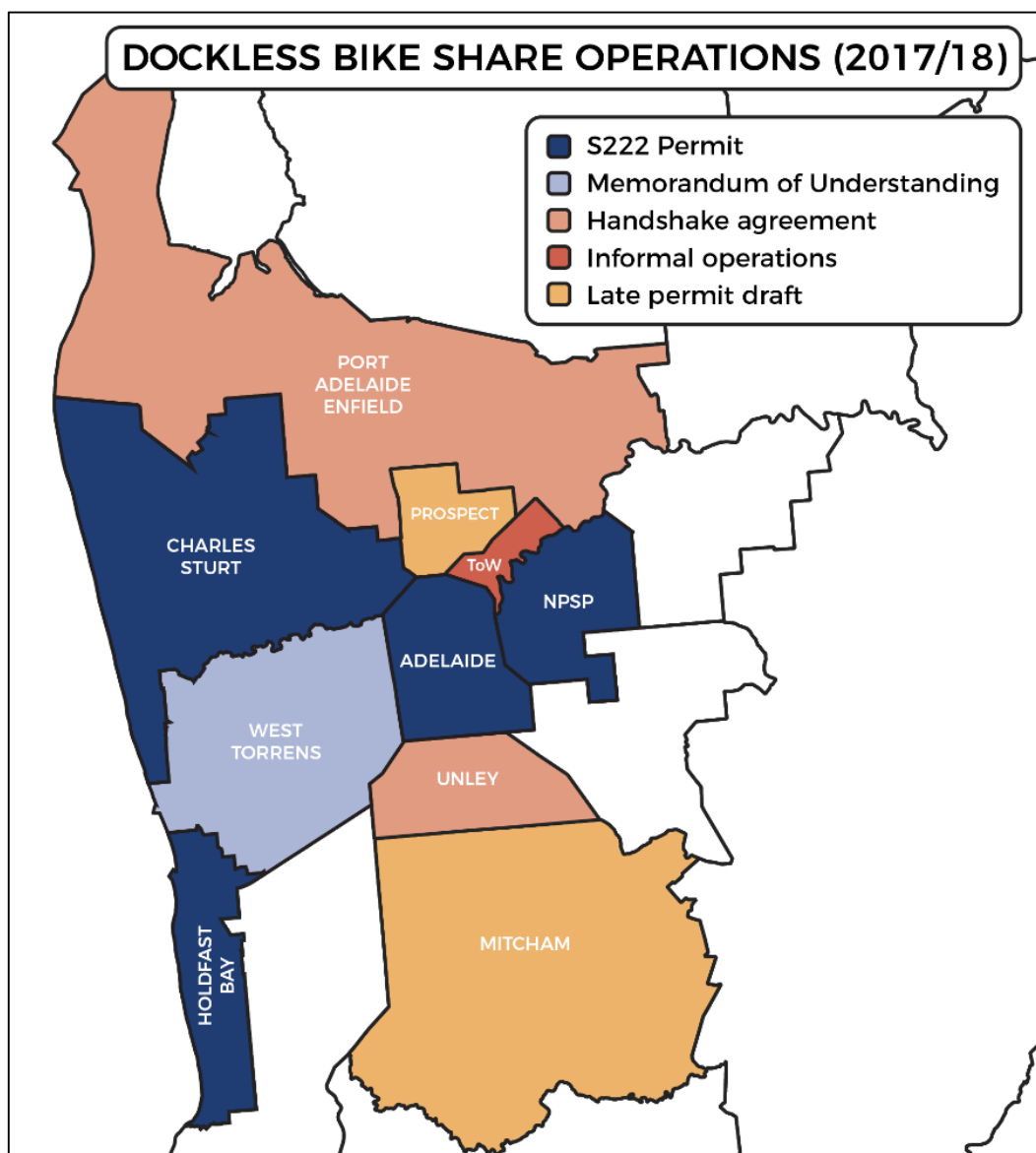


Figure 1: Map of Dockless Bike Share Operations in Adelaide (2017-18)

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

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

1.2 Current Legal & Regulatory Options

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

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

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

Local Government Act 1999

Permit for Business Purposes

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

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

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



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

Power to deal with abandoned vehicles

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

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

Power to dispose of objects on roads and footpaths

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

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

By-laws

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

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

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

Local Nuisance and Litter Control Act 2016

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

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

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

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

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

STATE LEGISLATION: ENFORCEMENT OPTIONS

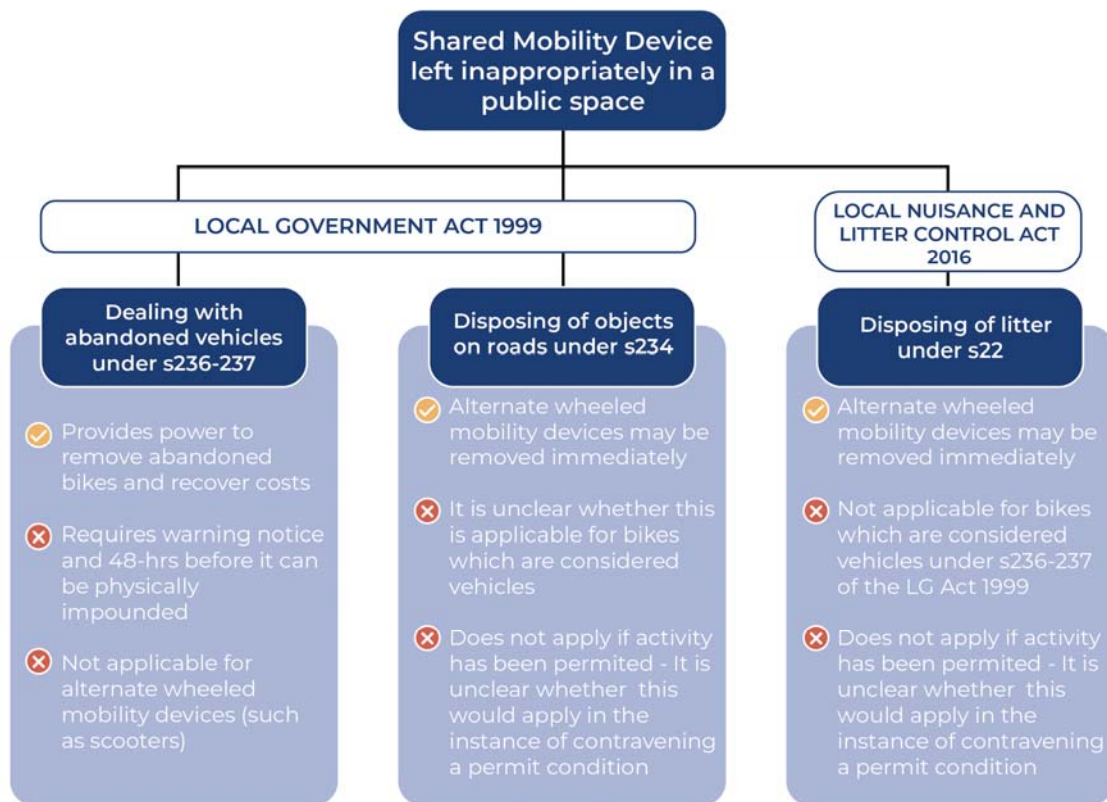


Figure 2: Summary of enforcement powers

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

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

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

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

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

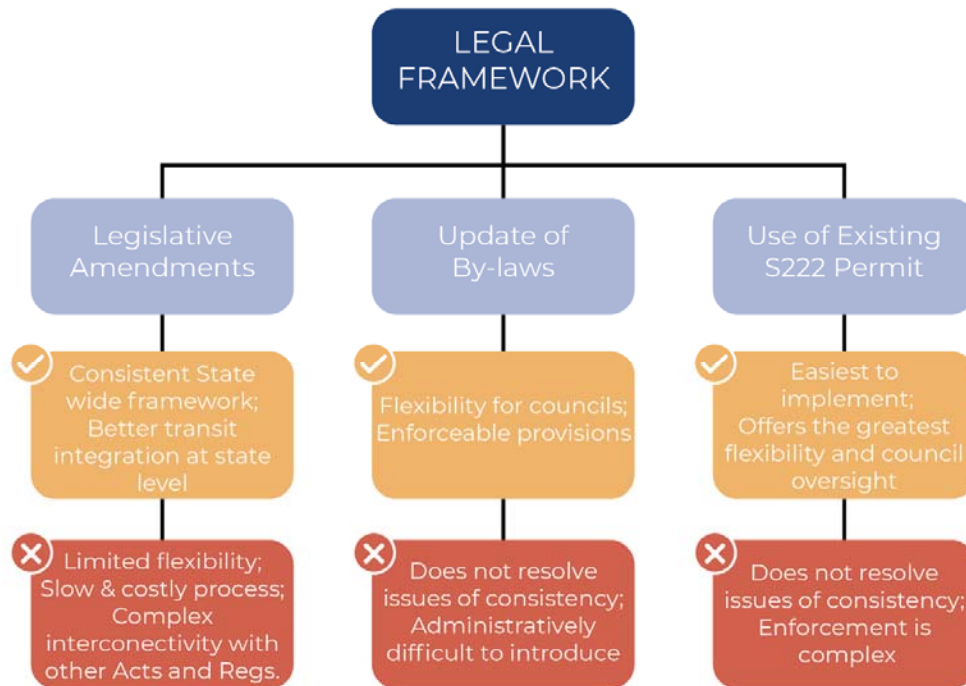


Figure 3: Positives and negatives of regulation and enforcement options.

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

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

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

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

Example Permit Review

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

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

The operator's responsibilities to:

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

In addition, the operators agreed that:

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

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

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

Issues and Opportunities

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

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

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

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

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

1.3 The Framework

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

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

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



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

The key objectives of this framework are to:

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

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

2. Case Studies

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

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

2.1 Sydney, New South Wales

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

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

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

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



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

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

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

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

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

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



The amendments also significantly increased the maximum financial penalty for these offences.

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

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

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

2.2 Melbourne, Victoria

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

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

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

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

The MoU details the operator's requirement to:

- **provide a point of contact:** for communication with council and a 24-hour reporting system for users to report damaged, abandoned or inappropriately parked bikes.
- **monitoring and maintenance:** Monitor bike locations to avoid and address breaches of the deployment and parking guidelines. Provide adequate resources to action complaints. immediately disable a damaged bike from Revenue Service and repair before returned.

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



- **bicycle density limits:** will vary by location as determined by council. Councils may also choose to introduce designated areas where dockless bikes should be parked.
- **deployment guidelines:** The Operator shall deploy bicycles in a manner consistent with the user parking guidelines and density limits.
- **parking guidelines:** defines the general provisions for safe bike parking.
- **user behaviour:** The Operator shall ensure users know that legal penalties may be incurred for not wearing helmets, reckless riding or riding through red lights.
- **data sharing:** Provide a summary record of activity to council on the first day of each calendar month. Provide specified data in a machine-readable format for the purposes of transport planning and research.
- **bicycle infrastructure contribution:** The Operator agrees to pay a financial contribution to each of the councils (\$50 per bike). A proportion of this fee of this fee is refundable to the operator based on performance against this Agreement.

The MoU also specifies that councils may:

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

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

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

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

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

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

2.3 Canberra, Australian Capital Territory

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

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

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

The guidelines briefly cover:

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

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

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

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

2.4 Auckland, New Zealand

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

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

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

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

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

their platforms. The City of Auckland also reserves the right to integrate the service into the city's transport mobile app.

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

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

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

2.5 United States of America

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

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

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

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

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

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

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

Authorities responsible for managing dockless mobility in the USA are generally a city's transit authority, enabling better integration with existing transit options and greater consistency for users and operators on a city-wide scale. Many large American cities also had an existing shared mobility market in which new dockless mobility operators began competing for market share.

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

Seattle, Washington

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

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

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

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



- **Designated Parking Areas:** a portion of each vendor's permit fees funds a designated parking area program. SDOT will designate clear, orderly device parking in key spots around town.
- **Fleet Size and Distribution:** SDOT may reduce a vendor's fleet size for non-compliance or increase the permitted fleet size if there is demand. At least 10% of devices should be available across three "equity focus" areas, ensuring geographical spread into varying socio-economic areas.
- **Rider Education and Equity:** prepare and implement a rider education plan, including the vendor's proposed device signage and strategies for overcoming knowledge and language barriers in "equity focus" communities.
- **Compliance Auditing:** tools to proactively measure and enforce compliance. Baseline audit standards are set and include;
 - no more than 30% of devices may be improperly parked;
 - no more than 3% of devices can be an obstruction hazard;
 - at least 70% of the vendor's deployed fleet to be in good working order and available for rental at any time; and
 - fewer than 10% of devices may have safety-related maintenance issues.

San Francisco, California

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

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

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

In January 2018, SFMTA issued an exclusive permit to one company, (Jump Bikes) for a dockless bike-sharing pilot. The 18-month permit allowed for 250 electric bikes, with the potential to add an additional 250 bikes after a nine-month evaluation period. Other bike-share companies had worked with the city for months on their application to be part of the

pilot project. The rival companies expressed disappointment in the agency's permit granting process, claiming they met all requirements to receive a permit.

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

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

Austin, Texas

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

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

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

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

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

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

Specific E-Scooter Considerations: Portland Pilot Project

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

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

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

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

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

2.6 Summary

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

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

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

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

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

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

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

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

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

3. Policy Implications

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

It is recommended that:

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

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

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

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

3.1 Engagement

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

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

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

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

- **Insurance:** as standard practice, proof of public liability insurance should be required prior to commencing operation. Prescribing insurance and setting minimum amounts of public liability insurance aims to indemnify users and the council. It should be necessary for an operator to name and indemnify the council as an interested party.
- **Fees:** Councils might choose not to charge any fees as they might see shared mobility as a service they would wish to assist in providing to the public (e.g. council is the customer and sustainable transport is the product). If fees are to be charged, care should be taken not to set them at a level that might discourage innovation. However, fees might be used to generate revenue which could be allocated to assist in public education or provide infrastructure such as

designated parking facilities for shared dockless mobility devices, particularly in locations of high parking demand.

- **Evaluation & Review:** It is recommended that regular reviews are conducted to assess ongoing benefits and risks as well as address common and recurring issues. Some permit conditions include indicators against which the operator's performance may be measured. These indicators generally satisfied by the compliance of the operator against the specified time frames and maintenance protocols within the permit (e.g. ability to relocate, repair or remove a device within the specified times, compliance with specified fleet numbers etc.)

3.2 Equipment Standards

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

At a minimum, it is recommended that:

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

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

3.3 Maintenance and Operations

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

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

- minimum response times for the operator to correct improperly located or damaged devices. Operators should be required to respond to complaints or notification within a certain time frame, typically two hours depending on the situation. Each council is encouraged to ensure that it also has the authority to fine the operator or remove the device from the street at the operator's expense. Unless such a requirement was a condition of a permit, then the power would need to be found in a new by-law. See Section 4.2 below.
- easy 24/7 reporting of faulty or damaged devices, missing helmets or devices in inappropriate locations, through an app, website, email and a fully dedicated phone number that should be operational much longer than merely office hours.

- a detailed plan on how maintenance checks are to be undertaken and logged, as well as a proof of a process for users to notify the operator of any safety or maintenance issues. For any electric devices, councils are advised to seek a detailed plan from the operator on how devices will be charged and redistributed.
- a contact person from the operator with phone number and email (outside of the public customer service number) for the council to contact directly.

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

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

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

3.4 User Education

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

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

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

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

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

3.5 Data sharing requirements

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

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

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

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

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

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

3.6 Transit integration

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

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

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

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

4. Recommended Framework

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

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

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

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

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

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

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

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

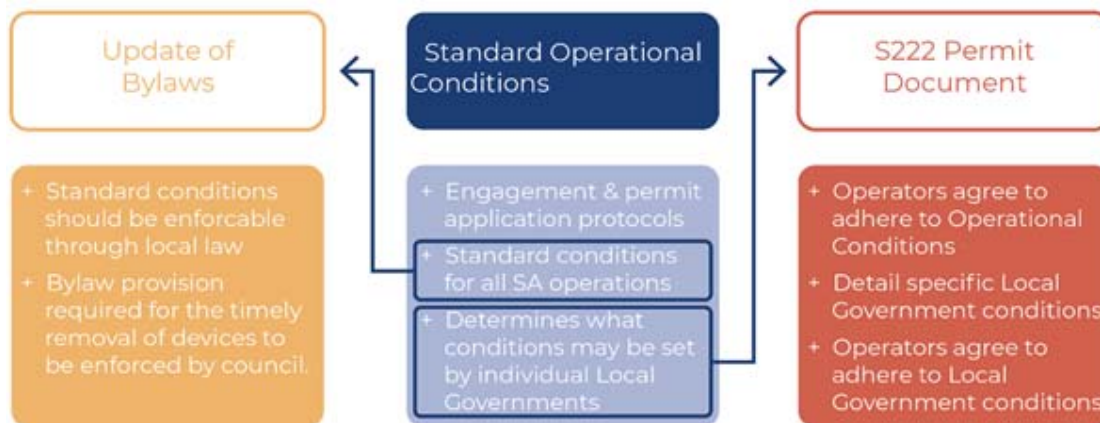


Figure 4: Recommended framework relationship

The recommended framework process is demonstrated in Figure 5 overleaf. It outlines procedures that could be followed by any South Australian council that might be considering engaging or authorising a dockless mobility operator. The proposed framework would streamline, for dockless mobility operators, the process of applying for and receiving a permit.

