

Petition - Review & Apply Regulation to Short Term Accommodation

Tuesday, 13 September 2022
Council

Strategic Alignment - Enabling Priorities

Program Contact:
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Public

Approving Officer:
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Operating Officer

EXECUTIVE SUMMARY

This report presents a petition for Council to receive, which meets the requirements of the Regulations.

The petition, containing 55 signatories, asks Council to consider a range of actions to review and apply Regulation to Short Term Accommodation and indicates disagreement with the conversion of 120 dwelling apartments into serviced apartments at West Franklin Stage 1.

RECOMMENDATION

THAT COUNCIL

1. Receives the petition containing 55 signatories, distributed as a separate document to Item 8.1 on the Agenda for the meeting of the Council held on 13 September 2022, asks Council to consider a range of actions to review & apply Regulation to Short Term Accommodation and indicates disagreement with the conversion of 120 dwelling apartments into serviced apartments at West Franklin Stage 1.
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IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	Strategic Alignment – Enabling Priorities Presentation of petitions align with the Strategic Plan objective that community consultation underpins everything we do.
Policy	Not as a result of this report
Consultation	Not as a result of this report
Resource	Not as a result of this report
Risk / Legal / Legislative	Petition presented for receipt in accordance with the <i>Local Government (Procedures at Meetings) Regulations 2013 (SA) and City of Adelaide Standing Orders</i> . Of the 55 signatories, 25 are not original signatures on the petition and are contained within documents evidencing (scanned images) and / or referencing participation via email or instant message having cited and attested to the petition.
Opportunities	Not as a result of this report
22/23 Budget Allocation	Not as a result of this report
Proposed 23/24 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report
22/23 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

DISCUSSION

1. A petition has been received which states:

I/We, in the list below, do hereby a petition for the captioned matter. We would like to ask Council to consider

- *reviewing the impact of mixing Short term and Long term Accommodation with Committee Members and/or Residents of Apartment Complex in the Adelaide City.*
- *if the Conversion into 120 unallocated Serviced Apartments (more than 40%) in West Franklin (WF) Stage 1 is appropriate*
- *escalating to SA State to apply Regulation to Short Term Accommodation*
- *changing By law with Community and Strata Titles Act*
- *following other states, including NSW, that are encouraging owners to put their properties on the long-term rental market by imposing limits on the number of days they can be listed on short-stay sites throughout the year especially if they are mixing with long term residents.*

In addition, I/we disagree with the Conversion of 120 dwelling apartments into serviced apartments at West Franklin Stage 1.

2. If a petition is received the Chief Executive Officer must ensure the petition is placed on the agenda for the next ordinary meeting of Council. The original petition will be distributed to all Council Members separately. Members of the public may seek a copy of the original petition upon written request to the Chief Executive Officer.
3. To determine that a document presented is a petition pursuant to regulation 10 of the *Local Government (Procedures at Meetings) Regulations 2013 (SA)* (the Regulations), the following matters in conjunction with the requirements of the City of Adelaide Standing Orders, are assessed prior to the presentation of a petition to the Council:
 - 3.1. What is a Petition?

A 'petition' is commonly defined as 'a formal document which seeks the taking of specified action by the person or body to whom it is addressed' or 'a written statement setting out facts upon which the petitioner bases a prayer for remedy or relief'.
 - 3.2. Does the Petition contain original signatures or endorsements, accompanied by an address?

A petition being a document of a formal nature must contain original signatures or endorsements (not copies) and those signatures, or endorsements, must be accompanied by an address.
 - 3.3. Does each page of the Petition identify what the signature is for?

Each signature must be on a true page of the petition which sets out the prayer for relief as part of that page - a sheet which contains signatures but not the prayer cannot be accepted as valid as there is no evidence as to what the signatories were attesting to.
 - 3.4. Language in the Petition?

The request must be written in temperate language and not contain material that may, objectively, be regarded as defamatory or offensive in content.
4. Regulation 10 states that a petition to Council must:
 - 4.1. Be legibly written or typed or printed.
 - 4.2. Clearly set out the request or submission of the petitioners.
 - 4.3. Include the name and address of each person who signed or endorsed the petition.
 - 4.4. Be addressed to the Council and delivered to the principal office of the Council.
5. This petition containing 55 signatories meets the requirements of the Regulations and is presented for Council to receive.

ATTACHMENTS

Petition distributed separately to Lord Mayor and Councillors