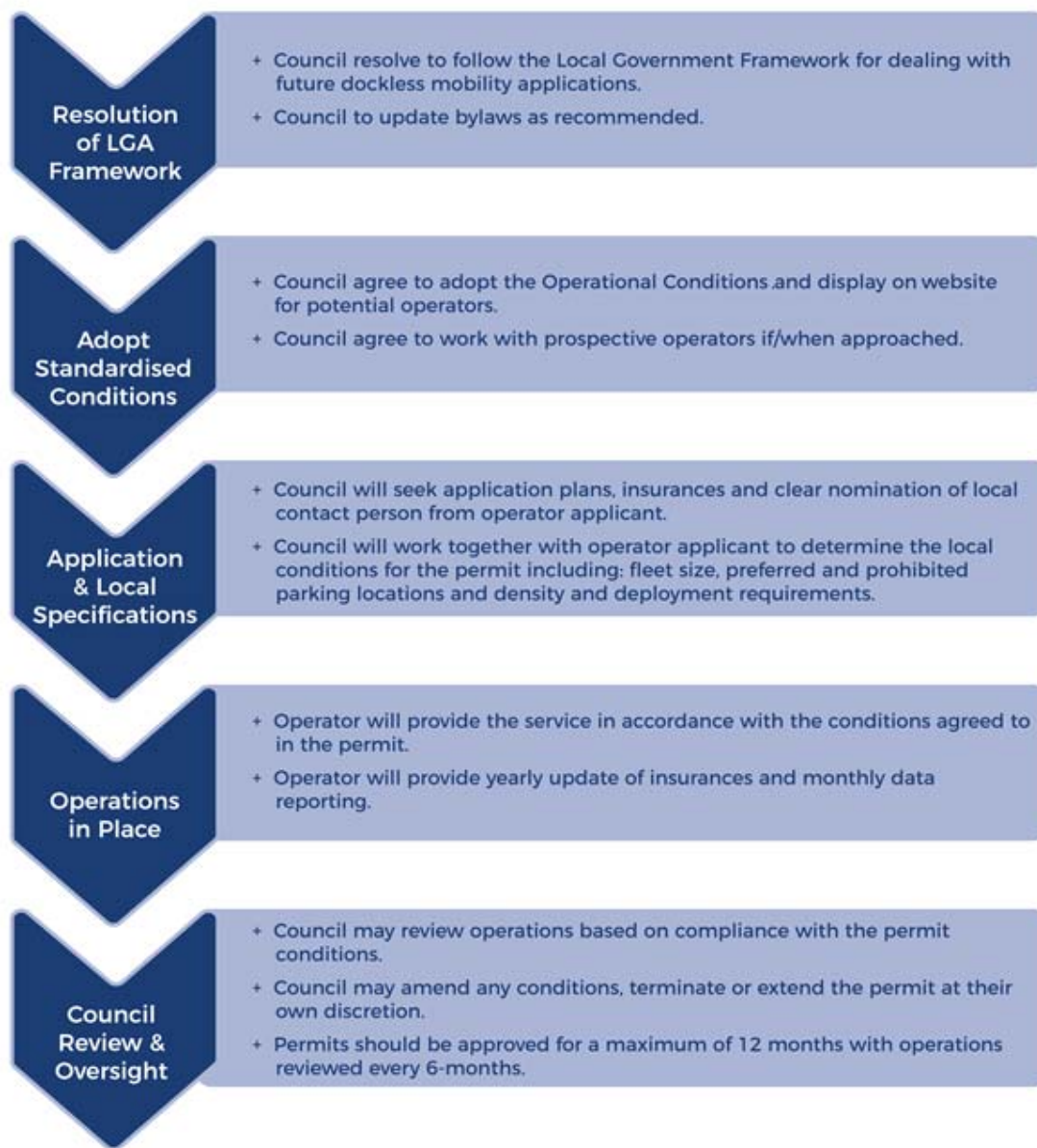


Figure 5: Recommended framework process

4.1 Model Permit and Operational Conditions

A *Model Permit and Operational Conditions* recommended for adoption by all South Australian councils is available as a separate document. The *Model Permit and Operational Conditions* have been developed within the context of, and in response to the following:

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

4.2 Update to By-laws

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

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

Activities Requiring Permission

No person shall without permission on any Road:

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

Removal of Objects

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

4.3 Council-specific conditions

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

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

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

Fleet Size

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

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

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

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

Deployment and Density Requirements

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

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

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

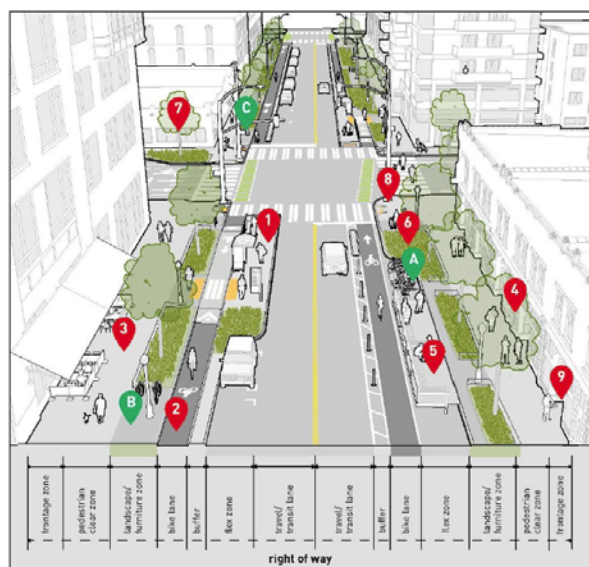
As an example, councils in Greater Melbourne have employed an overall density limit of 6 dockless bikes per 200 metres. There is an exclusion for specified locations such as activity centres, train stations and any other area determined by a council.

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

Preferred Parking and Exclusion Zones

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

Figure 6).



DO

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

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

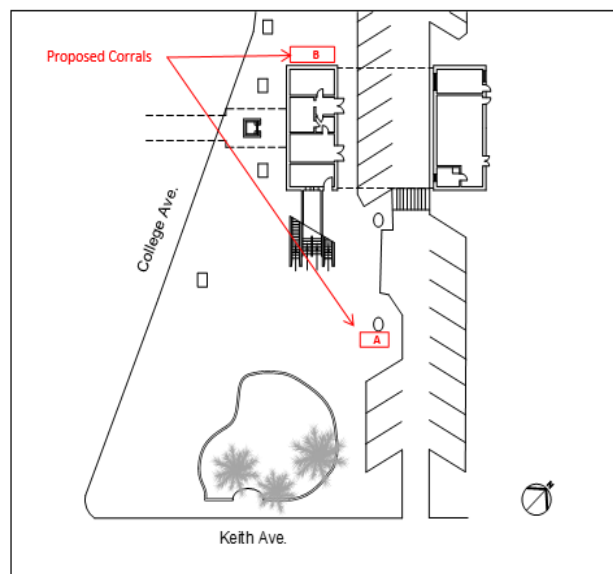
DON'T

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

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

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

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



Designated parking area A



Designated parking area B



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

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

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

Fees

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

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

Administration & Oversight Costs

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

Direct Costs

- Removing broken, damaged, and/or incorrectly parked devices if the Operators can't/won't
- Purchase and installation of physical infrastructure related to the system (e.g. rails, line marking)
- Potential reduction of available parking rails for private bicycles
- Loss of public right-of-way space, especially the pedestrian zone

Planning and Engagement

- Planning
- Advertising/outreach/encouragement
- Assessing Compliance

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

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

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

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

4.4 Engagement requirements

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

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

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

Appendix A: Summary of timeframes and protocols in other jurisdictions

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

Sydney

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

Melbourne

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

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

Auckland

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

Seattle

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

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

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

San Francisco

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

Austin

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

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

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

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

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

Data Sharing Requirements

Sydney

This commercial-in-confidence data may include:

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

Melbourne

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

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

Auckland

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

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

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

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

Appendix B: Useful resources

- NACTO Policy 2018 Guidelines for the Regulation and Management of Shared Active Transportation - <https://nacto.org/wp-content/uploads/2018/07/NACTO-Shared-Active-Transportation-Guidelines.pdf>
- ITDP Optimizing Dockless Bikeshare for Cities - <https://www.itdp.org/2018/05/11/dockless-bikeshare/>; <https://3gozaa3xxbpb499ejp30lxc8-wpengine.netdna-ssl.com/wp-content/uploads/2018/05/ITDP-Optimizing-Dockless-Bikeshare-for-Cities-1.pdf>
- Transport for London, Dockless bike share code of practice For Operators in London September 2017 - <http://democracy.cityoflondon.gov.uk/documents/s101100/Dockless%20Cycle%20Hire%20Report%20SW%20PT%20Sept18%20Appendix%202.pdf>
- WA LGA Bicycle Share Schemes Discussion Paper - <https://walga.asn.au/getattachment/Policy-Advice-and-Advocacy/Infrastructure/Urban-and-Regional-Transport/Bicycle-Share-Schemes/Bicycle-Share-Schemes-Discussion-Paper.pdf.aspx?lang=en-AU>
- International Municipal Lawyers Association Guidance for Regulation of Dockless Micromobility - https://nabsa.net/wp-content/uploads/2017/09/IMLA_Dockless_Guidance.pdf
- Portland Bureau of Transportation, 2018 E-Scooter Findings Report - <https://www.portlandoregon.gov/transportation/article/709719>

Reviewed permits/requirements:

- Inner Sydney bike-share guidelines - https://www.cityofsydney.nsw.gov.au/data/assets/pdf_file/0010/295759/Inner-Sydney-Bike-Share-Guidelines-22-Dec-2017-1.pdf
- Melbourne Memorandum of Understanding - http://www.portphillip.vic.gov.au/MEDIA_RELEASE_-_Agreement_to_put_the_brakes_on_bike_share_clutter_-_1710....pdf
- Canberra Dockless Bike Share Guidelines - https://www.transport.act.gov.au/data/assets/pdf_file/0018/1132434/Dockless-Bike-Share-Guidelines-A4-v7.pdf
- Auckland Dockless Cycle Share Code of Practice - <https://at.govt.nz/media/1975718/dockless-cycle-share-code-of-practice.pdf>
- Seattle DOT Free-Floating Bike Share Program Permit Requirements for the 2018-2019 permit cycle- https://www.seattle.gov/Documents/Departments/SDOT/BikeProgram/Seattle_Bike_Share_Permit_Requirements_v2.1_20181219.pdf
- San Francisco MTA Stationless Bikeshare Program Permit Application - https://www.sfmta.com/sites/default/files/projects/2017/Bike%20Share%20Permit_v1.1_FINAL.pdf
- Austin, Director Rules for Deployment and Operation of Shared Small Vehicle Mobility Systems - http://www.austintexas.gov/sites/default/files/files/Transportation/Final_Notice_of_Rule_Adoption.pdf

Shared mobility devices MODEL PERMIT and OPERATIONAL CONDITIONS

July 2019

COUNCIL LOGO HERE

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

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

Expiry Date: xxx

PERMIT CONDITIONS

The Permit Holder (dockless mobility operator) agrees:

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

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

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

COUNCIL LOGO HERE

PERMIT HOLDER ACKNOWLEDGEMENT: -

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

NAME OF ORGANISATION:

Name.....

Signature.....

A.B.N.

COUNCIL AUTHORISATION:

Signed.....

Printed Name:

Position: Permit Officer

Date of Permit Authorisation: / /

Operational Conditions

1. General requirements

A dockless mobility device share scheme will not be permitted to operate in the council area without a Permit for Business Purposes, under Section 222 of the *Local Government Act 1999*.

A Permit for Business Purposes will not be granted unless the Operator provides council with a plan demonstrating how a proposed scheme would comply with these *Operational Conditions*.

The Operator is required to:

- 1.1 Ensure that no more than the permitted number of mobility devices of each category (as specified in the permit) will be based in the council area although the permitted number does not include devices that may be based in other council areas, (under the authority of permits that might be issued by other councils) and that may enter the council area from time to time.
- 1.2 Provide a central point of contact to council and retain an open line of communication.
- 1.3 Adhere to the conditions set in this document, and those specified in the Permit, at all times
- 1.4 Pay the permit fee specified in the permit.

The Operator acknowledges that:

- 1.5 (subject to the provisions of sub-section 225(2) of the *Local Government Act 1999*) the council may cancel, suspend or modify the permit at any time by written notice to the Operator.
- 1.6 the conditions of the permit may be revised with 30 days' notice to the Operator
- 1.7 in the event the Operator ceases trading, the Operator is obliged to remove all devices from public places within 15-days. Any devices removed or impounded by the council may result in costs being incurred by the Operator.
- 1.8 the Operator must indemnify or reimburse council for any damage or maintenance costs that may arise as part of this activity.

2. Safety & insurance

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

Insurances & Liability

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

Equipment Standards

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

3. Operations & maintenance

- 3.1 The Operator must provide council with up to date and relevant locally based contact details for the operational point of contact who will resolve any issues that arise.
- 3.2 The Operator must have a system in place to ensure dockless mobility equipment, (including helmets) continue to comply with legal standards and requirements. At a minimum all dockless mobility devices must be given a full service every six months, with regular checks and repairs throughout the year. All mechanical services and repairs must be logged and available for review by council at least every month or whenever requested.
- 3.3 The Operator must enable easy 24/7 reporting of faulty or damaged devices, missing helmets or devices in inappropriate locations, through their app, website, email and a fully dedicated phone number.
- 3.4 After notice from council or a member of the public, any faulty or damaged device shall be immediately disabled from service and suitably repaired before it is returned to service;
- 3.5 Any dockless mobility device considered faulty or damaged must be removed by the Operator within the timeframes specified in clause 3.16 or it may be removed by council at the expense of the operator.

Parking of Devices

- 3.6 The Operator's devices must not cause disruption or nuisance. The Operator must ensure device sharing does not compromise or have a negative impact on other street users, including people with a disability. Dockless mobility devices must not be parked or allowed to remain on or in inappropriate locations such as:
- a) Within the pedestrian zone of a footpath,
 - b) Where they could pose a safety hazard, or
 - c) Where they could interfere with pedestrian access generally or access to amenities;
- 3.7 Dockless mobility devices must be parked in an upright position beside cycle parking stands where possible. If this is not possible, they should be parked on wide footpaths, in areas of low pedestrian activity, and positioned kerbside; away from the building line. This information must be conveyed clearly to each customer.
- 3.8 Council may determine the location of preferred parking and exclusion zones. The Operator must have geo-fencing capabilities and other methods to implement and enforce preferred parking and exclusion zones. All preferred parking areas and exclusion zones set by council should be displayed on service maps.
- 3.9 Any dockless mobility device that is parked in an exclusion zone or outside of a permitted area must be relocated or removed by the Operator within the timeframes specified in clause 3.16 or it may be removed by council at the expense of the Operator.
- 3.10 In order to manage an expected increase in the numbers of dockless mobility devices, parking requirements will be subject to change as council adapts to the increase in dockless mobility devices as a result of these operations.

Deployment and Density Requirements

- 3.11 The Operator's fleet of dockless mobility devices must not exceed the maximum as specified by the council in the permit.
- 3.12 The Operator must deploy devices in a manner consistent with the Parking of Devices clauses.
- 3.13 Council may determine the appropriate dockless mobility device distribution and densities. These may vary by location as determined by council. If the Operator fails to relocate devices, as advised by council, within the response time specified in clause 3.16, the council may remove or relocate devices at the expense of the Operator.
- 3.14 The Operator must monitor the location of all dockless mobility devices daily to avoid clutter or clustering of devices in any one location and adhere to the fleet size and density limits set by council.
- 3.15 The Operator must include in its application and maintain a plan to manage the redistribution of dockless mobility device to ameliorate clustering, in advance of major events or at the request of council.

Faulty, Damaged or Misplaced Devices

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

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

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

4. Customer experience and education

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

5. Data requirements

- 5.1 All personal information must be collected, processed and stored in accordance all relevant legislation.
- 5.2 Anonymised data collected by the Operator is to be shared with the council to assist with ongoing network planning and cycle facility improvements. The clauses below set out the data required.

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

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

- 5.2.2 The Operator shall include any data regarding public complaints and response times, maintenance and repair activities, and incidents involving dockless mobility devices within the data that is sent to council every month.
- 5.2.3 The Operator must have the capacity to provide council on request with real-time information on the entire fleet through a documented application program interface (API). The data to be published to the council API should include the following information in real time for every parked device:
- a) Identification number
 - b) GPS Co-ordinates
 - c) Availability start date
 - d) Availability start time
 - e) Power level (if electric)
 - f) Date of last service
 - g) Time to next service
 - h) Service status
- 5.3 The Operator will support the General Bikeshare Feed Specification (GBFS), an open data standard for cycle share. GBFS makes real-time data feeds publicly available online in a uniform format so that map and transportation-based apps can easily incorporate this data into their platforms.
- 5.4 Council reserves the right to display information about the operator on its website. The Department of Planning Transport and Infrastructure may choose to integrate cycle share into Adelaide Metro's MetroMATE Mobile app.

7.4 Parliament of South Australia – Inquiry into the Recycling Industry

Reports for Discussion

From: Emily Heywood-Smith, Senior Policy Officer
 Brianna McGee, Policy Officer

Key Initiative: K.I 1 Leadership and advocacy

Strategy: 1A Listen to, and represent members

Meeting LGA Board of Directors 18 July 2019

ECM: 682312 Attachment: 680408

Recommendation

That the LGA Board of Directors:

- 1. notes the information provided in this report; and**
- 2. endorses the LGA submission on the Parliament of South Australia – Inquiry into the Recycling Industry.**

Discussion

On 13 May 2019 the Parliament of South Australia Environment, Resources and Development committee resolved to conduct an inquiry into the recycling industry following the crisis in waste management as a result, at least in part, of the China National Sword Policy.

The LGA submission to the Parliament of South Australia's Inquiry into the Recycling Industry, attached to this report, is a consolidated summary of the LGA's work on this issue to date. The views expressed in the submission were sought through receiving written responses through consultation with member councils and more broadly the LGA submission represents the views of the local government sector as a whole which have been identified through:

- The LGA's participation on the Green Industries SA (GISA) "China Import Bans Working Group" (from early 2018) and subcommittees along with representatives from the Environment Protection Authority (EPA), Waste Management and Resource Recovery Association of Australia (WMRR) and local government waste subsidiaries;
- The GISA/LGA Waste Pathways Workshop "Beyond China Sword" (June 2018) that explored the implications of the China Sword Policy for the recycling industry and possible solutions;
- The LGA information session for councils on the South Australian Government reviews of Single-Use Plastics and Container Deposit Scheme (February 2019);
- The LGA's representation on the EPA Container Deposit Scheme Stakeholder Reference Group (2019); and
- The sector-wide discussions held at the 2019 LGA Showcase event (April 2019) and a Waste Essentials training session for elected members (May 2019).

The LGA submission, attached to this report, makes the following recommendations to the Environment, Resources and Development Committee in conducting and reporting on its Inquiry:

1. That federal and state governments seek to apply circular economy principles to all stages of production and consumption by:
 - a. encouraging circular-use products (both recycled and recyclable) by developing an accreditation system for these products and by supporting investment in them; and
 - b. discouraging linear-use products (that follow the “take, make, dispose” model) by building the true cost of these products into their prices and through gradual phase-outs.
2. That all spheres of government seek to increase transparency in the waste and recycling industry and improve “waste literacy”:
 - a. by providing for increased reporting requirements (either for recyclers or for manufacturers/producers) or both in the short term; and
 - b. providing a basis for consideration of new legislative obligations either for recyclers or for manufacturers/producers (to ensure recyclable materials are managed responsibly) in the long term.
3. That the South Australian Government amend the Container Deposit Scheme to introduce a positive obligation on sellers of beverage containers, to ensure that containers returned through the scheme are managed responsibly (i.e. that they are recycled where it is practicable to do so).
4. That the South Australian Productivity Commission, or another body, investigate the potential costs and benefits of regulating waste and recycling as “essential services” in South Australia.
5. That the South Australian Government;
 - a. freeze the solid waste levy for 2019-20 and beyond at its 2018-19 level of \$100 a tonne for metropolitan councils and \$50 a tonne for regional councils; and
 - b. commit to making 50% of the money paid into the Green Industry Fund by local government each year available to councils for worthwhile waste and recycling projects.
6. That federal and/or state governments partner with industry to develop a clear and credible national accreditation system for circular-use products that can underpin efforts to increase responsible purchasing of recycled-content products and materials by governments, business and industry and the broader community.
7. That the South Australian Government explore action to achieve statewide consistency in waste management services by financially supporting all councils to provide a landfill, recycling and food and green organics (FOGO) service to their communities.
8. That the South Australian Productivity Commission, or another body, review the efficiency and effectiveness of the kerbside-collected three bin system including consideration of how to manage municipal waste afresh, in light of the global movement towards the circular economy.

Financial and Resource Implications

Responding to this Inquiry was not anticipated in the LGA's work program; however this activity can be undertaken within existing LGA resources.

Parliament of South Australia – Inquiry into the Recycling Industry

LGA Draft Submission

July 2019

This is not an endorsed Submission. It has been prepared for consultation purposes only, and is subject to consideration by the LGA Board of Directors.

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Summary of Recommendations:

The LGA asks that the Environment, Resources and Development Committee consider the following recommendations in conducting and reporting on its Inquiry:

1. That federal and state governments seek to apply circular economy principles to all stages of production and consumption by:
 - a. encouraging circular-use products (both recycled and recyclable) by developing an accreditation system for these products and by supporting investment in them; and
 - b. discouraging linear-use products (that follow the “take, make, dispose” model) by building the true cost of these products into their prices and through gradual phase-outs.
2. That all spheres of government seek to increase transparency in the waste and recycling industry and improve “waste literacy”:
 - a. by providing for increased reporting requirements either for recyclers or for manufacturers/producers, or both in the short term; and
 - b. providing a basis for consideration of new legislative obligations either for recyclers or for manufacturers/producers (to ensure recyclable materials are managed responsibly) in the long term.
3. That the South Australian Government amend the Container Deposit Scheme to introduce a positive obligation on sellers of beverage containers, to ensure that containers returned through the scheme are managed responsibly (i.e. that they are recycled where it is practicable to do so).
4. That the South Australian Productivity Commission, or another body, investigate the potential costs and benefits of regulating waste and recycling as “essential services” in South Australia.
5. That the South Australian Government:
 - a. freeze the solid waste levy for 2019-20 and beyond at its 2018-19 level of \$100 a tonne for metropolitan councils and \$50 a tonne for regional councils; and
 - b. commit to making 50% of the money paid into the Green Industry Fund by local government each year available to councils for worthwhile waste and recycling initiatives;
6. That federal and/or state governments partner with industry to develop a clear and credible national accreditation system for circular-use products that can underpin efforts to increase responsible purchasing of recycled-content products and materials by governments, business and industry and the broader community.
7. That the South Australian Government explore action to achieve statewide consistency in waste management services by financially supporting all councils to provide a landfill, recycling and food and green organics (FOGO) service to their communities.
8. That the South Australian Productivity Commission, or another body, review the efficiency and effectiveness of the kerbside-collected three bin system including consideration of how to manage municipal waste afresh, in light of the global movement towards the circular economy.

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Introduction

About the LGA

The LGA is the voice of local government in South Australia, representing all 68 individual councils across the state. Our mission is to provide leadership to councils for the benefit of the South Australian community.

The LGA is recognized in the South Australian *Local Government Act 1999* for the purpose of promoting and advancing the interest of local government and is recognised in 29 other South Australian Acts of Parliament.

The LGA provides leadership, support, representation and advocacy relevant to the needs of our member councils. We also operates specific units/entities providing:

- all public liability and professional indemnity cover for all South Australian councils;
- all workers compensation cover for all South Australian council employees and associated local government bodies;
- asset cover for South Australian councils;
- extensive education and training, procurement, online services, and a research and development scheme.

As a constituent member, the LGA also advocates on federal issues through the Australian Local Government Association.

This submission has been informed by consultation with our member councils.

Local government's waste management role

Local government plays an important role in waste management in South Australia through providing municipal waste and resource recovery services, seeking to increase recycling and resource recovery rates and taking action to reduce waste disposed to landfill.

Councils also play a part in educating the community in relation to responsible waste management, in particular, in relation to the recycling of materials.

Local government, and by extension resident and business ratepayers, also makes a significant investment in the management of waste and recycling. The increased cost of waste management and recycling services has become one of the most difficult financial challenges for the local government sector over the last 12-18 months, meaning that councils have a key interest in waste reduction methods.

In May 2018, an independent report commissioned by the LGA estimated that councils were facing increased costs of \$8.8 million per annum as a result of the implementation of the China National Sword Policy. It is likely that this amount would be even higher today as the flow on impact of the policy are further compounded.

Councils are also facing additional costs by responding to increasing community expectations around ensuring the sustainability of waste management practices.

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Local government's role in the policy development process

The LGA welcomes the Parliament of South Australia's Inquiry into the Recycling Industry. The local government sector is proud of South Australia's record as both a leader in waste management and the state with the highest recycling rate in Australia. The local government sector is keen to see South Australia maintain its advantage in this regard, and to undertake the action required to meet the current challenges in the waste and recycling sector.

The LGA notes that all three spheres of government have been active in seeking to respond to these challenges and, given that waste management falls to local government to implement, the LGA has sought to ensure that the sector has a strong voice in all of these discussions. The LGA has previously made submissions to the following reviews:

- Australian Government development of the 2018 National Waste Policy: Less waste, more resources (submission dated October 2018).¹
- South Australian Government reviews of Single-use Plastics and Container Deposit Scheme (submission dated February 2019).²

The LGA's submission to the Parliament of South Australia's Inquiry into the Recycling Industry (this submission) is a consolidated summary of the LGA's work on this issue to date. The views expressed in this submission represent the views of the local government sector as a whole, which have been identified through:

- The LGA's participation on the Green Industries SA (GISA) "China Import Bans Working Group" (from early 2018) and subcommittees along with representatives from the Environment Protection Authority (EPA), Waste Management and Resource Recovery Association of Australia (WMRR) and local government waste subsidiaries;
- The GISA/LGA Waste Pathways Workshop "Beyond China Sword" (June 2018) that explored the implications of the China Sword Policy for the recycling industry and possible solutions;
- The LGA information session for councils on the South Australian Government reviews of Single-Use Plastics and Container Deposit Scheme (February 2019);
- The LGA's representation on the EPA Container Deposit Scheme Stakeholder Reference Group (2019); and
- The sector-wide discussions held at the 2019 LGA Showcase event (April 2019) and a Waste Essentials training session for elected members (May 2019).

LGA submission

South Australia is facing a waste management crisis as a result, at least in part, of China's National Sword Policy.

While some action has already been taken, there is an urgent need for governments to work together for the benefit of our local communities to re-think waste management practices and the concept of sustainability in our economy more generally.

There is an opportunity for South Australia to take the lead and drive positive change.

¹ https://www.lga.sa.gov.au/webdata/resources/files/ECM_665962_v9_Submission%20to%20Discussion%20Paper%20on%20updating%20National.pdf

² <https://www.lga.sa.gov.au/webdata/resources/files/LGA%20Submission%202019%20-%20State%20Government%20Waste%20Reviews%20-%20single%20use%20plastics%20and%20CDS.pdf>

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The LGA's response to the Inquiry's specific Terms of Reference and our recommendations are outlined in the following discussion.

How South Australia has responded to China's recent restriction on its importation of recyclable material.

The South Australian State Government has responded as follows:

- State Government Recycling Industry Support Package – May 2018;
- Various grants programs including Waste and Recycling Infrastructure Grants, Circular Economy Market Development Grants and regional transport subsidies;
- GISA "China Import Bans Working Group" (from early 2018) and subcommittees;
- State Government reviews of Single-Use Plastics and Container Deposit Scheme (commenced January 2019);
- Statewide Recycling Education Campaign (launched May 2019); and
- State Government Waste Management Package – June 2019.

The adequacy of these actions are discussed in later sections of this submission.

The South Australian local government sector has responded as follows.

The LGA has:

- shared the results of the LGA commissioned "Market Analysis of South Australian Recyclables" report (May 2018) to assist councils in understanding their exposure;
- held a Waste Pathways Workshop "Beyond China Sword" (June 2018) to explore the implications of China Sword for the recycling industry in SA and possible solutions;
- worked to understand the position of councils in re-negotiating waste management contracts and developed a model "rise and fall" clause to provide for risk-sharing arrangements in council contracts (October 2018);
- secured funding from Green Industries SA for a pilot project to trial the adoption of circular procurement targets by councils (December 2018) and commenced the project;
- enabled councils to share learnings in the waste space through the 2019 LGA Showcase event (April 2019) and a Waste Essentials training session for elected members (May 2019); and
- through LGA Procurement is in the process of establishing a Panel of Preferred Suppliers of bitumen and minor civil works that will specifically include suppliers of recycled-content in road construction materials.

South Australian councils have:

- maintained the uninterrupted provision of waste management and recycling services to communities in South Australia throughout the last 18 months despite the cessation of operations of SKM Recycling in February 2019, one of the three major recyclables processors operating in South Australia. For the councils who had contracts with SKM Recycling, this meant negotiating alternate arrangements in a tight and volatile market. It should be noted that the difficulties experienced by SKM Recycling led to a number of councils in other states sending recyclables to landfill which did not occur in South Australia and which has helped to maintain community trust in our recycling system;
- invested in numerous infrastructure upgrades and taken up opportunities presented by the State Government Waste Infrastructure Grants and other grants programs;

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- explored development of a second local government owned Materials Recovery Facility (MRF) to service Adelaide's southern suburbs;
- strengthened sustainable procurement practices including through exploring and trialing the use of recycled-content in local road construction and maintenance;
- continued programs aimed at increasing the diversion of food waste from the red/blue household waste bin into the green food and green organics (FOGO) bin (achieving increased diversion of food waste from landfill remains the biggest opportunity councils and communities have to reduce waste management costs);
- continued to inform and educate their communities about the importance of continuing to recycle materials; and
- participated in numerous reviews, discussions and processes to explore possible solutions to the current challenges in waste and recycling (ongoing).

Current policy and legislative frameworks (and potential for desirable reforms) that govern resource recovery, in the context of China's National Sword Policy.

Recommendation 1: that federal and state governments seek to apply circular economy principles to all stages of production and consumption

In recent years, both the Australian Government and the South Australian Government have adopted as a policy position the need to move towards a "circular economy" (see for example, *2018 National Waste Policy: Less waste, more resources* and *South Australia's Waste Strategy 2015-2020*).

The LGA agrees that Australia and South Australia must move towards the establishment of a circular economy to ensure our waste management practices (and our way of life) remains sustainable into the future. The environmental imperatives for establishing a circular economy are well accepted and the National Waste Policy notes the global movement towards applying circular economy principles.

The Ellen MacArthur Foundation cites the following definition of circular economy:

What is a circular economy?

Looking beyond the current "take, make and dispose" extractive industrial model, the circular economy is restorative and regenerative by design. Relying on system-wide innovation, it aims to redefine products and services to design waste out, while minimizing negative impacts..."

For the purposes of this submission, products designed and manufactured according to the current "take, make and dispose" extractive industrial model are referred to as "linear-use" products. Products designed and manufactured to be reused, repaired and recycled are "circular-use" products.

The LGA's position is that policy and legislative frameworks should adopt similar concepts and language. Current policy and legislative frameworks are too focused on the back end of the process (waste management and resource recovery). Policy and legislative frameworks should seek to apply circular economy principles to all stages of production and consumption.

The biggest opportunity to tackle Australia's waste problem is at the front end of the production process (at the point of decisions being made about design, manufacture, packaging, marketing, retail and consumption) rather than at the back end (at the point of waste disposal).

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Encourage circular-use products

The LGA's submission to the review of the National Waste Policy recommended that circular-use products (both recycled and recyclable) should be encouraged by developing a clear and credible national accreditation system for circular-use products.

The submission considered that it would be possible for the Australian Government (or indeed state and territory governments collectively) to partner with industry groups such as the Waste Management and Resource Recovery Association (WMRR) and the Australian Packaging Covenant Organisation (APCO) to develop a voluntary scheme for the accreditation of circular-use products and materials.

An accreditation scheme could consider all aspects of product development including design, manufacture, packaging, and sales (and potentially even take-back or other product stewardship schemes), and require circular economy principles to be applied at all stages, to achieve accreditation.

An accreditation system could underpin efforts to increase responsible purchasing of recycled-content products and materials by governments, business and industry, and the broader community. Once products and materials can be independently verified as being "circular-use" products, it becomes much easier to set targets or mandate requirements for their purchase.

Discourage linear-use products

The LGA's submission to the review of the National Waste Policy also recommended linear-use products should be discouraged by building the true cost of these products (including environmental and other externalities) into the price of the products.

This could be done through numerous mechanisms available at the federal level including taxation, import/export restrictions, product stewardship schemes or consumer laws. However, it could also be done in some circumstances at the state level, for example, through product stewardship schemes including the Container Deposit Scheme.

The LGA also agrees we should be discouraging linear-use products through gradual phase-outs. The LGA's submission to the State Government review of Single-use Plastics supported the option of a dedicated legislative instrument *"to address all single-use plastic and other single-use products targeted in one Act of Parliament by defining specific objectives and measures with a view to preventing and reducing their impact on the environment..."*.

The LGA recommended that the legislation establish clear and justifiable criteria for the products to be considered for restriction. The LGA recommended that a product be considered for restriction if:

- it is made of plastic or predominantly plastic and is designed for disposal after one use;
- there are suitable alternatives (with a lower environmental impact) in the market; and
- the product is unable or unlikely to be recycled (together, the proposed criteria).

These criteria should be flexible enough to adapt overtime as new products and processes are developed and as consumer preferences change.

The LGA's submission to the State Government reviews of single-use plastics recommended that the legislative framework should also provide for other policy responses.

Consideration should be given to whether changes to reporting requirements for all those involved in the production and consumption of products and materials could improve transparency in the waste and recycling industry (discussed further below). The legislative framework should also allow for

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product labelling requirements describing how to recycle or dispose of a product and product labelling requirements to allow consumers to identify products with recycled-content in the marketplace.

The legislative framework should also support increased engagement with industry, businesses and consumers by supporting voluntary action to reduce plastic and other waste. For example, the legislative framework could support the adoption of voluntary codes of practice by industry or business groups that encourage moves away from plastic and other problematic materials. Codes could require such simple actions as asking consumers whether they would like a bag/packaging when purchasing products rather than simply giving out bags by default.

Recommendation 2: that all spheres of government seek to increase transparency in the waste and recycling industry and improve “waste literacy”

The above proposed criteria highlight the importance of improving transparency in the waste and recycling industry in Australia and that there is a need to increase “waste literacy” in the community in this regard. For policy-makers, regulators, industry stakeholders and the community to meaningfully engage in the debate about linear-use products, they would need to understand:

- Which products are recyclable and recycled;
- How products are recycled and what the (recycled) end use is; and
- What alternative products there are available and their different characteristics.

Despite being Australia’s best recyclers, there is generally a low level of understanding by the community of the waste and recycling industry in Australia and consideration needs to be given to how this can be improved. It can be very difficult even for motivated community members and consumers to be well informed. This is because, generally speaking, once recyclable materials are conveyed from household yellow bins to recyclables processors, there is no longer any reliable method of ascertaining what happens to them after that. Recyclable materials may be sold to local re-processors (for example, for glass beneficiation), transported interstate, exported overseas or (if contaminated or if no market is available) sent to landfill.

There are currently no legislative or regulatory obligations on recyclables processors to ensure that recyclable materials are managed responsibly. Further, there are no legislative or regulatory obligations on recyclables processors to ensure recyclable materials are in fact recycled. Until now, this has been left entirely up to market forces to determine. The implications of the China National Sword Policy may signal the need for change in this regard.

A legislative framework that provides for increased reporting requirements (either for recyclers or for those operating at the beginning of the production process such as manufacturers) could improve transparency in the industry and contribute to the quality of public awareness and debate in this area. Improved transparency in the short term could also possibly provide a basis for consideration of new legislative or regulatory obligations on recyclables processors in the long term.

It is also necessary to consider the difference between products and materials that are “infinitely recyclable” and products and materials that can be re-used in another product but once that single re-use has occurred the product or material then reverts back to being a linear-use product that, at end of life, will be disposed to landfill. There are many examples of this type of “recycling” in the market and there may be a need for better or more specific definitions of terms such as “recyclable” and “recycled”.

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Recommendation 3: that the South Australian Government amend the Container Deposit Scheme to introduce a positive obligation on sellers of beverage containers to ensure that containers returned through the scheme are managed responsibly

The South Australian Container Deposit Scheme (CDS) provides a good case study in this regard. The LGA's submission to the review of the CDS noted that there is very limited understanding in the community regarding what happens to containers that are returned through the CDS and that this "back end" of the scheme should be subject to increased analysis and scrutiny.

The CDS works so that those who wish to offer beverages for sale in South Australia must apply to the EPA for approval of the containers. At present, the only obligations placed on sellers at the point of applying for approval, is that they ensure there are arrangements in place to enable consumers to return the containers and receive their 10 cent deposit back. Similarly to recyclables processors, there are no obligations placed on sellers to ensure that the returned containers are either managed responsibly or that they are actually recycled.

The LGA submission noted that whilst the CDS was designed and implemented as a litter reduction mechanism, it is now more widely viewed as a resource recovery mechanism. The LGA considers that resource recovery should not be viewed as an end in itself and there should be increased scrutiny of what happens to these resources following recovery.

The Scoping Paper for the review of the CDS simply stated that "aluminum, steel, liquid paperboard and plastic containers are recycled through markets sourced by the super collector". Again, similar to recyclable materials placed in the yellow bin, what happens to returned containers after their recovery has been left entirely to market forces to determine. In light of the implications of the China National Sword Policy, this is problematic.

It is necessary for policy makers to consider what these markets are and where they are, whether they are in Australia or only overseas, where the costs and benefits of this system lie (both economic and environmental) and whether the system is sustainable or not. The LGA considers that resource recovery efforts should be focused on materials that are, or are likely to be, reprocessed within Australia. This will ensure both the economic benefits remain in Australia and the environmental impacts are managed according the Australian standards.

The LGA's view is that the legislative framework that establishes the CDS should be amended to introduce a positive obligation on sellers of beverage containers to ensure that containers returned through the scheme are managed responsibly (i.e. that they will be recycled where it is practicable to do so).

Recommendation 4: that the South Australian Productivity Commission investigate the potential costs and benefits of regulating waste and recycling as "essential services"

One way to improve transparency in the waste and recycling sector and to provide additional legislative or regulatory obligations on participants may be to strengthen government oversight of waste and recycling as "essential services". The Victorian Waste Education Strategy describes an essential service as "a service that is recognized as a basic right for the community. Any failure to deliver this service results in risks to the community". The risks could be health, environmental or economic risks.

The Essential Services Commission of South Australia regulates the following industries as "essential services": water, electricity, gas, ports and rail. The Victorian Essential Services Commission regulates similar industries. The role of the both the South Australian and Victorian (and other) Essential

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Services Commissions is to “protect (SA)/promote (VIC) the long term interests of consumers with respect to the price, quality and reliability of essential services”.

A policy and legislative change to regulate waste and recycling as an “essential services” could provide the opportunity for more targeted and effective mechanisms in providing these services. However, a thorough review of the potential benefits and costs of making this change would need to be undertaken to determine if regulating waste and recycling as “essential services” would be a positive move for South Australia.

Whether funding from the state government (including Green Industries SA funding) has been enough to support South Australian businesses and local councils affected by China’s National Sword Policy.

Funding for programs announced by the State Government is sourced through the Green Industries Fund established under the *Green Industries Act 2004*. The fund (Green Industries Act Section 17(3)) consists of the following money:

- a) *50 per cent, or such greater percentage as may be prescribed, of the amount paid by waste depot licence holders by way of levy under section 113 of the Environment Protection Act 1993 in respect of solid waste received at the depots;*
- b) *any money appropriated by Parliament for the purposes of the Fund;*
- c) *any money paid into the Fund at the direction or with the approval of the Minister and the Treasurer;*
- d) *any money received by way of grant, gift or bequest for the purposes of the Fund;*
- e) *any income from investment of money belonging to the Fund;*
- f) *any money paid into the Fund under any other Act.*

When the Green Industries Act was first established the purpose of the fund was to enable Zero Waste to apply the fund in accordance with its business plan or in any other manner authorized by the Minister:

In 2017 the purpose of the fund was expanded to not only include activities identified by the Green Industries Business Plan but also to enable the Minister to use the fund:

- (i) *towards the payment of costs of climate change initiatives, including research and development, education, innovation or business activity, in relation to initiatives for mitigating the effects of climate change, minimising carbon emissions and adapting to climate change; or*
- (ii) *towards the payment of costs of managing waste or debris, or harm to the environment, following an identified major incident, a major emergency or a disaster, declared under Part 4 Division 3 of the Emergency Management Act 2004.*

The State Government has provided two funding packages to support South Australian businesses and local councils affected by China’s National Sword Policy (one in May 2018 and one in June 2019). The funding packages have been sourced from the State Government Green Industry Fund there is approximately \$120m available within the fund currently.

Money accumulates in the Green Industry Fund through payments made to government by way of the Solid Waste Levy as identified above. The Solid Waste Levy is a state government tax payable on waste sent to landfill. It is intended to incentivise increased recycling through making it more expensive

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to send waste to landfill. Based on the provisions of the Act, half of the money collected through the Solid Waste Levy goes towards funding the EPA, and the other half goes into the Green Industry Fund.

The Solid Waste Levy has increased exponentially over the past 18 years. It was \$5 a tonne in 2002/03, and \$100 a tonne in 2018/19 (this is for the metro area, the price is half this amount in regional SA). Despite the fact that there is around \$120 million in the Green Industry Fund (confirmed by the Minister during Estimates last year), the levy rose again on 1 July 2019 to \$110 – and it will rise again to \$140 a tonne in January 2020 – a 40% increase since 2018/19.

The impact of the Solid Waste Levy on councils – and therefore their ratepayers – is significant. It cost South Australian councils an estimated \$34 million in 2018/19 – about \$4 million more than it cost them in 2017/18. It is estimated that the waste levy will cost local government around \$42.5 million in the coming 2019/20 financial year. At the same time, councils are paying more to process their kerbside recycling due to the China National Sword policy. The LGA commissioned a market analysis report which indicated (in May 2018) that the immediate additional cost to councils to process kerbside waste is \$8.8 million per year. This amount is likely to be even higher following the closure of SKM Recycling (one of three recyclables processors in SA) in February 2019.

The State Government has provided two funding packages to assist with managing the implications of the China National Sword Policy in the amount of \$24.4m (total), which have been funded through the Green Industry Fund. However, almost all of this funding has been provided to the waste industry and not to councils to help shield ratepayers from increased waste management costs.

The package announced prior to the 2019/20 State Budget provides \$12 million over the next four years, with \$2 million going to the EPA. That leaves councils and the waste industry competing for a share of \$2.5 million of grant funding each year. Considering councils will pay an estimated \$42.5 million through the Solid Waste Levy each year, the State Government's funding package of \$2.5 million is inadequate and inequitable.

The funds collected through the Solid Waste Levy and accumulated within the Green Industry Fund could play a very significant role in securing South Australia's position as a national leader in the circular economy and generating new industries and employment opportunities. Initiatives such as the creation of an innovation hub to support new technologies in waste and recycling warrant further consideration. However, the government's policy to use these funds for environmental projects such as the home battery scheme and coastal sand replenishment is considered to be a missed opportunity for South Australia.

Recommendation 5: that the South Australian Government freeze the solid waste levy for 2019-20 and beyond at its 2018-19 level and commit to making 50% of the money paid into the Green Industry Fund by councils each year available to councils for worthwhile waste and recycling projects

The LGA has long advocated for a freeze on increases to the Solid Waste Levy and for the money that has been collected through the Levy and is stockpiled in the Green Industry Fund to be spent on worthwhile waste and recycling industry projects that will deliver tangible environmental and economic benefits.

The LGA 2019-20 State Budget Submission called on the State Government to commit to making 50% of the money paid into the Green Industry Fund by councils each year available to councils for worthwhile waste and recycling projects. The Levy will be \$110 a tonne in the first half of the year and \$140 a tonne in the second half (metro areas) and is projected to cost SA councils around \$42.5 million in 2019-20.

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The recent sudden increases to the solid waste levy announced in the 2019 State Budget has created further uncertainty in the sector and placed additional financial strain on local government at a time when it is trying to navigate a market that is still yet to stabilise from the repercussions resulting from the China National Sword Policy.

This sudden and significant increase to the waste levy contained in the State Budget did not allow local government an opportunity to factor these additional costs, which equate to an average 0.5 – 1% rate increase, within the 2019/20 annual budgets.

Identifying short and long term opportunities and solutions in response to China's restriction on the importation of recyclable material.

The impacts of the China National Sword Policy present a significant opportunity to re-shape Australia's recycling industry by developing local markets for recyclable materials and establishing a truly circular economy. There is general acknowledgement of the need for all levels of government to help develop local markets for recyclable materials by increasing their own purchasing of recycled-content products.

The process of considering the environmental impacts of products and services in government purchasing is generally referred to as "sustainable procurement". The LGA has come to refer to the process of prioritising recycled-content products and materials in government purchasing as "circular procurement". This is because circular procurement is focused on promoting circular-use products and materials and is narrower than sustainable procurement, which can refer to all potential environmental impacts of a product or material including water and energy usage, carbon emissions, transport, etc.

Recommendation 6: that federal and/or state governments partner with industry to develop a clear and credible national accreditation system for circular-use products that can underpin efforts to increase responsible purchasing of recycled-content products and materials

The LGA's view is that it will not be possible to achieve sustainable (circular) procurement practices that support development of a circular economy without the establishment of a clear and credible accreditation system for recycled products. Establishment of such an accreditation system could underpin efforts to increase responsible purchasing of recycled-content products and materials by governments, business and industry and the broader community.

Whilst the LGA accepts that the establishment of an accreditation system is more suited to a national approach, this does not mean that state jurisdictions must wait for Australian Government action. The national "GreenPower" accreditation program is a good example of a national accreditation program established by the states and territories in partnership with industry. The LGA submission to the State Government review of Single-use Plastics encouraged the Minister for Environment and Water to raise this option through the Meeting of Environment Ministers forum.

Examining strategies more broadly to reduce waste generation and better management of waste.

Recommendation 7: that the South Australian Government explore action to achieve statewide consistency in waste management services by financially supporting all councils to provide a landfill, recycling and food and green organics (FOGO) service to their communities

The LGA recognises that councils take different approaches to the provision of waste management services and this can be a barrier to consistent community education programs to improve waste

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management practices. The LGA recommends that the State Government financially support all councils to provide a landfill, recycling and food and green organics (FOGO) service to their communities, where feasible and considered best practice.

Recommendation 8: that the South Australian Productivity Commission review the efficiency and effectiveness of the kerbside-collected three bin system including consideration of how to manage municipal waste afresh, in light of the global movement towards the circular economy

Further, all around the world governments are investigating different systems to achieve the most sustainable waste management outcomes for their communities. As stated above, the LGA recommends that the South Australian Productivity Commission investigate the potential costs and benefits of regulating waste and recycling as “essential services”. The LGA would like to see this investigation include consideration of how to manage municipal waste afresh (in particular, how to incentivise behavior change effectively), in light of the global movement towards establishing a circular economy.

This review should also take into consideration specific fit for purpose regional waste management considerations that address the challenges regional councils face with transport, cost for disposal and infrastructure for waste management. An identified barrier for regional councils in circular waste management is the cost of transport of local waste resources to recycling facilities. The transport costs often far outweigh the return on recycling the product. This review should consider waste management on a regional basis to explore opportunities beyond individual council limitations and provide regional councils with options for improved circular waste management investment options.

Conclusion

The LGA believes that the implementation of the China National Sword Policy has provided an opportunity for policy makers and regulators to re-think waste management practices and the concept of sustainability in our economy more generally. South Australia has always been a leader in waste and recycling and the industry transition that is currently underway provides another opportunity for South Australia to take the lead and achieve positive change.

We need to act now to maintain our advantage and leverage it into a new, high-value circular economy that can support advanced manufacturing and high-technology industries. We need to work towards a way of life in which we only use materials that circulate through our economy again and again, providing ongoing value, efficient use of resources and knowledge-based jobs for the future.

7.5 LGA Submission to South Australia's 20-Year State Infrastructure Strategy

Reports for Discussion

From:	Lea Bacon, Director Policy	
Key Initiative:	K.I 1 Leadership and advocacy	
Strategy:	1A Listen to, and represent members	
Meeting	LGA Board of Directors	18 July 2019
ECM:	683126	

Recommendation

That the LGA Board of Directors:

1. notes the report; and
2. authorises the LGA CEO and LGA President to finalise the LGA's submission to South Australia's 20-Year State Infrastructure Strategy.

Discussion

A key election commitment of the Liberal Marshall Government, Infrastructure South Australia (ISA) has been established as an independent body to promote the coordination, planning, prioritisation, delivery and operation of infrastructure for the economic, social and environmental benefits of South Australia.

ISA is required to develop South Australia's first 20-Year State Infrastructure Strategy (the Strategy) by 31 March 2020 and has recently released a Discussion Paper, with submissions due by Wednesday 31 July 2019.

The LGA has started preparing a submission on behalf of our member councils and issued LGA Circular 25.15 on 20 June seeking input by 19 July 2019.

Noting these timelines, it is recommended that the LGA Board of Directors authorise the LGA CEO and LGA President to finalise the LGA's submission.

Broadly, the LGA submission will draw on critical insights from South Australian councils and will highlight the opportunity for closer coordination across government, a more timely investment in new infrastructure, and the more efficient use of existing infrastructure to maximise the public benefits of infrastructure spend by all spheres of government.

Of relevance to the local government sector, the Premier's Statement of Expectations for the ISA Board state that they should:

- consult and establish productive working relations with key public and private sector infrastructure stakeholders; and
- promote best practice infrastructure planning, asset management, infrastructure project prioritisation and project assurance.

The LGA CEO has met with ISA CEO, Mr Jeremy Conway, to establish a relationship between Infrastructure SA and the LGA. Mr Conway has subsequently accepted an invitation to speak at the LGA Roads and Works Conference, in Renmark in August 2019.

The LGA's submission to the Strategy will also formalise the LGA's request for a LGASA Board Director be invited onto the Board of Infrastructure SA on an ex-officio basis.

In addition to the 20-year State Infrastructure Strategy, ISA is also required to provide policy advice relating to infrastructure planning, delivery and use, including advice on appropriate funding and financing models. This function will be of particular interest to local government as the LGA continues to advocate to the State Government for policies and funding models that support local communities, such as:

- Increased state investment to maintain arterial roads
- Funding for stormwater management
- Partnership and investment in state and local government's coastal infrastructure, including jetties and wharfs
- Investment in smart cities infrastructure in partnership with councils.

Financial and Resource Implications

This activity has been anticipated in the LGA's work program and resources are available to progress this work.

7.6 Local Government Emergency Management Framework

Reports for Discussion

From:	Michael Arman, Manager LG Emergency Management Planning	
Key Initiative:	K.I 2 Capacity building and sustainability	
Strategy:	2C Equip councils for the future	
Meeting	LGA Board of Directors	18 July 2019
ECM:	682420	Attachment: 672733

Recommendation

That the LGA Board of Directors adopts the updated *Local Government Emergency Management Framework* as attached to the report.

Discussion

The LGA has been strengthening its support to councils in emergency management. The implementation of the i-Responda program from 2013 and the creation of the Local Government Functional Support Group in 2016 have provided a managed and coordinated approach for councils to participate in emergency response.

Reflecting these roles, the Local Government Emergency Management Framework was adopted in 2017.

Since that time, there have been changes to state and national emergency management policy that impact upon local government in South Australia. Among these changes is a much stronger focus on reducing disaster risks before emergencies happen, and the need to strengthen community resilience.

In 2018, the LGA facilitated extensive engagement with councils around emergency management through the *Council Ready* program, involving more than 550 people from all 68 councils.

In February 2019, the LGA initiated a review of the Local Government Emergency Management Framework to draw upon the findings from this consultation, and provide greater clarity and direction to the local government sector in South Australia with regard to emergency management.

The updated framework reframes the direction for local government emergency management in South Australia into the following key areas:

- Disaster risk reduction;
- Incident operations; and
- Recovery.

A draft framework was released for consultation between 1 April 2019 and 31 May 2019. This was promoted via LGA circular and emergency management e-News, and through the State Government emergency management networks. The LGA was invited to present the draft framework to the State Emergency Management Committee, the State Emergency Management Assurance Advisory Group and the Local Government Volunteer Managers Network.

22 written submissions from councils and state government agencies were received during the consultation period.

Key points raised during the consultation included:

- Support for the framework and direction established
- Support for the integration of climate risk with emergency management
- The need to emphasise the role of councils in building community resilience
- The need to support councils and elected members to better understand roles and responsibilities in emergency management
- The importance of councils sharing information about emergency risks
- The importance of sharing responsibility for emergency management between councils, state government, private sector and communities.

The feedback from consultation has been addressed in the Final Draft of the Framework (attached).

The Final Draft provides an important basis upon which all parties in local government emergency management will be working together to manage emergency risks. Implementation of the framework is shared between councils, the LGA, regional LGAs, the Local Government Functional Support Group and LGASA Mutual.

To support councils with implementation of the framework, the LGA has developed a suite of guidelines and templates for council emergency management planning. These tools will be used by the *Council Ready* project facilitators, who have been employed by the LGA to provide assistance to councils with emergency management planning between May 2019 and June 2021.

Financial and Resource Implications

This activity has been anticipated in the LGA's work program and resources are available to progress this work.

Local Government Emergency Management Framework

**Final Draft for consideration
by LGA Board of Directors
July 2019**

Executive Summary

The Local Government Emergency Management Framework exists to provide clarity and direction to the local government sector in South Australia with regard to emergency management.

Climate change, recent emergencies, community expectations, technology and economic disruption are among the big shifts which underpin the need for the local government sector to better understand our role in emergency management. Doing so is critical to better manage current risks, prepare for an uncertain future and reduce impacts and costs to communities.

Historically, local government emergency management has focussed on the operational support provided when emergencies occur. In practice, our sector makes a much greater contribution through reducing disaster risks and strengthening community resilience before emergencies occur, and supporting communities through the long recovery process.

This updated framework seeks to better reflect the breadth of councils' roles in emergency management and supports the following vision:

Communities are disaster resilient because emergency risks are understood across the community, mitigated wherever possible, and there are effective systems to ensure community safety and wellbeing when emergencies occur.

The framework is structured around the key areas of

- Disaster risk reduction - action to avoid the creation of new disaster risks, reducing existing disaster risks, and managing any residual risk;
- Incident operations - actions undertaken, immediately before, during and immediately after an incident; and
- Recovery - the process of restoring emotional, social, economic and physical wellbeing, reconstructing physical infrastructure and restoring the environment following an emergency.



For each of these areas, the framework provides clarity of role and establishes strategic objectives for the local government sector. The framework concludes with a summary of roles for councils, the Local Government Association of South Australia (LGA-SA), regional LGAs, the Local Government Functional Support Group (LGFSG) and LGASA Mutual, and description of the support resources available to councils.

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Foreword

Councils have a long history of supporting communities when emergencies occur.

Responses to recent emergencies such as the Thomas Foods Factory Fire in Murray Bridge in early 2018, the 2015 Sampson Flat and Pinery fires and the 2016 Statewide Blackout and storm events demonstrate the significant support that councils provide to their communities during and after major emergencies.

This framework reflects the evolving role of local government in emergency management.

In particular, it emphasises the critical role that councils play in reducing disaster risks before emergencies happen, and in the often long recovery process after the emergency has passed. These roles complement the long standing functions of councils supporting communities and emergency services when emergencies occur.

This version of the framework reflects the significant progress that our sector has made in a few short years. Through the i-Responda operating platform, the Local Government Functional Support Group and more recently Council Ready, our sector has demonstrated our ability to work together to drive a coordinated approach to emergency management.

The LGA has invested heavily in supporting councils with emergency management. I encourage all councils to use this framework – and the support resources that sit beneath it – to strengthen emergency management activities in your council.

Signatory to be determined.

July 2019

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1. Introduction

1.1 Why a Local Government Emergency Management Framework?

Emergency management is about preventing, preparing for, responding to, and recovering from emergencies that may affect the community and endanger life, property or the environment.

Community expectations, recent emergency events and shifts in policy and legislation are creating new expectations of local government in relation to emergency management, and adding to an already complex policy and legislative framework.

Climate change amplifies the need to better mitigate our known emergency risks and better understand emerging risks. It also means that we need to be ready to respond to emergencies that will occur more often and with less predictability than ever before.

Technological, demographic, social and economic changes will continue to create new disruptors and previously unseen emergencies, and exacerbate existing emergency risks. These challenges may also present new opportunities to strengthen resilience in communities.

Local government emergency management has historically focussed on the operational support that councils provide when emergencies occur. In practice, local government makes a much greater contribution through reducing disaster risks, strengthening community resilience, and leadership, coordination and restoration of community assets in recovery.

This broader framing of emergency management accords with a range of international, national and state based policy directions which emphasise disaster risk reduction and disaster resilience as a means to better manage current emergency risks, prepare for an uncertain future and reduce costs to communities.

Across South Australia, councils play important and diverse roles in emergency management because of their strong relationships with communities, knowledge of local hazard, risk and the local environment, ability to mobilise local resources, and experience in mitigating, responding to and recovering from emergencies.



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1.2 Framework purpose

The Local Government Emergency Management Framework exists to provide clarity and direction to the local government sector in South Australia with regard to emergency management. The aims of the framework are to:

1. Outline a holistic and integrated approach to emergency management for local government that encompasses actions taken before, during and after emergencies;
2. Provide clarity about the roles and responsibilities of local government in emergency management as a foundation for all emergency management strategies, programs and activities across the local government sector; and
3. Communicate the ways in which local government emergency management is integrated with state, national and international emergency management arrangements and policy.

It is intended that this framework will guide the emergency management plans, strategies, activities and programs of councils, the Local Government Association of South Australia (LGA-SA), regional LGAs, the Local Government Functional Support Group (LGFSG) and LGASA Mutual.

1.3 Framework overview

The framework has four sections:

Section 1 introduces the framework by providing background information, describing its purpose and defining key terms.

Section 2 provides the context for the framework by explaining the drivers for local government emergency management in South Australia.

Section 3 contains the key elements of the framework, including a vision, scope, guiding principles, and clarification of roles and strategic objectives for the key areas of:

- Disaster risk reduction
- Incident operations
- Recovery.

Section 4 details how the framework will be implemented, with roles described for the councils, the LGA, regional LGAs, the LGFSG and LGASA Mutual. Section 4 also introduces the guidelines, tools and templates available to support councils with emergency management planning.

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1.4 Definitions

The following definitions are provided for the purposes of this framework, and to establish a common language for local government emergency management in South Australia. Throughout this framework, the verbs 'lead', 'support' and 'coordinate' are used in their commonly understood dictionary meanings, and not the meanings specific to emergency management terminology.

Community

A social group with a commonality of association and generally defined by location, shared experience or function, and with a number of things in common such as culture, heritage, language, ethnicity, pastimes, occupation or workplace¹.

Disaster resilience

The ability to survive, adapt and grow, no matter what happens².

Disaster risk

The potential loss of life, injury, or destroyed or damaged assets which could occur to a system, society or a community in a specific period of time, determined probabilistically as a function of hazard, exposure, vulnerability and capacity³.

Disaster risk reduction

Activity aimed at preventing new and reducing existing disaster risk and managing residual risk, all of which contribute to strengthening resilience and therefore to the achievement of sustainable development⁴.

Emergency

An event (whether occurring in the State, outside the State or in and outside the State) that causes, or threatens to cause—

- (a) the death of, or injury or other damage to the health of, any person; or
- (b) the destruction of, or damage to, any property; or
- (c) a disruption to essential services or to services usually enjoyed by the community; or
- (d) harm to the environment, or to flora or fauna;

Note— This is not limited to naturally occurring events (such as earthquakes, floods or storms) but would, for example, include fires, explosions, accidents, epidemics, pandemics, emissions of poisons, radiation or other hazardous agents, hijacks, sieges, riots, acts of terrorism and hostilities directed by an enemy against Australia⁵.

Emergency management

A range of measures to manage risks to communities and the environment.

More specifically, the organisation and management of resources for dealing with all aspects of emergencies, encompassing, plans, structures and arrangements which are established to bring together the normal endeavours of government, voluntary and private agencies in a comprehensive and coordinated way to deal with the whole spectrum of emergency needs including prevention, response and recovery⁶.

Incident management

Processes, decisions and actions taken to resolve an emergency incident and support recovery that will enable the community to return to normality⁷.

Local government organisations

The Local Government Association of South Australia, the 68 councils across South Australia, the 6 Regional Local Government Associations (regional LGAs) and other Local Government subsidiaries.⁸

Recovery

The coordinated process of supporting emergency-affected communities in reconstruction of the physical infrastructure and restoration of emotional, social, economic and physical well-being⁹.

¹ <https://www.homeaffairs.gov.au/emergency/files/national-disaster-risk-reduction-framework.pdf>

² South Australia's Disaster Resilience Strategy 2019-2024

³ United Nations Office for Disaster Risk Reduction
<https://www.unisdr.org/we/inform/terminology>

⁴ United Nations Office for Disaster Risk Reduction
<https://www.unisdr.org/we/inform/terminology>

⁵ South Australian Emergency Management Act 2004

⁶ Australian Institute for Disaster Resilience Glossary,
<https://knowledge.aidr.org.au/glossary/>

⁷ Australian Institute for Disaster Resilience Glossary,
<https://knowledge.aidr.org.au/glossary/>

⁸ Local Government Functional Support Group Plan, V1.1

⁹ Australian Institute for Disaster Resilience Glossary,
<https://knowledge.aidr.org.au/glossary/>

2. Drivers for local emergency management

2.1 Updated framework responds to emerging drivers

The first iteration of the Local Government Emergency Management Framework was finalised in 2017. The current update was initiated to:

- Incorporate what the LGA has learnt from extensive engagement with councils through the Council Ready program;¹⁰
- Articulate the local government response to a number of international, national, state and local policy directives (see Figure 2.1); and
- Reflect operational changes associated with the ongoing evolution of the South Australian emergency management arrangements and the maturing of the LGFSG.

Figure 2.1: A non-exhaustive summary of frameworks, strategies and policies that provide the context for this framework



¹⁰ Council Ready is a three year program funded by the Natural Disaster Resilience Program and the LGA Mutual Liability Scheme that aims to support councils with emergency management planning.

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2.2 Strategic drivers

Climate risk

Our climate is changing. Extreme events such as bushfires, storms, heatwaves and floods are predicted to increase in frequency, duration and intensity as a result of climate change. Some extreme weather events are already happening at an increased frequency.

New natural hazard threats will emerge as a result of climate change and there is risk of hazards in areas that previously have not experienced them.

There is increasing potential for concurrent emergencies to occur, for example, flooding events or bushfires following a prolonged drought.

We can also expect emergencies to occur in closer succession, and greater complexity through cascading events that trigger unforeseen consequences on communities.

The impacts of climate change mean that councils will need to support communities affected by emergencies more often. It will also necessitate a stronger focus on resilience, so that communities can survive, adapt and grow through the experience of emergencies.

The more frequent and changing experience of emergencies will impact the local government sector's ability to achieve its strategic goals. This will drive local government organisations to proactively identify and mitigate their climate risks, many of which are also emergency risks. Practically, this will require councils to apply climate and hazard data to better manage assets, plan community land use and manage risks.

"...there is an accepted understanding that disasters and disaster risk are influenced not only by physical risk, but also by the way government systems operate and social action, inaction and organisation. The changing climate – affecting ageing populations, work patterns, land use changes, migration to and from rural areas and volunteering trends – creates increased challenges in managing disaster risk"

-AFAC 2018. Climate Change and the Emergency Management Sector



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An era of change

South Australian communities are continuing to experience changes brought about by population ageing, globalisation, inequality, urban development, technological advancements, economic restructuring, health and a growing interconnectivity between the critical systems that support our communities.

These changes present challenges for emergency management. For example, population growth may expose more people to emergency risks as neighbourhoods establish in areas at risk of fires, floods or coastal inundation.

Changes to the systems on which communities depend, for example, food, energy, communications and transport systems, now mean that the failure of one system has far wider consequences than ever before. Acts of violent extremism may also target these systems with cascading impacts on communities.

Growing costs of disasters

Emergencies are associated with increasing financial and human costs to communities, businesses and the local government sector.

In 2017 Deloitte Access Economics found that over the past 10 years, disasters have cost the South Australian economy around \$200 million per year. Assuming current development patterns and population growth continue, this is forecast to reach \$700 million per year by 2050¹¹. This forecast does not account for the effects of a changing climate, which are expected to magnify these costs, nor does it account for losses that cannot be quantified but are no less important to people.

The growing costs of disasters will drive a stronger focus on proactive emergency risk management, and see disaster risk a bigger consideration in decision making.

This will be necessary to reduce the financial risks to the sector and ensure the sector continues to enjoy the protections and insurance that ratepayers expect.

Through risk assessments, long term strategies and everyday business, councils know where investment is needed to mitigate emergency risks, for example through stormwater management, coastal protection, flood protection, or climate change adaptation. Councils have an important role in sharing information they hold about emergency risks, as this can help strengthen the resilience of communities, strengthen partnerships with other levels of government, prompt private sector investment and avoid higher insurance premiums.

Strengthening community resilience

As the level of government closest to communities, local government has a unique understanding of the needs and aspirations of South Australian communities. Councils are well placed to work with individuals, households, community groups and businesses to strengthen resilience to emergencies. Council volunteers are an important resource to be mobilised in doing so.

A high level of community satisfaction and trust in local government means that when emergencies occur, councils are a trusted source of information and support. While this trust and connection is a strength, it also comes with an expectation that councils are ready to support communities during and after emergencies.

¹¹ <https://www2.deloitte.com/au/en/pages/economics/articles/building-australias-natural-disaster-resilience.html>

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It is also important to note that councils are not the only organisations with strong pathways into communities. Communities will fare better through the experience of emergencies if organisations across the community work together to strengthen disaster resilience.

Playing our part

Emergency management is a shared responsibility.

Playing our part means that local government is proactively contributing to emergency management, and doing so in a coordinated way that is well integrated with local, regional and state arrangements. It also requires councils to work closely with individuals, households, communities and businesses.

In an era of increasing cost and role shifting to local government, it is important that the sector does not assume roles that are best managed by other levels of government, the private sector or community. Local government activities in emergency management will be most successful when they draw upon the sector's core strengths and add value to what is core business for councils.

"There is a need for a new focus on shared responsibility; one where political leaders, governments, business and community leaders, and the not-for-profit sector all adopt increased or improved emergency management and advisory roles, and contribute to achieving integrated and coordinated disaster resilience. In turn, communities, individuals and households need to take greater responsibility for their own safety and act on information, advice and other cues".

- *National Strategy for Disaster Resilience*



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2.3 Legislative drivers

Table 2.1 summarises the key legislative drivers for local government's involvement in emergency management.

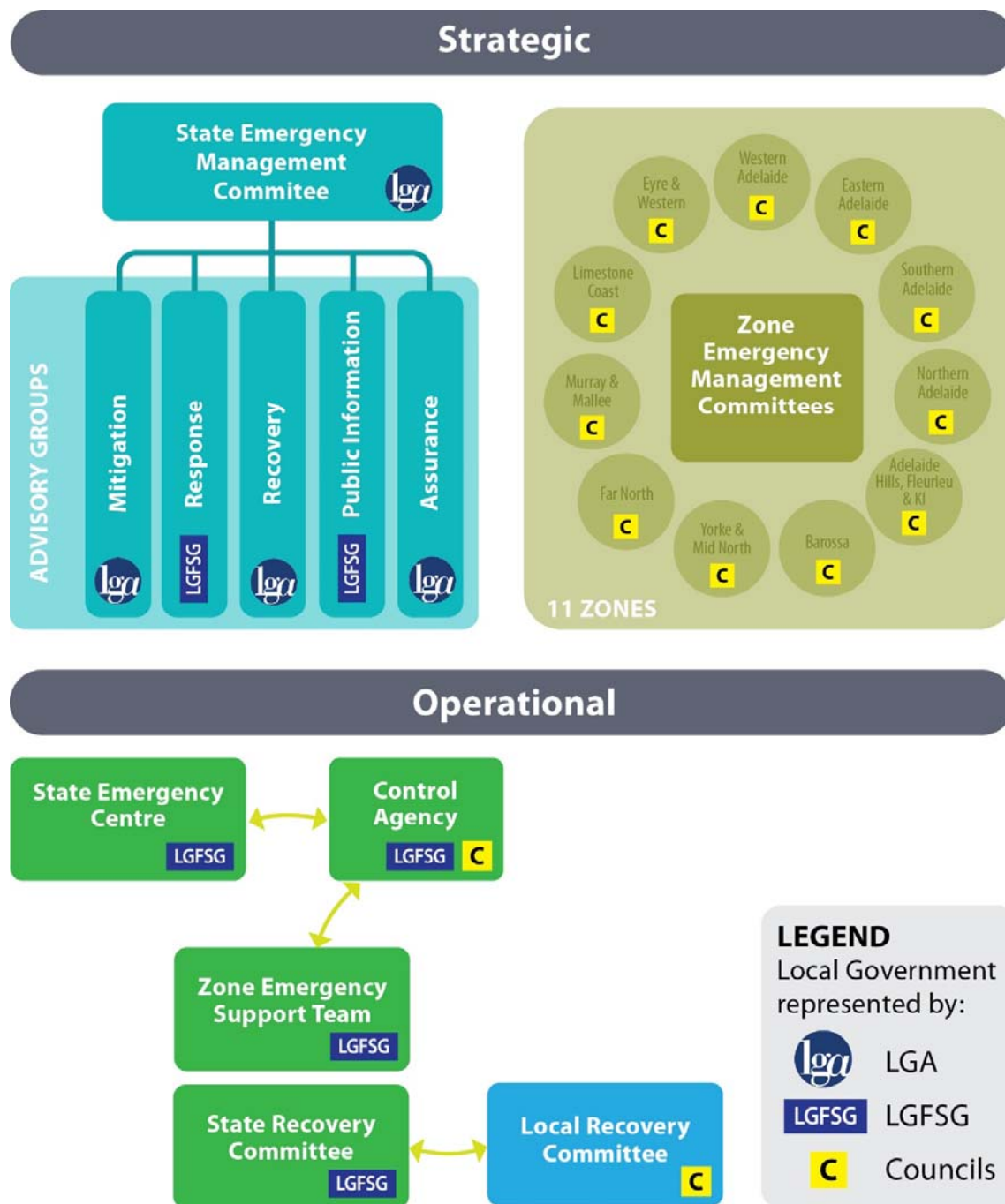
Table 2.1: Overview of relevant legislation

Legislation	Relevance to local government emergency management
<i>Local Government Act 1999 (SA)</i>	<p>The Local Government Act 1999 outlines responsibilities for councils to consider risks (including emergency risks) as follows:</p> <ul style="list-style-type: none"> • make informed decisions (section 6); • take measures to protect their area from natural hazards (section 7); • provide infrastructure for community and for development (section 7); • ensure the sustainability of the council's long-term financial performance (section 8); • assess the maintenance, replacement or development needs for infrastructure (section 122); • identify anticipated or predicted changes in any factors that make a significant contribution to the costs of the council's activities or operations (section 122). <p>In addition, councils must "give due weight, in all its plans, policies and activities to regional, state and national objectives and strategies concerning the economic, social, physical and environmental development and management of the community" (section 8).</p>
<i>Emergency Management Act 2004 (SA)</i>	<p>Outlines the state's strategies and systems for emergency management including direct references to local government.</p> <p>Provides the power for the creation of the State Emergency Management Committee and the State Emergency Management Plan.</p>
<i>Fire and Emergency Services Act 2005 (SA)</i>	<p>Provides the head power for the State Bushfire Coordination Committee, Bushfire Management Areas, Bushfire Management Committee and Bushfire Management Area Plans.</p>
<i>Planning, Development and Infrastructure Act 2016 (SA)</i>	<p>Establishes land use planning and development control systems, and the role of local government in these systems.</p>
<i>SA Public Health Act 2011 (SA)</i>	<p>Establishes councils are public health authorities, including preventative and response roles for environmental health officers.</p> <p>Requires councils to prepare Regional Public Health Plans.</p>
<i>Natural Resources Management Act 2004 (SA)</i>	<p>Establishes the State's natural resources management regions and boards to guide the use and management of natural resources.</p>
<i>Work Health and Safety Act 2012 (SA)</i>	<p>Establishes systems to secure the health and safety of workers and workplaces.</p>
<i>Environment Protection Act 1993 (SA)</i>	<p>Establishes a system to protect the environment, including establishment of the Environment Protection Authority. Under section 87, details the powers of an authorised officer under this Act which allows them to take action to protect the environment which may arise in the case of an emergency (such as a hazardous waste spill).</p>

2.4 South Australian emergency management arrangements

Given this strategic and legislative context, it is important that the local government sector is well integrated into the South Australian emergency management arrangements, which are detailed in the State Emergency Management Plan¹². The points of connection between local government organisations and these arrangements is shown in Figure 2.2.

Figure 2.2. Local government involvement in the SA emergency management arrangements.



¹² <https://dpc.sa.gov.au/what-we-do/services-for-government/security-and-emergency-management/state-emergency-management-plan>

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At the strategic level, the LGA is a member of the State Emergency Management Committee (SEMC) and associated advisory groups. This provides a mechanism for the voice of local government to be heard on bodies which have strategic oversight of emergency management in South Australia.

Councils are represented on the eleven Zone Emergency Management Committees (ZEMCs) across the state (refer to Appendix A for a map of emergency management zones). ZEMCs are responsible for strategic zone level emergency management planning, including maintenance of the zone emergency risk assessments and zone emergency management plans. In many cases, the chair is a local government representative. The roles of a ZEMC include:

- Working within the Zone Emergency Risk Management Framework to identify, analyse and evaluate emergency risks that could impact the Zone;
- Identifying and evaluating treatment options and developing a Zone Emergency Management Plan (ZEMP) to address residual risk; and
- Providing assurance that arrangements are in place to prevent and/or mitigate, prepare for, respond to and recover from emergencies; the aim being to create safer and more resilient communities within the Zone¹³.

During incidents, local government plays a support role to the Control Agencies, Functional Support Groups and Support Agencies who have prescribed roles in the State Emergency Management Plan.

There are two categories that describe how local government participates in the South Australian emergency management arrangements (see Figure 2.3). For 'council category' incidents, that is, incidents involving only one council, councils typically provide direct support to the control agency and other involved parties working through locally developed arrangements and networks.

For 'local government category' incidents, that is, for incidents involving more than one council or are more complex, the LGFSG coordinates the response from local government. This includes:

- Ensuring effective coordination and communication between impacted councils;
- Ensuring effective coordination and communication between emergency services and impacted councils;
- Facilitating resource sharing across the local government sector; and
- Representing the local government sector at the State Emergency Centre, Agency State Control Centres, Zone Emergency Support Teams and any relevant agency Incident Management Teams.

Figure 2.3. Definitions of 'Council Category' and 'Local Government category' incidents¹⁴.

LGFSG Incident Category	Criteria	LGFSG Activity	Council Activity
Council	1 x Council Involved <i>Single Council Only Within Capacity</i>	SDO Available to Support Council	Appoint Council Commander Keep SDO Informed
Local Government	Local Government Sector Involved <i>Multiple Councils Involved Activation of SEC and/or SEC</i>	Coordinate operations of Local Government	Providing support within capability and capacity

¹³ Zone Emergency Management Committee Induction Manual, Version 2.0, prepared by Zone Emergency Risk Management Team, South Australian State Emergency Services, p 21

¹⁴ Local Government Functional Support Group Plan V1.1

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During recovery, local government is represented on the State Recovery Committee by the LGFSG, and on Local Recovery Committees by impacted councils. The State Recovery Committee coordinates whole of government recovery activities across the state, while the Local Recovery Committee is responsible for coordinating local recovery activities after an incident. It is not uncommon for a senior council representative to chair a Local Recovery Committee.



3. Local Government Emergency Management Framework

The Local Government Emergency Management Framework comprises a vision, scope, guiding principles, and strategic objectives for the key areas of disaster risk reduction, incident operations and recovery.

3.1 Vision

Communities are disaster resilient because emergency risks are understood across the community, mitigated wherever possible, and there are effective systems to ensure community safety and wellbeing when emergencies occur.

3.2 Scope

This framework relates to all emergency events, regardless of size, frequency and speed of onset, which may be caused by natural or human-induced hazards as well as related environmental, technological and biological hazards. The framework is structured around the key areas of

- Disaster risk reduction - action to avoid the creation of new disaster risks, reducing existing disaster risks, and managing any residual risk;
- Incident operations - actions undertaken, immediately before, during and immediately after an incident; and
- Recovery - the process of restoring emotional, social, economic and physical wellbeing, reconstructing physical infrastructure and restoring the environment following an emergency.



The relationship between these key areas and the traditional Prevention-Preparedness-Response-Recovery model are shown in Figure 3.1

Figure 3.1. PPRR in the local government emergency management framework

	Disaster risk reduction	Incident operations	Recovery
Prevention			
Preparedness			
Response			
Recovery			

Draft

3.3 Guiding principles

The following principles underpin this framework:

- Holistic** Local government is a holistic contributor to emergency management and considers the wide range of possible consequences of emergencies on communities.
- Everyday strengths** Local government's emergency management roles draw on the sector's core strengths in communities and add value to what is usual business for councils.
- Local knowledge** Local government holds and shares information about local communities, risks and vulnerabilities to strengthen local emergency management.
- Clear governance** Local government participates in emergency management in a coordinated way with clear understanding of roles and responsibilities.
- United** Local government collaborates in emergency management as a single sector, sharing knowledge, resources and expertise, thereby mitigating variations in council size, risk exposure and capacity.
- Evidence-based** Local government emergency management is risk informed, and draws together data from all sectors, lived experiences, emerging risks and community aspirations.
- Learning** Local government is continually improving emergency management practices and adapting to emerging risks, so that efficacy of our approaches is improved and the overall cost and impacts of emergencies is reduced.



3.4 Key area one: Disaster risk reduction

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Clarifying our role: disaster risk reduction for local government

Disaster risk reduction is the practice of intentionally taking action to avoid the creation of new disaster risks, reducing existing disaster risks, and managing any residual risk. Effective disaster risk reduction minimises the need to respond to and recover from emergencies.

The terms “disaster risk reduction”, “mitigation” or “prevention” are sometimes used interchangeably. Prevention measures seek to eliminate the impact of hazards, and/or reduce susceptibility to them. Mitigation measures accept that the event will occur and seek to reduce the impact by both physical means (e.g. flood levees) and by increasing the resilience of the community exposed to the impact of those hazards. Prevention and mitigation are both part of disaster risk reduction.

In 2018, consultation with South Australian councils through the Council Ready program found that:

- Mitigation of emergency risk is arguably councils’ biggest contribution to emergency management
- Activities councils undertake to mitigate emergency risks largely occur through business-as-usual activities and are rarely explicitly communicated as part of councils’ emergency management arrangements
- There are strong strategic links between emergency management and public health, climate change adaptation, asset management and community wellbeing
- There is no quantification or reporting at the council or local government sector level about the significant investment that councils are making to disaster risk reduction¹⁵.

In South Australia, the State Emergency Management Plan has assigned ten ‘hazard leaders’ who are responsible for leading action to mitigate risks associated with priority hazards. Councils work in partnership with hazard leaders on a range of measures aimed at managing these hazards.

However, councils are not limited to the ten priority state hazards, and undertake a range of measures to protect its area from natural and other hazards. These often occur through business-as-usual activities, as demonstrated in Figure 3.2.

While local government in South Australia makes a significant contribution to disaster risk reduction, it is often as a by-product of another strategic priority, rather than an intentional activity. Examples include the development and implementation of risk registers, asset management plans and other strategic planning processes.

Given the increasing emergency risks that communities are facing and the policy imperative around disaster risk reduction, there is scope for councils to provide a more focussed consideration of how they are contributing to disaster risk reduction.

¹⁵ LGASA Emergency Management Health Checks with SA Councils: Summary Report, Page 22-23

Draft

Figure 3.2: Examples of councils' contribution to disaster risk reduction.



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Clarifying our direction: Strategic objectives for disaster risk reduction

The following strategic objectives articulate local government's commitment and priorities in the area of disaster risk reduction. It is intended that these strategic objectives will be adopted by local government organisations in the implementation of this framework (see Section 4).

Strategic objectives

1. Improve the local government sector's understanding of current and emerging disaster risks, and the consequences of these on communities, and share this information with our partners
2. Integrate disaster risk information into local government planning and decision-making;
3. Advocate for investment in actions that reduce disaster risks and strengthen community resilience;
4. Seek to reduce disaster risks within the control and capacity of local government organisations.

Draft

3.5 Key area two: Incident operations

Clarifying our role: Incident operations for local government

Incident operations refers to actions undertaken by the local government sector immediately before, during and immediately after an emergency incident. In incident operations, councils typically take action to provide support:

- To their community
- To other councils
- To the control agency and other involved parties through the South Australian emergency management arrangements.

Examples actions that councils take in incident operations are shown in Figure 3.3.

In 2018, consultation with South Australian councils through the Council Ready program found that:

- Each council currently has its own approach to incident operations
- Emergency management documentation needs to speak to different audiences including community, elected members, executive, operational managers and frontline staff
- There is stronger knowledge of frequently experienced hazards, such as bushfires or extreme weather, compared with less well understood or emerging hazards such as extreme heat or violent extremism
- Reliance on key individuals who hold considerable knowledge and expertise is a consistent challenge¹⁶.

For councils, preparing to participate in incident operations begins with ensuring the routine systems are effectively working. These include business continuity plans (including IT recovery), work health and safety systems and internal arrangements for managing crisis communications. This is because without staff being safe and supported, council's assets maintained and basic business disruptions being managed, local government is unable to provide broader assistance to the community.

The next step is ensuring appropriate incident operations arrangements are in place.

In developing incident operational arrangements, councils are encouraged to draw upon and reinforce existing policies, procedures and systems wherever possible and appropriate. When developing policies and procedures that explicitly address incident operations, it is important that their relationship with existing processes (e.g. routine call-out arrangements, internal communication protocols) is clearly communicated.

In developing operational arrangements, councils can draw upon best practice incident management systems used in the emergency management sector. These typically include common terminology, a scalable incident action planning process and organisational structures to match the size, impact and complexity of the incident.

Councils' incident operational arrangements should consider the i-Responda operating platform. i-Responda provides a standardised framework and set of actions for all South Australian councils to work under while providing support to emergency services during incident operations.

It is also important that councils' incident operational arrangements clearly outline how the council can integrate with the LGFSG. The LGFSG is established under the SEMP and is responsible for coordinating the response from local government during an emergency. The point of connection between individual councils and the LGFSG during an incident is the Council Commander.

¹⁶ LGASA Emergency Management Health Checks with SA Councils: Summary Report, Page 28-29.

Draft

Figure 3.3: Examples of councils' contribution to incident operations.



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While councils are responsible for ensuring they have appropriate incident operational arrangements for their council, the LGA is responsible for ensuring the preparedness of the sector to participate as the LGFSG. This happens through:

- Maintenance of the LGFSG Operating Platform, which is made up of the LGFSG Plan, Operations Manual and Joint Operating Guidelines
- Representing the local government sector in state level committees and structures
- Delivery of the Local Government Emergency Management Development Program, which provides training and capability development in emergency management across the local government sector.

Clarifying our direction: Strategic objectives for incident operations

The following strategic objectives articulate local government's commitment and priorities in the area of incident operations. It is intended that these strategic objectives will be adopted by local government organisations in the implementation of this framework (see Section 4).

Strategic objectives

1. Develop incident operational arrangements that allow councils to support their community, other councils and the state emergency management arrangements;
2. Adopt consistent terminology and approaches to incident operations across the local government sector
3. Develop capability of local government organisations to participate as a united local government sector as members of the LGFSG.

Draft

3.6 Key area three: Recovery

Clarifying our role: Recovery for local government

Recovery is the process of restoring emotional, social, economic and physical wellbeing, reconstructing physical infrastructure and restoring the environment following an emergency. Depending on the scale of the disaster, recovery can continue for weeks, months or even years, as people and communities rebuild and restore their lives.

In 2018, consultation with South Australian councils through the Council Ready program found that:

- There is a lack of clarity about the roles of local government in recovery
- Experience has demonstrated how recovery disrupts business-as-usual in almost every part of councils.
- The long term nature of recovery can lead to organisational fatigue as staff sustain high workloads over an extended period.
- There are inherent connections between the sorts of activities that councils undertake in recovery and what they do in disaster risk reduction. Community development, asset management, leadership and advocacy are but four examples of this¹⁷.

There are four domains of recovery which are nationally recognised and reflected in South Australia's emergency management arrangements:

1. **Infrastructure and built** – public and commercial buildings, roads, paths, essential services (power, water, communications) and other infrastructure
2. **Social** – people, families and communities
3. **Economic** – employers, industry, investment and job creation
4. **Natural** – land management, air quality, natural heritage, culture, history and ecological conservation.

Councils are involved in all four domains of recovery, and after a major emergency, recovery becomes a 'whole of council' concern that impacts upon all aspects of the organisation. Examples of the sorts of activities that councils might provide in recovery are shown in Figure 3.4.

As an example of this, the *Disaster Recovery Guide for Councils* identifies potential activities for councils in recovery for functional areas of waste management, infrastructure, planning and development, wastewater, stormwater management, environmental health, natural environment, animal management, vulnerable residents, community information and engagement, community development and financial support.

National principles for disaster recovery

Understand the context

Successful recovery is based on understanding community context, with each community having its own history, values and dynamics.

Recognise complexity

Successful recovery is responsive to the complex and dynamic nature of both emergencies and the community.

Use community-led approaches

Successful recovery is community-centred, responsive and flexible, engaging with community and supporting them to move forward.

Coordinate all activities

Successful recovery requires a planned, coordinated and adaptive approach, between community and partner agencies, based on continuing assessment of impacts and needs.

Communicate effectively

Successful recovery is built on effective communication between the affected community and other partners.

Recognise and build capacity

Successful recovery recognises, supports, and builds on individual, community and organisational capacity and resilience.

¹⁷ LGASA Emergency Management Health Checks with SA Councils: Summary Report, Page 28-29.

Draft

Figure 3.4: Examples of councils' contribution to recovery.



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It is important to recognise that councils do not undertake recovery alone, and it is a shared effort between the affected communities, all levels of government and the not-for-profit and private sectors. In South Australia, the State Recovery Office in the Department of Human Services provides coordination and support to all involved parties.

Recovery can be a complex and demanding process for councils, involving a broad range of stakeholders and often exposing challenging issues to be negotiated. Usual processes and practices may not work in the recovery environment, and council staff and volunteers will need to be flexible and adaptable when responding to changing community needs. In addition, workforce management is critical as staff and volunteers may be impacted themselves, impacting their ability to support recovery activities.

It is important that recovery activities strengthen community resilience and contribute to disaster risk reduction through the adoption of betterment or 'build back better' approaches.

To provide the most effective support to communities and minimise duplication of effort, recovery must be well planned and coordinated.

In many cases, a Local Recovery Committee is established as the key mechanism for coordinating recovery efforts between stakeholders at the local level. As the level of government closest to affected communities, councils are critical to the effective coordination of recovery efforts in these committees, and are often asked to chair the committee.

Clarifying our direction: Strategic objectives for recovery

The following strategic objectives outline the local government's commitment and priorities in the area of recovery. It is intended that these strategic objectives will be adopted by local government organisations in the implementation of this framework (see Section 4).

Strategic objectives

1. Participate in recovery in a coordinated way that meets community needs and avoids duplication of efforts;
2. Consider the broad impacts that recovery will have upon local government organisations, across infrastructural, social, economic and natural systems in local communities;
3. Plan for recovery in ways that establish the principles, structures, partnerships and approaches to guide the delivery of recovery activities.

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4. Implementation

The following sections outline roles for councils, the LGA, regional LGAs, the LGFSG and LGASA Mutual in this framework, details the tools and supports available to assist implementation, and identifies approaches for monitoring progress.

4.1 Roles for councils

As a key driver of local emergency management, councils have direct roles in disaster risk reduction, incident operations and recovery, as summarised in Table 4.1.

Table 4.1: Roles for councils in this framework.

Disaster risk reduction	Incident operations	Recovery
<ul style="list-style-type: none"> Understand and communicate current and emerging disaster risks for council and the community Integrate disaster risk into existing plans and decision-making (e.g. strategic plans, risk frameworks, asset management plan, climate change plans) Partner with local stakeholders in addressing priority emergency risks Strengthen disaster resilience in communities through community development 	<ul style="list-style-type: none"> Develop a locally relevant risk-based suite of incident operations arrangements. Build capability of council to participate in the LGFSG Participate in incident operations in accordance with the i-Responda operating platform 	<ul style="list-style-type: none"> Provide leadership, coordination and advocacy when the community is impacted by disasters Plan for recovery to establish the principles, structures, partnerships and approaches that will guide council Secure grants and other funding assistance to support disaster recovery

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4.2 Roles for the LGA

The LGA supports councils to undertake their roles and responsibilities through advocacy, guidance and practical assistance. The LGA also represents local government on state-level committees and working groups. Table 4.2 summarises the key roles of the LGA in disaster risk reduction, incident operations and recovery.

Table 4.2: Roles for the LGA in this framework.

Disaster risk reduction	Incident operations	Recovery
<ul style="list-style-type: none"> • Work with hazard leaders, control agencies and other stakeholders to understand and communicate current and emerging disaster risks • Support councils with tools to help integrate disaster risk into council planning and decision making • Advocate and partner to drive greater focus and investment on disaster risk reduction • Contribute to state-wide planning and preparedness as member of state level committees 	<ul style="list-style-type: none"> • Ensure the LGFSG coordinates the response from Local Government and operates as required by the State Emergency Management Plan • Maintain the i-Responda operating platform • Maintain the Local Government Emergency Management Development Program • Contribute to state-wide planning and preparedness as member of state level committees 	<ul style="list-style-type: none"> • Provide leadership, coordination and advocacy across the local government sector in recovery • Contribute to state-wide planning and preparedness for recovery as member of state level committees

4.3 Roles for regional LGAs

Regional LGAs provide leadership, advocacy and coordination roles, which are especially important to disaster risk reduction and recovery. They also support incident operations as a member of the LGFSG, subject to their capacity. Examples of roles are outlined in Table 4.3.

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Table 4.3: Roles for regional LGAs in this framework.

Disaster risk reduction	Incident operations	Recovery
<ul style="list-style-type: none"> Understand and communicate current and emerging disaster risks across the region Use regional projects as an opportunity to support the integration of disaster risk into council planning and decision making Advocacy to help drive greater investment and focus upon disaster risk reduction within the region 	<ul style="list-style-type: none"> Participate as a member of the LGFSG, as resourcing allows 	<ul style="list-style-type: none"> Provide regional leadership, coordination and advocacy as required

4.4 Roles for the LGFSG

The LGFSG exists to coordinate the local government response during an emergency. As shown in Table 4.4, this translates predominantly to roles in incident operations and recovery.

Table 4.4: Roles for the LGFSG in this framework.

Disaster risk reduction	Incident operations	Recovery
	<ul style="list-style-type: none"> Coordinate the local government response during emergencies Ensure local government organisations are equipped to participate in the LGFSG Facilitate exercising and lessons management 	<ul style="list-style-type: none"> Support councils in understanding the disaster recovery arrangements for SA Support councils in recovery coordination as required

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4.5 Roles for LGASA Mutual

LGASA Mutual P/L via the LGA Mutual Liability Scheme and LGA Workers Compensation Scheme provide a range of services that assist councils with meeting their emergency management responsibilities through assistance with identifying and managing strategic and operational risks.

Some of these services are delivered on an ongoing bases while others are funded from the schemes' development fund for one-off projects. The schemes provide emergency management risk services, workers compensation services and coverage as part of the everyday activities and service provision to councils. These roles exist across the emergency management spectrum, as shown in Table 4.5.

Table 4.5: Roles for LGASA Mutual in this framework.

Disaster risk reduction	Incident operations	Recovery
<ul style="list-style-type: none"> Support councils to consider current and emergency risks as part of their strategic risk management, and general risk management Undertake new initiatives as required to support local government sector to proactively management current and emerging disaster risk Incentivise councils who are proactively managing their current and emerging disaster risks 	<ul style="list-style-type: none"> Ensure appropriate coverage arrangements are in place to enable local government organisations to participate in incident operations Support councils to implement i-Responda to ensure appropriate risk management in incident operations 	<ul style="list-style-type: none"> Provide assistance to local government organisations through claims management

Draft

4.6 Support resources

This framework is supported by a range of tools, guidelines and resources which provide guidance to councils in fulfilling their emergency management responsibilities. Figure 4.1 summarises the relationship between this framework and council emergency management documents for which guidance materials are available:

Figure 4.1: Connection between this framework and council documents

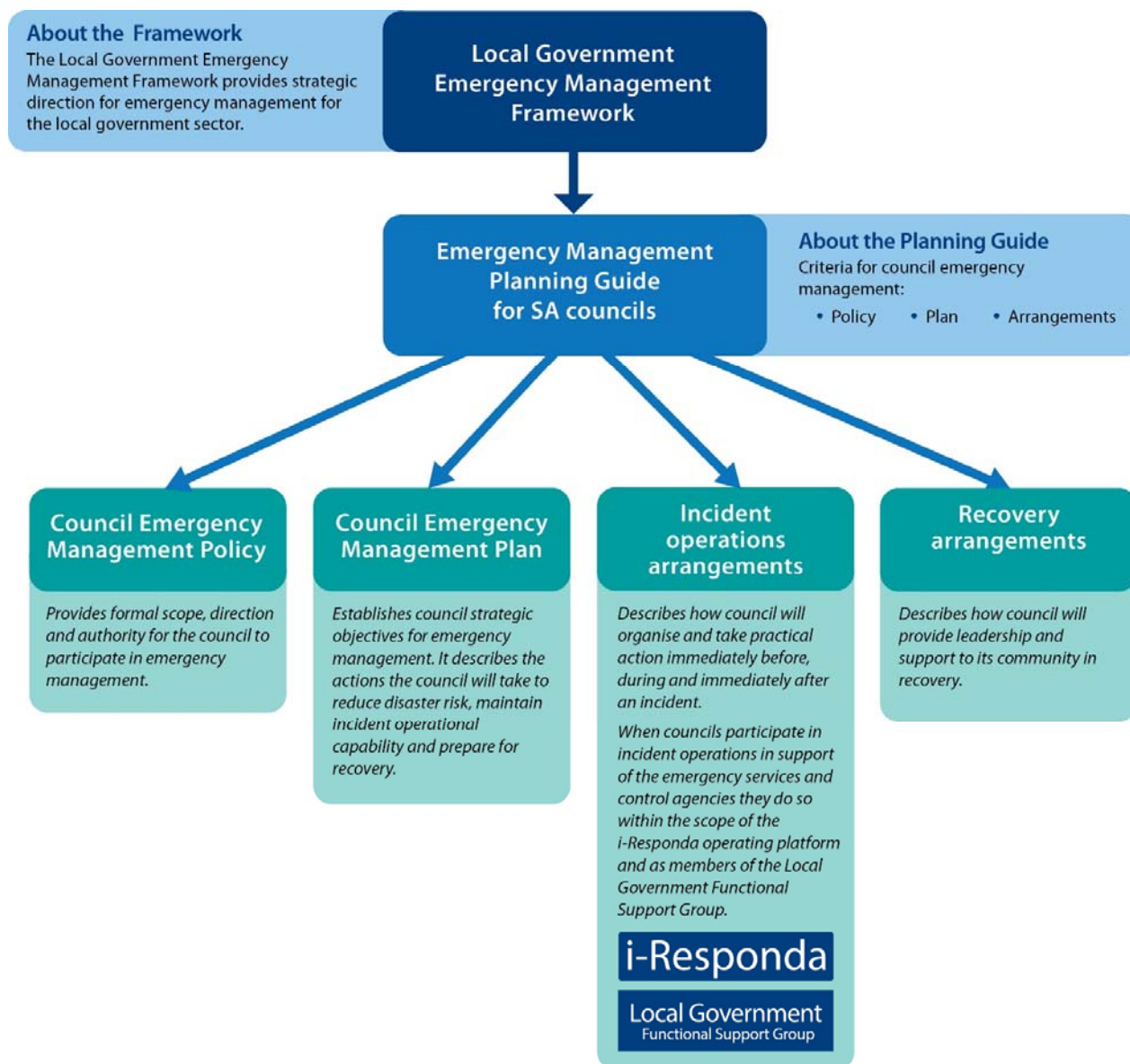


Table 4.6 summarises the guides and templates available on the LGA Emergency Management Knowledge Hub¹⁸. Additional resources are available through the Australian Institute for Disaster Resilience¹⁹.

¹⁸ <https://www.lga.sa.gov.au/emergencymanagementhub>

¹⁹ <https://www.aidr.org.au/>

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Table 4.6: LGA support resources in emergency management

Guides	Templates
Emergency management planning guide for SA councils (LGA)	Council emergency management policy
Local government incident operations guide (LGFSG)	Council emergency management plan
Protection guide for incident operations (LGASA Mutual)	Council incident operations arrangements
Emergency risk management guide for SA councils (LGA)	Council recovery arrangements
Disaster recovery guide for SA councils (LGA)	Council emergency risk assessment template and risk register tool
Extreme heat guide for local government in South Australia (LGA)	
Social media in emergencies guide (LGA)	
Emergency management guide for elected members (LGA)	

4.7 Monitoring and review

The LGA has responsibility for monitoring progress in the implementation of this framework. The LGA will facilitate an annual review of progress towards the strategic objectives identified in the framework.

This framework will be reviewed as required, and no later than in five years' time (2024).

Appendix A: Emergency management zones

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7.7 Special Local Roads Program - 2019-20 Recommendations

Reports for Discussion

From:	Lea Bacon, Director Policy	
Key Initiative:	K.I 2 Capacity building and sustainability	
Strategy:	2D Help councils build communities	
Meeting	LGA Board of Directors	18 July 2019
ECM:	683486	Attachment: To be tabled.

Recommendation

That the LGA Board of Directors:

1. notes the report;
2. endorses the recommendations of the Local Government Transport Advisory Panel for the 2019-20 Special Local Roads Program;
3. requests that the endorsed recommendations be forwarded to the SA Local Government Grants Commission and Federal Minister for Transport for approval and subsequent announcement of successful funding allocations; and
4. notes that a review of the processes and governance arrangements for the Special Local Roads program will be undertaken, with recommendations to be made to the LGA Board of Directors for implementation prior to the 2020-21 funding round.

Discussion

The Local Government Transport Advisory Panel (LGTAP) is established to consider submissions for strategic road funding under the Special Local Roads Program (SLRP).

Each year, LGTAP calls for submissions for SLRP funding from South Australian councils. Applications are received via the Regional LGAs (Eyre Peninsula, Legatus, Limestone Coast, Murraylands and Riverland, Southern and Hills and Spencer Gulf) and the Metropolitan Strategic Roads Committee (MSRC).

Councils liaise with their Regional LGAs or MSRC to confirm timing and procedures for their funding applications for the SLRP. Regional and metropolitan applications are required to be submitted by the end of April/early May each year. The LGTAP then considers submitted applications and proposes an annual program of works across SA for allocation of funding from the SLRP.

LGTAP analyses submissions in accordance with the adopted LGTAP policy¹ which assures transparency and accountability in its decisions. LGTAP gives preference to those projects that have been developed through Local Government Regional Transport Plans and transparent planning processes.

LGTAP Guidelines are available for Regional LGAs and the MSRC to ensure that applications can be presented in a way conducive to equitable assessment.

¹ <https://www.lga.sa.gov.au/webdata/resources/files/LGTAP%20-%20Terms%20of%20Reference%20Guidelines%20Policy%20&%20Processes.pdf>

To ensure that proposed projects are strategic and regional in nature, Regional LGAs and the MSRC are asked each funding year to submit a prioritised list of projects proposed by their members.

Following assessment, LGTAP provides recommendations for projects to the LGA Board of Directors for endorsement, which in turn, makes recommendations to the South Australian Local Government Grants Commission for proposals under the Identified Local Roads Grants and the Federal Minister for Transport in the case of the Roads to Recovery component.

The current Panel includes:

- Mayor Keith Parkes (Alexandrina Council), as Chair;
- Mr Richard Dodson (General Manager of Infrastructure & Works, Light Regional Council);
- Mr Peter Tsokas (Chief Executive Officer, City of Unley);
- Mr Lea Bacon as delegate of the Chief Executive Officer of the LGA;
- Mr Peter Ilee as nominee of the Minister for Local Government; and
- Mr Phil Lawes as nominee of the Minister for Transport.

Executive support for the Panel is provided by the LGA Secretariat.

Fifty-two (52) applications totalling \$26,782,264 were received for the 2019-20 SLRP.

LGTAP met on 14 June 2019 to discuss the applications. Thirty-two (32) projects with a total funding allocation of \$15,536,000 (the estimated total funding available as at that date) for 2019-20 were recommended by LGTAP at the meeting for submission to the SA Local Government Grants Commission (SALGGC) for appropriate recommendation and subsequent formal announcement of successful funding allocations.

The funding amount for the SLRP 2019-20 was finalised by the SALGGC following LGTAP's meeting, and provided to LGTAP for further consideration. The official funding amount for 2019-20 was \$15,502,000 (a reduction of \$34,000 from the original estimate of the Identified Local Roads Grant component). LGTAP subsequently agreed on a refinement to its final funding recommendations out-of-session.

Neither the LGA nor the LGTAP provide formal notification of its recommendations as it is the prerogative of the respective State and Federal Ministers to make the public announcements once they have approved the funding allocations.

A copy of the LGTAP recommendations will be tabled at the LGA Board of Director's meeting and the relevant Regional LGAs and metropolitan council CEOs will be contacted to update them on the recommendations of the LGA Board of Directors.

SLRP – process and governance review

The *Terms of Reference, Guidelines, Policy and Processes* for the Special Local Roads Program are due to be reviewed in November 2019.

At its meeting, LGTAP agreed that it would recommend an external consultant be engaged by the LGA to independently review the current governance arrangements regarding the SLRP and generate options/recommendations to review and advise options for improvement. Following the new LGA constitutional arrangement, LGTAP agreed that it is timely that the SLRP process would benefit from a review for effectiveness and efficiencies.

Financial and Resource Implications

The LGA will draw from available Local Government Research and Development Scheme funds to commence the review of SLRP and will provide a report to the LGA Board of Directors.

7.8 Native Vegetation Council Nominations

Reports for Discussion

From:	Stephen Smith, Director Policy	
Key Initiative:	K.I 1 Leadership and advocacy	
Strategy:	1E Build and maintain effective partnerships and stakeholder relations	
Meeting	LGA Board of Directors	18 July 2019
ECM:	679138	Attachments: 677650, 682393, 682484, 682352, 682369

Recommendation

That the LGA Board of Directors forwards the following panel (at least one male and one female) of three nominees to the Minister for Environment and Water for the appointment of one member to the Native Vegetation Council, for a two year term commencing September 2019; being (in alphabetical order):

- a) ...
- b) ...
- c) ...

Discussion

Pursuant to Section 8 of the *Native Vegetation Act 1991*, the LGA must nominate a panel of three persons from which the Minister will select one person as a member of the Native Vegetation Council. Members nominated by the LGA must have some knowledge of, and experience in the preservation and management of native vegetation. Those persons must also carry on a business of primary production (owner or manager), live on or in close proximity to the land on which the business is carried on, and manage the business on a daily basis. The criteria does not limit nominations to regional broad acre farming businesses, so peri urban and regional small business owners were also encouraged to nominate.

Appointments to the Native Vegetation Council are for a period of two years, commencing 13 September 2019. The current local government representative is Cr John Neal of the Regional Council of Goyder with the role of his deputy currently vacant. His term on the NVC expires on 12 September, and he is eligible for re-appointment.

Sitting Fees are \$206 per four hour session.

Meetings are held every two months at the Department of Environment, Water and Natural Resources head office at 81-85 Waymouth Street, Adelaide and run for approximately 6 hours.

Once the council is appointed in September, a schedule of meetings for 2020 will be developed. The selection criteria for the Native Vegetation Council is set out in the attached Part A.

Nominations were invited from all Councils. Four (4) nominations had been received by the time of the closing date of 4 July 2019. The nominees are listed below (in alphabetical order). Any additional nominations received will be forwarded to members prior to the meeting.

Name	Title	Nominated By
BOURNE, Steve	Cr	Naracoorte Lucindale Council
HEASLIP, Phillip	Mayor	District Council of Mount Remarkable
HENDERSON, Marilyn	Cr Dr	City of Victor Harbor
NEAL, John	Deputy Mayor	Regional Council of Goyder

Nominations to Outside Bodies - Part A

Native Vegetation Council (NVC)	
Legal Status of Body	Statutory Authority
Summary Statement	The NVC is a statutory body under <i>the Native Vegetation Act 1991</i> which is required to keep the condition of the native vegetation of the State under review and to advise the Minister on issues in relation to its preservation, enhancement and management.
Selection criteria	
<i>The following selection criteria must be addressed when completing Part B</i>	
Qualifications Required <i>(formal qualifications relevant to the appointment)</i>	Not mandatory, however formal qualifications in environmental management would be an advantage. Pursuant to the Native Vegetation Act 1991, LGA nominees must be persons who <ul style="list-style-type: none"> a) carry on a business of primary production (whether as owner or manager of the business); and b) live on, or in close proximity to, the land on which the business is carried on; and c) manage the business on a daily basis.
Industry Experience	Knowledge of, and experience in the preservation and management of native vegetation.
Board / Committee Experience	Experience in the operation of councils, committee meetings and working groups.
Key Expertise <i>(other relevant experience i.e. those requirements established for a Board/Committee under an Act)</i>	An understanding of how native vegetation legislation applies to Councils. Experience with representing membership or stakeholder consensus on issues.
Liability and indemnity cover	
<i>The LGA requires that persons appointed to outside bodies be appropriately insured throughout the period of their appointment and seeks to collect details of the insurances provided by the outside body (on an annual basis)</i>	
Insurance information (Certificates of Currencies or equivalent) supplied by the Outside Body	Yes
Insurance Policies are valid & current	Yes

Nominations to Outside Bodies - Part B

This form:

- must not exceed 2 pages;
- must be submitted by a council;
- must be emailed in PDF format to lgasa@lga.sa.gov.au; and
- upon receipt at the LGA, will be acknowledged by return email.

Native Vegetation Council

Council details			
Name of council submitting the nomination	Naracoorte Lucindale Council		
Name of council officer submitting this form – refer <u>LGA Policy</u>	Name: Trevor Smart Position: CEO Email: trevor.smart@nlc.sa.gov.au Telephone: 8760 1100		
Nominee details			
Name of Nominee	Steve Bourne		
<input type="checkbox"/> Current Elected Member <input checked="" type="checkbox"/> or <input checked="" type="checkbox"/> Current council officer			
Home / Postal Address	PO Box 2153 Naracoorte SA 5271		
Phone	8760 1100	Mobile:	0488 028 703
Email	steve.bourne@nlc.sa.gov.au		
Is a CV attached or will it be forwarded separately?		attached	
Information relevant to the appointment sought			
<i>(address the selection criteria from Part A)</i>			
Qualifications Required: No formal qualifications required. <ul style="list-style-type: none"> • Graduate Diploma in Karst Management • Live in rural area of Naracoorte on small acreage • Director of family trust which operates a farm on the boundary of Bool Lagoon Game Reserve and Conservation Park. 			
Industry Experience: <ul style="list-style-type: none"> • Employed in Department for Environment in various roles from 1990-2011. From 2008-2011 responsible for program management including conservation programs and fire management (including prescribed burning). • 2011-current. Naracoorte Lucindale Council – responsible for ensuring obligations of Native Vegetation Act are met with Council's construction and maintenance programs. Also largely responsible for various community and environmental 			

projects, including education and promotion of natural environs.

- Have been responsible for many revegetation programs within work and private life, currently liaising with Cockies supporting Cockies with projects on Council land.
- Have provided advice to private landholders regarding development and requirements of NV Act. Have prepared and assisted with submissions to NVC.

Board/Committee Experience:

- Limestone Coast Tourism 1999-2010 (chair 2006-2010)
- Limestone Coast Regional Development Board 2006-7
- Minister for Tourism Roundtable 2006-2010
- Central NRM Group 2007
- Kanawinka Geopark Board 2007-2009
- Australasian World Heritage Advisory Committee 2009-2011
- CFS Volunteer Firefighter Museum Board – 2017 -current
- Responsible for providing information and direction to Council Committees and Working Groups, currently:
 - Strategic Asset Management Committee
 - Naracoorte Regional Livestock Exchange
 - Naracoorte Creek Working Group – establishing a master plan for the preservation and enhancement of Naracoorte Creek
 - Botanic Working Group – this provides advice to elected members on suitable park and street species, and improving amenity
 - Caves Trail Working Group

Key Expertise:

- While in Environment Department, involved with management plan and program development, ensuring alignment to policy and legislation.
- Currently responsible for ensuring Council activities comply with Native Vegetation Act and Regulations.
- Managed a project to assess roadside native vegetation and establish procedures for Council to ensure areas of significant vegetation are protected.
- Many years' experience in providing written reports to Elected Members of Council
- Involved with several representative boards and committees representing the interests of members as above.

Any other comments: Lifetime interest in natural landscapes

Undertaking:

The LGA Board resolved in January 2015 to ensure that appointees to external Boards and Committees remain current local government members or officers. If you leave local government for any reason during the term of your appointment, are you prepared to resign your appointment if requested to do so by the LGA?

Yes x No ☐



Signature of Nominee: _____



Nominations to Outside Bodies - Part B

This form:

- must not exceed 2 pages;
- must be submitted by a council;
- must be emailed in PDF format to lgasa@lga.sa.gov.au; and
- upon receipt at the LGA, will be acknowledged by return email.

Native Vegetation Council

Council details			
Name of council submitting the nomination	District Council of Mount Remarkable		
Name of council officer submitting this form – refer LGA Policy	Name: Catherine Battersby Position: Personal Assistant to the Executive Email: catherineb@mtr.sa.gov.au Telephone: 08 8666 2014		
Nominee details			
Name of Nominee	Mayor Phillip Heaslip		
<input checked="" type="checkbox"/> <u>Current Elected Member</u> or <input type="checkbox"/> <u>Current council officer</u>			
Home / Postal Address	Box 47, 639 Lynch Rd WIRABARA SA 5481		
Phone		Mobile	+61 (0) 419 038 734
Email	pheaslip@activ8.net.au , pmheaslip@mtr.sa.gov.au		
Is a CV attached or will it be forwarded separately?		Attached	
Information relevant to the appointment sought (address the selection criteria from Part A)			
Qualifications Required:			
<u>Carrying on a business of Primary Production:</u> Owner and Production Manager for Agriculture and Horticulture at Emu Spring, a working property of approximately 1,800 acres. The business includes: cereals and legumes, wool and fat lambs. Management includes: weed treatment, harvesting and transport, soil analysis, fertiliser application, soil improvement, irrigation, moisture monitoring, fencing.			
<u>Live on, or in close proximity to, the land on which the business is carried on:</u> I reside permanently on the farm, and am on the property at a daily basis.			
<u>Manage the business on a daily basis.</u> Production manager for Emu Spring farm. More than 30 years' experience managing land and natural resources.			
<u>Other relevant qualifications and experience</u>			
<u>Primary production and horticulture</u>			
<ul style="list-style-type: none"> • Certificate III in Horticulture AHC30710 (2014), Certificate III in Agriculture RTE30103 (2012), Certificate III in Production Horticulture AHC30610 (2012), Certificate IV in Production Horticulture AHC40310 (2012), Extensive practical experience in weed control and property management. 			
<u>People management, work safety and governance of organisations</u>			
<ul style="list-style-type: none"> • My work in vocational training has provided an understanding of standards management and job safety which I apply in Local Government and other work. • Trained indigenous students at Pt Augusta, Horticulture at Pt Germein, civil construction at Pt Augusta, conducted training at Pt Augusta jail in the AAU unit. 			



- Employed by Civil Train at Thebarton SA providing a wide range of competency based courses in agriculture, mining and civil construction.

Auditing, risk management, standards and procedures

- Lead Auditor Course WH&S /AS4801 (2014)
- Employed as an auditor by TQCSI Quality Assurance Services (2018) - received a commendation for and was recommended for further positions overseas.

Industry Experience: Knowledge of, and experience in the preservation and management of native vegetation.

Farm management has included:

- Establishing trees and native grasses on waterways, fencing off, preserving trees and shrubs, reducing and eliminating weed trees and bushes such as boxthorn, horehound etc., establishing a high diversity of trees, shrubs and understorey, preserving grasses and flowers that regenerated after the severe 2014 Bangor fire - this completely removed all live plants from the property but with strict supervision, regeneration has occurred (work included planning for ongoing regeneration and weed control, the use of new and contemporary techniques).
- Attendance at Landcare, Field Days, use of input from LGA

Board/Committee Experience:

- Currently Mayor and previously Deputy Mayor of the District Council of Mount Remarkable
- Regular attendance at State and National LGA meetings
- Chair of Building Fire Safety Committee, DCMR Melrose Caravan Park
- Wirrabara Progress Association member, Strong involvement with Country Fire Service, previously council representative at District Region 4 CFS captains and commanders.
- Working with Northern Areas and Pt Pirie councils with close alliance and letters of support
- Facilitated projects to sustain communities and services in the district.
- Liaised with government Ministers and industry leaders to establish new employment opportunities and initiatives in the district.

Key Expertise:

An understanding of how native vegetation legislation applies to Councils.

- Extensive work with landholders and the local Council has given me a strong understanding of the legislation and of the value of native vegetation for farms and communities.
- Direct experience of fire and a range of seasonal conditions
- Understanding of requirements for fire protection, land clearing permissions, weed control, and the regeneration of natural species and lifecycles of plants after bushfires.

Experience with representing membership or stakeholder consensus on issues.

- Strong community involvement – for example in country fire service
- Strong NRM, DEW, RDA liaison/involvements
- Wide range of contacts in my own community and across other areas
- Understanding of practicalities of land management, empathy with difficulties of rural communities – for example low employment opportunities
- Ability to understand and promote understanding of varied viewpoints in the community.
- Openness to new information and research – creating currency
- Looking for opportunities to promote tourism, township sustainability through parks, native species and vegetation highlights/showcases

Any other comments:

Experience in Local Government and community has given me a good understanding of how policy and legislation works at all levels of government, requirements for record keeping and meeting management, financial and business management.

Undertaking:

The LGA Board resolved in January 2015 to ensure that appointees to external Boards and Committees remain current local government members or officers. If you leave local government for any reason during the term of your appointment, are you prepared to resign your appointment if requested to do so by the LGA?

Yes ✓

Signature of Nominee: _____

Nominations to Outside Bodies - Part B

This form:

- must not exceed 2 pages;
- must be submitted by a council;
- must be emailed in PDF format to lgasa@lga.sa.gov.au; and
- upon receipt at the LGA, will be acknowledged by return email.

Native Vegetation Council

Council details			
Name of council submitting the nomination	City of Victor Harbor		
Name of council officer submitting this form – refer <u>LGA Policy</u>	Name:	Kyla Walker	
	Position:	Governance and Policy Officer	
	Email:	kwalker@victor.sa.gov.au	
	Telephone:	8551 05763	
Nominee details			
Name of Nominee	Dr Marilyn Henderson		
<input checked="" type="checkbox"/> Current Elected Member		or	<input type="checkbox"/> Current council officer
Home / Postal Address	Po Box 11 Victor Harbor SA 5211		
Phone		Mobile:	0438 840 294
Email	marilyn.henderson@victor.sa.gov.au		
Is a CV attached or will it be forwarded separately?		Attached	
Information relevant to the appointment sought			
(address the selection criteria from Part A)			
Qualifications Required: B.Ag.Sc., PhD (Animal Science), Grad.Dip.Env.Studies (a) I, with my partner, run a beef cattle business. (b) We live on the property at Back Valley, Fleurieu Peninsula, SA. (c) We, alone, manage the business on a daily basis.			
Industry Experience: Over 40 years' experience revegetating rural properties in SA (Adelaide Hills Council, Mount Barker District Council, City of Victor Harbor), in association with Trees for Life; Bush for Life Volunteer 2005-2014; Member of 'The Green Team', Monarto Zoo 2006-2010			



Board/Committee Experience:

- Chair, Disability Access and Inclusion Advisory Committee (Section 41) City of Victor Harbor
- Chair, Fleurieu Regional Community Services Advisory Committee (Section 41) City of Victor Harbor.
- Chair, Southern Communities Transport Advisory Committee (Section 41) City of Victor Harbor
- CEO Performance Review Committee (Section 41) City of Victor Harbor.
- Arts and Culture Advisory Group, City of Victor Harbor.
- Elected Member Representative, Tree Assessment Panel, City of Victor Harbor.
- Elected Member Representative, Friends of the Victor Harbor Library Committee.
- Member, South Coast Environment Centre Committee
- Chair, Murraylands Homes for the Aged

Key Expertise: As the Elected Member representative on the City of Victor Harbor Tree Assessment Panel I am familiar with, and understand the legislation of the *Native Vegetation Act 1991* and subsequent changes to the Native Vegetation Regulations 2017, allowing councils to more efficiently and effectively manage trees in urban areas to reduce the risk to the community whilst maintaining and improving the health and longevity of significant trees. The City of Victor Harbor Tree Management Policy gives direction for our Council to manage, develop, protect and conserve trees in our Council area and ensures that native vegetation on roads, community land and other public landscapes are planted and maintained consistent with current legislative requirement, risk management principles, ecologically sustainable development principles and community amenity values.

Any other comments:

Undertaking:

The LGA Board resolved in January 2015 to ensure that appointees to external Boards and Committees remain current local government members or officers. If you leave local government for any reason during the term of your appointment, are you prepared to resign your appointment if requested to do so by the LGA?

Yes ☒ No ☐

Signature of Nominee:

M. Henderson



Nominations to Outside Bodies - Part B

This form:

- must not exceed 2 pages;
- must be submitted by a council;
- must be emailed in PDF format to lgasa@lga.sa.gov.au; and
- upon receipt at the LGA, will be acknowledged by return email.

Native Vegetation Council

Council details			
Name of council submitting the nomination	Regional Council of Goyder		
Name of council officer submitting this form – refer LGA Policy	Name:	David J. Stevenson	
	Position:	CEO	
	Email:	dstevenson@goyder.sa.gov.au	
	Telephone:	08 8892 0100	
Nominee details			
Name of Nominee	Deputy Mayor John Neal		
Current Elected Member			
Home / Postal Address	220 Mosey Road, Ngapala via Eudunda		
Phone	08 8581 1057	Mobile:	0428 618 710
Email	crneal@goyder.sa.gov.au		
Is a CV attached or will it be forwarded separately?		attached	
Information relevant to the appointment sought			
(address the selection criteria from Part A)			
Qualifications Required: refer resume			
Industry Experience: refer resume			
Board/Committee Experience: refer resume			
Key Expertise: refer resume			
Any other comments: refer resume			
Undertaking: refer resume			



Local Government Association
of South Australia

The voice of local government.

The LGA Board resolved in January 2015 to ensure that appointees to external Boards and Committees remain current local government members or officers. If you leave local government for any reason during the term of your appointment, are you prepared to resign your appointment if requested to do so by the LGA?

Yes ☒ No ☐

Signature of Nominee: _____

A handwritten signature in blue ink, appearing to be 'J. R. ...', written over a horizontal line.

7.9 South Eastern Water Conservation and Drainage Board Nominations

Reports for Discussion

From:	Stephen Smith, Director Policy	
Key Initiative:	K.I 1 Leadership and advocacy	
Strategy:	1E Build and maintain effective partnerships and stakeholder relations	
Meeting	LGA Board of Directors	18 July 2019
ECM:	680755	Attachment: 679907

Recommendation

That the LGA Board of Directors forwards the following (at least one male and one female) three nominees to the Minister for Environment and Water for the appointment by the Governor of one nominee to the South Eastern Water Conservation and Drainage Board, for a four year term commencing in September 2019; being (in alphabetical order):

- a) ...
- b) ...
- c) ...

Discussion

The functions of the Board as described in the South Eastern Water Conservation and Drainage Act 1992 (Act) are:

- to provide an effective and efficient system for managing the surface water of non-urban lands in the South East, by conserving, draining, altering the flow of or utilising that water in any manner;
- to carry out works for the purpose of lowering the level of the water table of lands in the South East;
- to undertake, assist or promote research in the fields of water conservation, drainage and management;
- to give advice and assistance to others in the fields of water conservation, drainage and management.

In accordance with section 9(b) of the Act one member of the Board will be a person appointed by the Governor on the nomination of the LGA. Where an Act does not require the LGA to nominate a panel of persons for the Governor to select from, section 36A(3) of the *Acts Interpretation Act 1915* requires the LGA to nominate not less than twice the members to be appointed, plus one, and that the list of nominees includes at least 1 woman and 1 man. Thus, the LGA must provide a minimum of three nominees to the Minister.

Appointment is for a period of four years, commencing 10 September 2019. The LGA nominated person currently on the South Eastern Water Conservation and Drainage Board is Mayor Kay

Rasheed, of the Kingston District Council. The LGA has been informed by the Board that Mayor Rasheed has resigned and will not reapply once her term expires on 9 September 2019.

Sitting Fees are paid at an amount determined by the Governor and are currently \$177 per four hour session.

The Board meets nine times per year with the majority of meetings being held in Millicent, but sometimes at other locations within the South East.

The selection criteria for the South Eastern Water Conservation and Drainage Board is set out in the attached Part A.

Nominations close on Friday 12 July 2019, and a full list of nominees will be provided to the Board of Directors at, or prior to, the meeting.

Nominations to Outside Bodies - Part A

South Eastern Water Conservation and Drainage Board	
Legal Status of Body	Statutory Authority
Summary Statement	The South Easter Water Conservation and Drainage Board is established under the <i>South Eastern Water Conservation and Drainage Act 1992</i> .
Selection criteria	
<i>The following selection criteria must be addressed when completing Part B</i>	
Industry Experience	Industry experience relating to water and land management in the South East Region.
Board / Committee Experience	Experience being a member of a Board or Committee.
Key Expertise <i>(other relevant experience i.e. those requirements established for a Board/Committee under an Act)</i>	<p>Experience or knowledge of the issues relating to the operation and management of the South East drainage and wetland network.</p> <p>Expertise in infrastructure operation and maintenance or large infrastructure projects.</p>
Liability and indemnity cover	
<i>The LGA requires that persons appointed to outside bodies be appropriately insured throughout the period of their appointment and seeks to collect details of the insurances provided by the outside body (on an annual basis)</i>	
Insurance information (Certificates of Currencies or equivalent) supplied by the Outside Body	Yes
Insurance Policies are valid & current	Yes

7.10 Australia Day Council of SA Board of Management Nominations

Reports for Discussion

From:	Lea Bacon, Director Policy	
Key Initiative:	K.I 1 Leadership and advocacy	
Strategy:	1E Build and maintain effective partnerships and stakeholder relations	
Meeting	LGA Board of Directors	18 July 2019
ECM:	682462	Attachment: 673382

Recommendation

That the LGA Board of Directors appoints one ex officio member to the Australia Day Council of SA Board of Management, for a two year term commencing immediately; being:
(insert name here)...

Discussion

The Australia Day Council of South Australia (ADCSA) has recently written to the LGA seeking a new appointment to their Board of Management from the role of a local government elected member or council CEO.

Under its constitution, the ADCSA Board is a minimum of 12 and a maximum of 16 people, comprising:

- up to five Ex officio Board Members;
- up to seven Ordinary Board Members;
- up to three Appointed Board Members; and
- the immediate past Chairperson.

The Ex officio Board Members may comprise -

- one person appointed by the Premier of South Australia
- one person appointed by the Local Government Association of South Australia
- one person appointed by the South Australian Multicultural and Ethnic Affairs Commission
- one person appointed by the South Australian Minister for Aboriginal Affairs; and Reconciliation (or similar)
- one person nominated by the Local Council selected to host the Council's principal Australia Day celebration on Australia Day following the Annual General Meeting.

Ex officio Board Members have the same vote, rights and obligations as the other Board Members.

The LGA's former appointment since 2011 was Cr Barry Featherston (formerly of Alexandrina Council). As per LGA policy, Mr Featherston's resignation was sought as he was no longer an elected member following the 2018 Local Government elections.

Mr Featherstone was the ADCSA Treasurer, and the ADCSA has stated that a new LGA appointment with strong financial skills would be advantageous to their Board. Audited statements in the ADCSA's 2017-18 Annual Report show the ADCSA had an income of \$843,994 mostly from grants, sales and subscriptions and had an operating deficit of \$30,449.

The ADCSA has stated that the new LGA appointment will be for a maximum of two years, commencing immediately upon appointment. The ADCSA has also noted that the three females on the Board all retired in June 2019.

The position is voluntary and there are no sitting fees.

There are approximately ten meetings held annually, normally on a Thursday evening from 6-8pm in Adelaide CBD.

The selection criteria for the Australia Day Council of SA Board of Management is set out in the attached Part A.

The LGA has sought nominations from our member councils via Circular. Nominations close on Tuesday 16 July 2019 and a full list of nominees will be provided to Members at the meeting.

Further background

The ADCSA is an independent, non-profit, membership-based association. It ADCSA hosts major events and programs that focus on Australia Day, including:

- National programs coordinated at the State level:
 - The Australian of the Year Awards
 - The Australia Day Ambassador program
- Statewide events:
 - Australia Day in the City - Parade Concert and Fireworks
 - The Australia Day Luncheon
 - Australia Day Awards Ceremony, held at Government House
- State level awards include:
 - The Australia Day Citizen of the Year Awards
 - The Award for Leadership in Languages and Cultures
 - The "Women Hold Up Half The Sky" Award

Under the Council's Constitution its objectives are:

- To foster national pride
- To instil a desire to contribute to Australia's future
- To encourage Australians to live and work together by fostering local community spirit
- To stimulate concern for Australia as a nation
- To create an awareness of, and value, for Australia's heritage
- To promote the observance and celebration of Australia Day
- To make recommendations to and advise the Australian Government on all matters relating to the above objectives

At the local government level, the ADCSA provides support to councils and organising committees for their 130+ Australia Day events. These Awards are presented at the Australia Day Awards Ceremony at Government House.

Funding and support comes from the Australian Government (via the National Australia Day Council), the Government of South Australia, The City of Adelaide, its membership base (including all SA councils, Corporate Club and Individual Members), sponsorships, grants, merchandise sales and partnerships. The Australia Day Council of South Australia is also a Registered Charity.

Local government has previously been well represented on the ADCSA Board. In 2017-2018, members from the local government sector were:

- Chairperson Houssam Abiad, Deputy Lord Mayor, City of Adelaide; Ex-officio representing City of Adelaide
- Cr Barry Featherston (Alexandrina Council) Treasurer; Ex-officio representing Local Government Association
- Cr Carol Martin OAM, Appointed Board Member since 2017 (current elected member at City of Port Adelaide Enfield).
- (Former) Mayor John Trainer, Ordinary Board Member.
- Mr Peter Tsokas, CEO City of Unley, Ordinary Board Member

Nominations to Outside Bodies - Part A

Australia Day Council of SA Board of Management	
Legal Status of Body	Incorporated Body
Summary Statement	The Australia Day Council of SA is an independent non-profit membership-based association with funding and support from all levels of Government.
Selection criteria	
<i>The following selection criteria must be addressed when completing Part B</i>	
Industry Experience	An ability to represent community views and the views of local government.
Board / Committee Experience	Relevant experience serving on boards and committees is desirable.
Key Expertise <i>(other relevant experience i.e. those requirements established for a Board/Committee under an Act)</i>	<ul style="list-style-type: none"> An interest in and/or knowledge and experience in the celebration of community and civic events Strong financial skills
Liability and indemnity cover	
<i>The LGA requires that persons appointed to outside bodies be appropriately insured throughout the period of their appointment and seeks to collect details of the insurances provided by the outside body (on an annual basis)</i>	
Insurance information (Certificates of Currencies or equivalent) supplied by the Outside Body	Yes
Insurance Policies are valid & current	Yes

8.1 Grounds for moving into confidence

Confidential Reports

From: Jacqui Kelleher, Office Manager
Meeting: LGA Board of Directors 18 July 2019
ECM: 683552

Recommendation

That the LGA Board of Directors resolves to consider the following items in confidence being satisfied that there are reasonable grounds for the information received, discussed or considered in relation to these items to be treated confidentially having considered clause 2.5.3 of the LGA Meeting Procedures and orders all observers at the meeting, with the exception of LGA staff on duty, be excluded from attendance at the meeting:

1. **Agenda Item 8.2 - *Confidential Minutes of Previous Meetings;***
2. **Agenda Item 8.3 - *Confidential Resolutions and Actions from Previous Meetings; and***
3. **Agenda Item 8.4 - *Pricing Methodology and Pricing Schedule 2018/19; and***
4. **Agenda Item 8.5 - *CEO Advisory Group – Casual Vacancy.***

Discussion

Refer to confidential reports.